

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. 11/20

Date to Members: 13/03/2020

Member's Deadline: 19/03/2020 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

1. Application reference number:

2. Site Location:

3. Reasons for referral:

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

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

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

a) Referring Member:

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

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

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

Date:

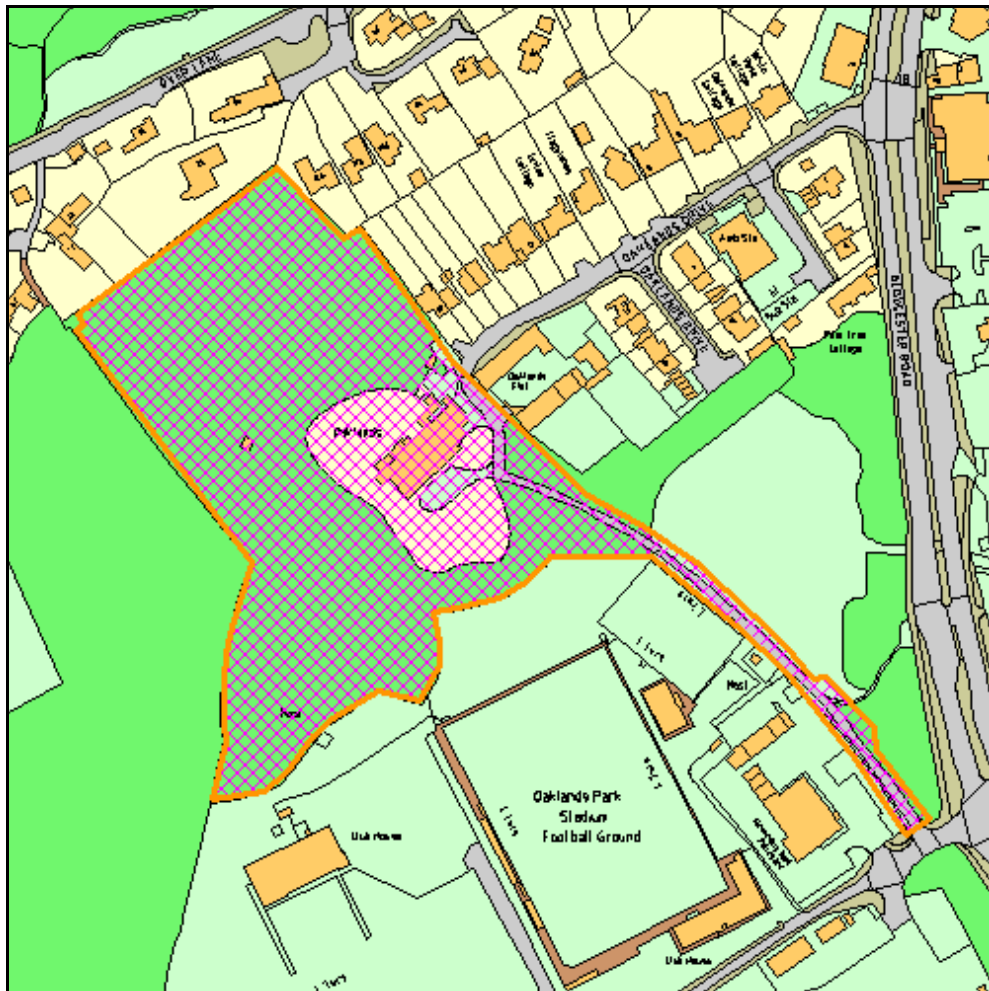
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 13 March 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/11955/RVC	Approve with Conditions	Oaklands Oaklands Drive Almondsbury South Gloucestershire BS32 4AB	Severn Vale	Almondsbury Parish Council
2	P19/16145/F	Approve with Conditions	The Orchard Gloucester Road Whitfield Wotton Under Edge South Gloucestershire GL12 8DU	Charfield	Falfield Parish Council
3	P19/19427/F	Approve with Conditions	7 Stokefield Close Thornbury South Gloucestershire BS35 1HE	Thornbury	Thornbury Town Council
4	P19/4818/F	Approve with Conditions	Railway Tavern 56 Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8SR	Charfield	Charfield Parish Council
5	P20/01194/F	Approve with Conditions	53 High Street Wick South Gloucestershire BS30 5QQ	Boyd Valley	Wick And Abson Parish Council
6	P20/01471/RVC	Approve with Conditions	Oakham Farm Land At Parklands Almondsbury South Gloucestershire BS32 4BS	Severn Vale	Almondsbury Parish Council
7	P20/01742/F	Approve with Conditions	10 Hillcrest Thornbury South Gloucestershire BS35 2JA	Thornbury	Thornbury Town Council
8	P20/02993/F	Approve with Conditions	19 Fouracre Avenue Downend South Gloucestershire BS16 6PD	Frenchay And Downend	Downend And Bromley Heath Parish Council

CIRCULATED SCHEDULE NO. 11/20 - 13th March 2020

App No.:	P19/11955/RVC	Applicant:	Cedar Care Developments
Site:	Oaklands Oaklands Drive Almondsbury Bristol South Gloucestershire BS32 4AB	Date Reg:	4th September 2019
Proposal:	Variation of condition 2 attached to PT18/4625/F to substitute plan numbers 3144 PL05B, PL06B, PL08D, PL09D, PL010A and PL14A for plan numbers PL05A, PL06A, PL08C, PL09C, PL010 and PL14. Demolition of existing building. Erection of care home with 26 no. nursing bedrooms and 15 no. assisted apartments (Class C2), parking, landscaping and associated works.	Parish:	Almondsbury Parish Council
Map Ref:	360384 183633	Ward:	Severn Vale
Application Category:	Major	Target Date:	29th November 2019



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 100023410, 2008. N.T.S. P19/11955/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.

CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule following objections from the Parish.

1. THE PROPOSAL

- 1.1 This planning application is made under Section 73 (“s73”) of the Town and Country Planning Act 1990 (as amended) (“the Act”). Applications made under this section of the Act seek to develop land without compliance with conditions previously attached to the relevant planning permission. In this instance, the applicant seeks to vary conditions attached to original application PT18/4625/F was for the Demolition of existing building. Erection of care home with 26 no. nursing bedrooms and 15 no. assisted apartments (Class C2), parking, landscaping and associated works. The planning application was approved on 22.7.19.
- 1.2 The application site relates to Oaklands, Oaklands Drive, Almondsbury, outside the settlement boundary and within the Bristol/Bath Green Belt. Its grounds are acknowledged as being on the Council’s register of Historic Parks and Gardens.
- 1.3 Originally the site was accessed from Oaklands Drive but is now accessed by means of a separate, secondary access close to the entrance to the Police HQ off Gloucester Road. This application seeks changes to the approved plans to alter the internal arrangements of the development to accommodate an increase in the number of nursing care bedrooms and removing the previously approved assisted living apartments.
- 1.4 During the course of the application additional information was received to address queries raised regarding number of staff and landscaping.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 2019
National Planning Policy Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility

CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS20	Extra Care Housing
CS23	Community Infrastructure and Cultural Activity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP5	Undesignated Open Spaces
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP9	Health Impact Assessments
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivision, and HMOs
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
 South Gloucestershire Design Checklist (Adopted) 2007)
 South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
 Affordable Housing SPD (Adopted) Sept.2008.
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
 SPD – (Adopted) March 2015
 SPD: Development in the Green Belt (Adopted) 2007
 South Gloucestershire Council Waste Collection: guidance for new
 developments SPD (Adopted) Jan 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PT18/4625/F Demolition of existing building. Erection of care home with 26 no. nursing bedrooms and 15 no. assisted apartments (Class C2), parking, landscaping and associated works.
 Approved 22.7.19
- 3.2 PT18/5026/LB Internal and external repair works to access door, 2 no. windows, roof and wooden panelling. Replacement of 1no. window.
 Approved 23.7.19

- | | | | |
|-----|---------------|--|----------|
| 3.3 | PT18/026/SCR | Screening opinion request for PT18/4625/F. Demolition of existing building. Erection of care home with 26 no. nursing bedrooms and 15 no. assisted apartments, parking, landscaping and associated works.
Not required | 6.11.18 |
| 3.4 | PT15/3267/F | Change of Use of Nursing Home (Class C2) to residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
Approved | 22.9.15 |
| 3.5 | PT12/3329/F | Change of use to Residential Care Home with parking and associated works (Class C2) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). External alterations to Main House, Stable Block and Cottage Block.
Approved | 28.2.13 |
| 3.6 | PT02/1731/R3F | Erection of spread spectrum radio aerial.
Deemed consent | 8.7.02 |
| 3.7 | P89/2742 | Change of use of premises from elderly persons home to accommodation for the elderly and mentally infirm, emergency duty team office and resource/activity centre; construction of vehicular parking area.
No objection | 15.11.89 |

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
Objection:
This is a substantial increase to this application and is not a change of variation. This adds 22 rooms, so from 41 rooms this has allowed for 63 rooms and this alone is a massive increase.
Concerns are raised over the additional services and additional staff needed, with vehicular access and parking to this site, where is the provision of a car park?
- 4.2 **Internal Consultees**
- 4.3 Tree Officer
No comment.
- 4.4 Archaeology
No comment.
- 4.5 Housing enabling
No objection – As the proposed changes will still result in a C2 use there will be no requirement for an affordable housing contribution.
- 4.6 Environmental protection
No objection

- 4.7 Drainage
No objection
- 4.8 Wales and West Utilities
No objection
- 4.9 Public Art Officer
No comment.
- 4.10 Conservation officer
No comment
- 4.11 Historic England
No objection
- 4.12 Transport
Queried number of staff that would be working on the site.

Updated comments:

The access and car / cycle parking arrangements shown on the previously approved Landscape Masterplan drawing 124/PA/01G will provide a suitable access and sufficient parking to accommodate the revised proposal for the 63 single bedrooms in the care home with 25 members of staff (as confirmed by the applicant).

No transport objections subject to the same conditions previously attached.

- 4.13 Highways England
No objection
- 4.14 Public Rights of Way
No objection
- 4.15 Highway Structures
No comment
- 4.16 Avon Gardens Trust
Objection:
The Trust would like further clarification as to how the room changes will affect the immediate landscaping relative to the ground floor rooms.

The applicant has confirmed that the room changes will not affect any immediate landscaping relative to the ground floor rooms.

Other Representations

- 4.17 Local residents:
2 letters of objection have been received. The comments are summarised as:
- Scale is substantially different for the one which has been approved

- Increase impact on surrounding area, including traffic from staff, visitors and deliveries
- The proposal would change the character of development and the area in general
- Increase from 41 to 63 rooms is not a minor amendment

5. **ANALYSIS OF PROPOSAL**

5.1 The applicant seeks to vary conditions.

5.2 Principle of Development

Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.

5.3 If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly.

5.4 If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.

5.5 In assessing this application it is necessary to assess whether the relevant condition, or any variations satisfy the requirements of planning conditions as set out in the National Planning Policy Framework (NPPF). The NPPF requires all planning conditions to pass three tests – that conditions should be:

- i. Necessary to make the development acceptable
- ii. Directly related to the development
- iii. Fairly and reasonably related in scale and kind

5.6 Analysis of the proposal

Variation of condition 2 to substitute plans for those previously approved

5.7 Condition 2 read:

Development shall proceed in accordance with the following plans:

As received by the Council on 12.10.18:

Existing and proposed volume calculation - P003 A
Elevation detail - PL10

As received by the Council on 29.10.18:

Existing elevations and floor plans - PL03 A
Proposed ground floor and basement plan - PL05 A
Proposed first floor and roof plan - PL06 A
Proposed NE and SE elevations - PL08 C

Proposed NE and SW elevations - PL09 C
Proposed side elevations and proposed - PL14

As received by the Council on 14.3.19:

Site location plan - PL01 A
Existing block plan - PL12 B
Proposed block plan - PL13B

As received by the Council on 1.5.19:

Landscape master plan - 124/PA/01 G
Landscape details - 124/PA/02 G
Landscape details - 124/PA/03 G
Landscape details - 124/PA/04 E

As received by the Council on 27.6.19:

Site drainage layout - 001
Basement and Ground floor drainage layout - 002

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.

5.8 The proposed substitute plans are as follows:

- 3144 PL05B Floor Plans 1 (Basement)
- 3144 PL06B Floor Plans 2 (First Floor and Roof plan)
- 3144 PL008D Elevations 1 (Front and south)
- 3144 PL009D Elevations 2 (Rear and north)
- 3144 PL010A Elevation Detail (canopy detail)
- 3144 PL14A Elevations 3 (South and north and bin and cycle enclosures)

5.9 Assessment:

The change proposed is to replace the ground floor assisted apartment with nursing bedrooms and also add new nursing bedrooms to the basement to make a total of 63 no. nursing bedrooms. The previously approved scheme was for 26 nursing bedrooms and 15 assisted apartments.

5.10 It is emphasised in the submitted details that there would be no increase in the overall volume of the revised scheme when compared with the approved scheme and the height and external appearance of the scheme would remain the same. Some changes are noted to the pattern of fenestration but essentially it is the difference in the use of the internal arrangements that requires consideration.

5.11 The proposed nursing bedrooms remain within the approved Class C2 category and this is acknowledged by the Housing Enabling consultation response which offers no objection to the changes. The principle of development is therefore unchanged as far as the proposal is concerned.

- 5.12 The result of the proposal would mean there would be a change to the composition of the care home. It would increase the number of nursing bedrooms to 63, but at the same time, this increase would be off-set by the removal of the previously approved 15 assisted apartments. The assisted apartments were 2 beds each and therefore the overall increase in number of proposed residents could be viewed as being 7.
- 5.13 When comparing the approved scheme versus this proposal it is acknowledged there would be a small increase in the number of beds. However, it is important to consider the development as a whole and given there would be no changes to the appearance of the building; the changes would be to the use of the rooms, in this instance the proposal can be viewed as being non-material to the wider and larger scheme. Although acceptable in principle, it is important to consider the impact the changes would have on transport, parking provision and the character of the area.
- 5.14 Transport:
Comments have been received from local residents querying any changes to the parking provision that would be required from these revisions. It has been confirmed that there will be no change to the number of staff proposed at 25 and no changes to the proposed car/cycle parking as proposed on the approved Landscape Masterplan drawing 124/PA/01G. The proposal is therefore acceptable in these terms.
- 5.15 Character of the area including the impact on the gardens:
Given that the approved scheme established the principle of a care home being acceptable on this site, the changes as proposed here would not alter this and therefore would not have an adverse impact on the character of the area. With regards to landscape, details have confirmed that the internal changes would not interfere with the approved landscape plan and on this basis there can be no objection to the scheme.
- 5.16 Balance
It is considered that alterations to condition 2 as discussed above are acceptable and can be recommended for approval.
- 5.17 Other conditions:
It is considered appropriate for all the other conditions attached to the approved scheme PT18/4625/F to be transferred to this permission.

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 **APPROVE** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan:

Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that the application be **APPROVED** subject to the conditions written on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

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. Development shall proceed in accordance with the following plans:

As received by the Council on 12.10.18:
Existing and proposed volume calculation - P003 A

As received by the Council on 29.10.18:
Existing elevations and floor plans - PL03 A

As received by the Council on 14.3.19:
Site location plan - PL01 A
Existing block plan - PL12 B
Proposed block plan - PL13B

As received by the Council on 1.5.19:
Landscape master plan - 124/PA/01 G
Landscape details - 124/PA/02 G
Landscape details - 124/PA/03 G
Landscape details - 124/PA/04 E

As received by the Council on 27.6.19:
Site drainage layout - 001
Basement and Ground floor drainage layout - 002

As received by the Council on 29.8.19:
Proposed ground floor and basement plan - 3144 PL05B Floor Plans 1
Proposed first floor and roof plan - 3144 PL06B Floor Plans 2
Proposed NE and SE elevations - 3144 PL008D Elevations 1 (Front and south)
Proposed NE and SW elevations - 3144 PL009D Elevations 2 (Rear and north)
Elevation detail -3144 PL010A (canopy detail)
Elevation detail - 3144 PL14A Elevations 3 (South and north and bin and cycle enclosures)

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. Contamination:

A) Desk Study - fire damage to the existing building may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

B) Intrusive Investigation/Remediation Strategy - Where following the risk assessment referred to in (A), land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of the works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed.

The approved remediation scheme shall be carried out before the development (or relevant phase of development) is occupied.

C) Verification Strategy - Prior to first occupation, where works have been required to mitigate contaminants (under condition B) a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

D) 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 (or relevant phase of development) is resumed or continued.

Reason

This is a prior to commencement condition to avoid any unnecessary remedial action in future and to ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. No access from Oaklands Drive

There shall be no vehicle access to the site from Oaklands Drive other than for emergency vehicles.

Reason:

To reduce the impact of the proposed development on the residents of Oaklands Drive and also for highway safety in that it will also remove additional turning movements at the junction of Oaklands Drive and the A38 in accordance with Policy CS8 of the South Gloucestershire Local Plan: Cores Strategy (Adopted) 2013 and the NPPF.

5. Ecology:

Prior to first occupation, evidence of the implementation of mitigation and compensation recommended within Chapter 4 of the Ecological Appraisal (Crossman Associates, June 2019) shall be submitted to the local planning authority for approval in writing. This shall include evidence of ecological supervision during demolition, the provision of bat boxes during demolition, the installation of integrated bat boxes as compensation, the installation of bird boxes, and the provision of a reptile mitigation strategy.

Reason

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

6. Public art:

Prior to first occupation, a scheme of public art on the site should be submitted to the LPA for written approval. The development shall continue in accordance with these approved details.

Reason

In the interests of visual amenity and cultural activities for new residents and to accord with Policy CS1 and CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

7. Landscape:

Prior to the first occupation of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall

include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, 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 indicating lines, manhole); retained historic landscape features and proposals for restoration where relevant. Soft landscape works shall include 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; implementation programme. Details to include 3no. visual panels for Japanese garden, rock garden and folly. Development to proceed in accordance with the approved scheme.

Reason

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

8. CEMP:

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

The CEMP shall address the following matters:

- (i) Measures to control the tracking of mud off-site from vehicles.
- (ii) Measures to control dust from the demolition and construction works approved.
- (iii) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- (iv) Adequate provision for the delivery and storage of materials.
- (v) Adequate provision for contractor parking.
- (vi) Temporary access arrangements for construction traffic.
- (vii) Details of Main Contractor including membership of Considerate Constructors scheme.
- (viii) Site Manager contact details.
- (ix) Processes for keeping local residents informed of works being carried out and dealing with complaints.

Reason

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

9. Travel plan:

The development shall not commence until the submitted draft Framework Travel Plan has been updated to a Full Travel Plan and has been submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the details therein.

Reason

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

CIRCULATED SCHEDULE NO. 11/20 - 13 MARCH 2020

App No.:	P19/16145/F	Applicant:	Mr And Mrs M Lewis
Site:	The Orchard Gloucester Road Whitfield Wotton Under Edge South Gloucestershire GL12 8DU	Date Reg:	2nd December 2019
Proposal:	Erection of two storey side extension to provide garage, therapy room and carers suite (Class C3)	Parish:	Falfield Parish Council
Map Ref:	367286 191378	Ward:	Charfield
Application Category:	Householder	Target Date:	23rd January 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 due to the receipt of objections from the local residents and the Falfield Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for an erection of a two storey side extension to provide garage, therapy room and carer's suite (Class C3) at the Orchard, Gloucester Road, Whitfield. The site is located outside any settlement boundary and in the open countryside. However, it is not located in the Bristol/Bath Green Belt. The site is situated within a setting of the Grade II listed building, Pool Farm, which lies opposite to the application site.
- 1.2 The proposed extension would be a link between the host dwelling and the outbuilding, which is used as an indoor swimming pool. This swimming pool could be considered as permitted development rights. It is also noted that a number of trees have been planted within the garden area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

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

CS1	High Quality Design
CS2	Green Infrastructure
CS5	Location of Development
CS6	Infrastructure and developer contributions
CS8	Improving Accessibility
CS9	Heritage and the natural environment
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP37	Internal Space and Accessibility Standards for Dwelling

PSP38	Development Within Existing Residential Curtilage, Including Extensions and New Dwellings
PSP40	Residential Development in the Countryside
PSP41	Rural Workers Dwellings
PSP42	Custom Build dwellings

2.3 Supplementary Planning Guidance and other relevant documents

Residential Parking Standards SPD (Adopted 2013)

South Gloucestershire Biodiversity Action Plan (Adopted)

The South Gloucestershire Design Check List SPD (Adopted August 2007)

Trees on Development Sites SPD Adopted Nov. 2005

3. RELEVANT PLANNING HISTORY

The site, which was originally formed part of the garden of the Pheasant, has been subject to a number of planning applications in the past. The following is the most relevant to the determination of this application.

- 3.1 PT16/6941/F Erection of 1no. dwelling with creation of new vehicular access and associated works.(Re submission of PT16/3581/F). Approved 02.11.2017
- 3.2 DOC18/0007 Discharge of Condition 2 (Landscaping) and Condition 4 (Drainage details) attached to PT16/6941/F. Approved 06.02.2018

4. CONSULTATION RESPONSES

4.1 Falfield Parish Council

The Parish Council raised the following concerns:

- Concerns about the scale of proposals, in comparison, it is noted that this latest application has a larger footprint and bigger side wing
- There are no main drains in the vicinity and drainage is often difficult in our parish due to the presence of dense, heavy clay close to the surface.
- No application forms or drainage strategy drawings are available indicate how surface water and foul water from this extension will be handled within the site.
- The proposed plans submitted with this current application for an extension do not illustrate this landscaping.
- Please can we receive assurance from the case officer that the landscape design as approved in 2018 is to be implemented (other than the areas of grass which are now under the extension footprint).

4.2 Other Consultees

The Highway Officer – no objection provided that there is a condition stating that the accommodation can only be used in association with the main dwelling.

The Archaeology Officer –no comment.

The Listed Building & Conservation Officer – raised concerns.

The Drainage Engineer – no objection.

Other Representations

4.3 Local Residents

Two letters of objection and the residents' comments are summarised as follows (full comments can be viewed in the Council's website)

- look directly onto our private space
- our bedroom will be breached by the proposed windows
- Regarding drainage, the owners of The Orchard have not kept to their discharge agreement that was highlighted in bold on the bottom of the discharge and have NOT sought permission from us to drain into the ditch and have just gone ahead and have attached a pump and are currently draining into our land
- Part of their landscaping was to plant Beech trees to the area in front of the side elevation facing us.
- A habitable dwelling this close to our boundary will bring noise and privacy issues
- Will threaten the remaining wildlife
- our rear garden decked area where we already can see the exposed side elevation, this is where the new proposed extension would come from so you can see the impact from our side.
- will impact on the sun and light on our own land.
- The swimming pool has a footprint approximately the same size as the house. On site, it occupies what, on the original plans, was grass and landscaping.
- The Orchard was permitted, based on the significant reduction in overall size of the first-submitted design. The footprint and height were all reduced to conform to what was determined necessary to overcome - on balance - a number of objections. This move was attempted but abandoned and the matter ignored.
- a condition (which is suggested by the Transportation) is unenforceable, therefore invalid.
- The originally devised and accepted plan will have more than doubled in overall size, with the frontage onto the A38 widening significantly, directly opposite the Listed Pool Farm and towards Laurel Cottage providing overbearance, loss of amenity and other impacts on them.
- There would appear to be ample parking space for occupants and visitors without building a double garage in addition to the existing garage.
- The desired extension quarters may be possible at the rear (south) of the site without the significant impact that the current plans will impose on neighbouring houses and the locality.

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The proposal is to erect a two-storey side extension to a detached dwelling. There is no in-principle objection to the proposal given the nature of the proposal. The main issues to consider in this instance are the appearance/form of the proposal and the impact on the character of the area, the impact on the

residential amenity of neighbouring occupiers, whether the proposal provides a sufficient level of private amenity space and transportation effects. The site is also situated within a setting of a grade II listed building, Pool Farm. Therefore, it would be necessary to consider whether or not the proposed extension would cause any adverse impact upon the setting of this listed building.

5.2 Design, Visual Amenity and Landscape

The site is located on the A38 between Falfield and Thornbury with access onto the A38. The host dwelling is considerably set back beyond the adjacent dwellings, Little Whitfield Farmhouse and Laurel Cottage. The proposed two-storey side extension is large in scale and it is similar to the original proposal of PT16/3581/F, which was withdrawn.

5.3 The host dwelling, which is a large two-storey detached building, is set back from the A38. The ridge of the new extension would be lower than the host dwelling and the building would be finished with matching external materials. Although the proposed extension is large in scale, it is considered that the proposed extension would still be subservient to the host dwelling due to its design and would not have an adverse impact upon the character or appearance of the host dwelling. Therefore, subject to a planning condition securing matching external building materials, there is no objection from the design and visual amenity perspective.

5.4 Concerns are noted regarding the approved tree planting and landscaping scheme. It is noted that the proposed extension would have an impact upon the approved landscaping plans due to its proximity to one of the beech trees, which were shown on the landscaping plan. However, the size of the front garden area, it is possible to plant another beech tree to mitigate the resulting loss. Hence, subject to a planning condition seeking an appropriate tree planting and landscaping scheme and securing its long-term maintenance specification for the boundary hedges, there is no objection from the landscaping perspective.

5.5 Heritage Issues

Paragraph 132 of the NPPF 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. The more important the asset, the greater the weight should be. Paragraph 134 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 securing its optimum viable use.

5.6 This application site lies opposite the grade II listed Pool Farmhouse, a grade II listed, mid-late 17th century building in a typical South Gloucestershire vernacular style. The building is set back from the road and hidden behind large evergreen trees but some oblique views are available from the A38. The physical separation between the listed building and farmhouse caused by the dual carriageway width of the A38 at this point does mean that the new dwelling and the listed farmhouse remain quite distinct entities. Although there is presently limited inter-visibility between the Orchard and the listed building,

- the vegetation screens are temporary by their very nature, and any future loss of this planting will open up the frontages of both properties and result in a situation where they become inter-visible and potentially seen together in views along the A38 from the east.
- 5.7 The Council Conservation Officer advised that the impact of scale and massing of the Orchard on the setting of the listed building was a significant issue in previous applications and the scheme was reduced to that seen today. The proposed garage was omitted on the previous proposal in order to a situation where it dominated the street scene and detracted from the setting of the listed building. Therefore the Conservation Officer is concerned that the proposal would introduce a very large a conspicuous dwelling immediately opposite Pool Farmhouse, although it is advised that the impact of the scheme would remain less than substantial in terms of the National Planning Policy Framework.
- 5.8 Your case officer has taken into consideration of the Council' Conservation Officer's advice. Whilst it is noted that the proposed extension would have an adverse impact upon the setting of the listed building Pool Farmhouse, it is considered that that such impact would not be so significant given that the listed building and the application site is separated by the A38, which is a dual carriageway. Although the proposed extension is large in scale, the host dwelling and the proposed extension would sit within a large plot, as such, the proposed extension would not result in a cramped form of development. Furthermore, the design, appearance and materials are considered to be acceptable. Therefore, it is considered that there is no substantiate objection to the proposal from the heritage perspective.
- 5.9 Residential amenity
The nearest residential properties to the proposed extension would be Laurel Cottage and residents' concerns are noted.
- 5.10 The proposed extension would be located to the (side) southeast elevation of the host dwelling. The submitted drawing shows that it would be approximately 12 metres from the boundary adjacent to Laurel Cottage. The proposed extension, due to its scale and height, would have a material adverse impact upon the neighbouring occupiers of Laurel Cottage. However, it is considered that such impact would not be so significant to be detrimental to the living condition of the residents given that the proposal would still remain a reasonable distance from the neighbouring property. Also, given its location and design, the potential loss of daylight/ sunlight would not cause significant over-shadowing upon the adjacent property. It is noted that a number of rooflights are proposed al at the first floor side (northeast) elevation, given that they would be installed in a primary room, a planning condition is imposed to ensure that these rooflights would be installed at least 1.8 metres above the finished floor level in order to protect the privacy for the adjacent residents.
- 5.11 Regarding the noise and disturbance during the construction period, it would be reasonable to impose a planning condition restricting the construction hours of the proposed development to minimise the disturbance upon the neighbouring residents. Although it is noted that the proposed extension would increase vehicular movements on site, it is not considered such activities would result in

significant noise and pollution to the neighbouring residents given its scale and domestic nature of the proposal.

5.12 Provision of Amenity Space

Given the size of the plot and the site layout, the proposal would retain a reasonable sized outdoor amenity space for the dwelling, therefore there is no objection from this perspective.

5.13 Transportation

The proposal would provide a triple garage within the site and it would not adversely affect the existing access arrangement and turning facilities, therefore there is no highway objection.

5.14 Drainage

The Council Drainage Engineer and your case officer noted the concerns relating the existing flooding problems and the potential drainage issues of the locality. Given that the proposal is to erect an extension to the existing dwelling, there is no objection from the drainage perspective to this proposal.

5.15 Natural Environment

Concerns are noted regarding the impact upon the natural environment. Given the domestic nature of the proposal, it is not considered that the proposal would cause significant adverse impact upon the environment. An informative will however be attached with decision to advise the applicant regarding the bird nesting seasons.

5.16 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be granted subject to the following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

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; Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the National Planning Policy Framework.

3. The proposed extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as the Orchard, Gloucester Road, Whitfield, GL12 8DU.

Reason

In the interests of highway safety and the amenity of the site and the locality, and to accord with Policy CS8 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP11, PSP16 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the National Planning Policy Framework.

4. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter any opening part of the proposed rooflights on the first floor side northeast elevation shall be installed at least above 1.7metres above the floor of the room in which it is installed.

Reason

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

5. Within three months of this decision, a scheme of landscaping, which shall include a ten-year maintenance of the boundary hedges, proposed planting, planting schedule and planting implementation programme, shall be submitted to the Local Planning Authority for approval. The said soft landscaping scheme shall include (i) the hedges planting and their maintenance along the northern boundary fronting the A38 and (ii) tree and hedges planting along the side boundary adjacent to the Laurel Cottage and the Pheasant. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the landscape character of the site and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan:

Core Strategy (Adopted) December 2013; and the provisions of the National Planning Policy Framework.

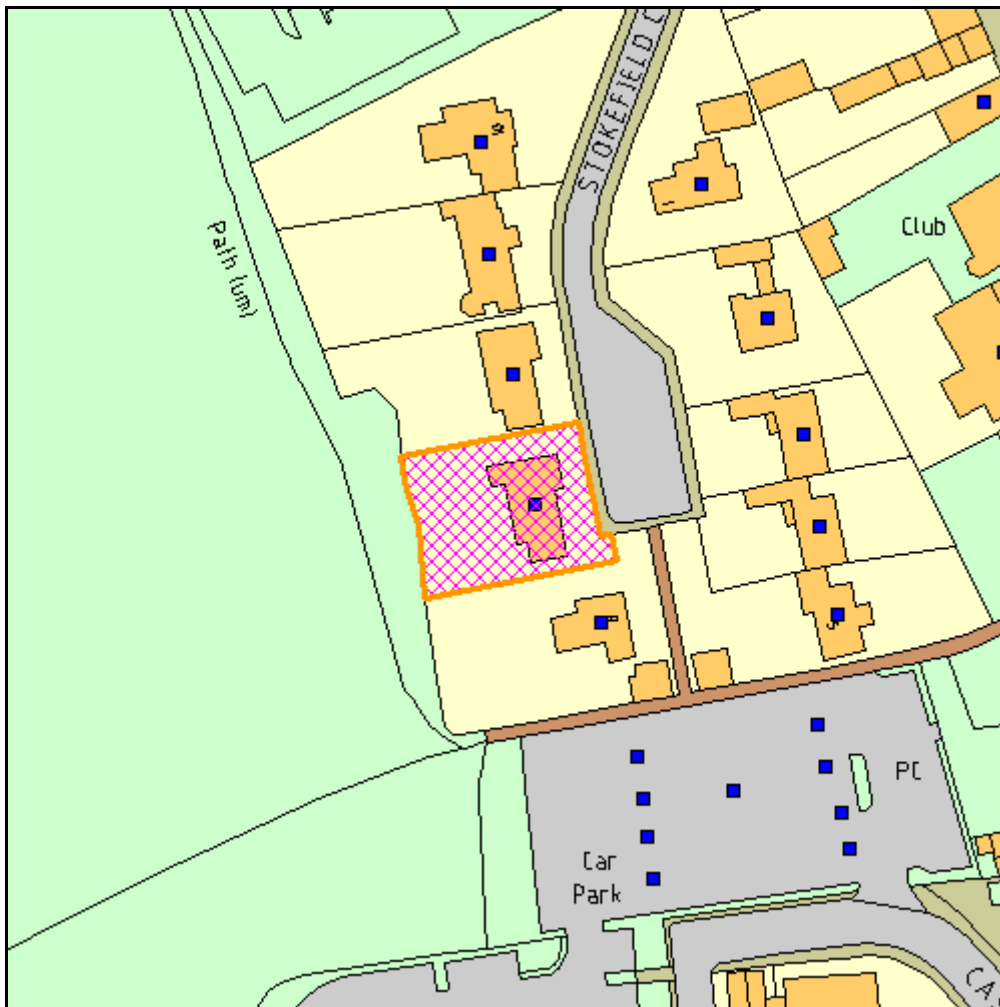
6. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.00 Mondays to Fridays, and 08.00 to 13.00 Saturdays, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 11/20 – 13 MARCH 2020

App No.:	P19/19427/F	Applicant:	Mr And Mrs Bates
Site:	7 Stokefield Close Thornbury Bristol South Gloucestershire BS35 1HE	Date Reg:	10th January 2020
Proposal:	Erection of single storey rear extension with first floor balcony and front porch to form additional living accommodation.	Parish:	Thornbury Town Council
Map Ref:	363529 190222	Ward:	Thornbury
Application Category:	Householder	Target Date:	6th March 2020



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N.T.S.**P19/19427/F**

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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Contrary view of Thornbury Town Council and 5 local residents.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a single storey rear extension with first floor balcony and front porch at 7 Stokefield Close, Thornbury.
- 1.2 The application site comprises a two storey detached dwelling within the Thornbury Conservation Area. Whilst the application site is situated within the conservation area, Stokefield Close is a later addition to the build-up area of Thornbury and does not contribute to the historic fabric of the town. The application site is located within the designated Thornbury settlement boundary.
- 1.3 The proposed extension is full width, has a depth of 3 metres, an approximate eaves height of 2.76 metres, an approximate maximum height of 3.06 metres to the top of the parapet side walls and an approximate maximum height of 4.56 metres to the top of the side privacy screens.

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

CS8 Improving Accessibility

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
Thornbury Conservation Area SPD
Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 P85/1095
Single storey rear conservatory
Approval Full Planning (06/03/1985)

4. CONSULTATION RESPONSES

- 4.2 Thornbury Town Council
Objection - Poor design within a conservation area, the flat roof is inappropriate and the balcony would overlook neighbouring properties.
- 4.3 Conservation Officer
No Objection
- 4.4 Archaeology
No Objection
- 4.5 Local Residents
5 Objections - The proposal will lead to overlooking and 'overlistening' of neighbouring properties and a loss of privacy. The proposal will be overdevelopment in relation to the existing property and imposing on neighbouring properties. The proposal will be out of keeping with the character of the conservation area and detrimental to the 'open closes' around the town.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application seeks permission for a single storey rear extension with first floor balcony and front porch at an existing residential property. Policy PSP38 of the Policies, Sites and Places Plan permits extensions and alterations to existing dwellings 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 Design and Visual Amenity
Policy CS1 of the Core Strategy and Policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should 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.
- 5.3 The proposed single storey rear extension with first floor balcony would not be substantially visible from Stokefield Close so its potential impact on the

- character of the street scene would be limited. The proposed single storey rear extension would be finished in render to match the finish of the existing dwelling. The proposed first floor balcony would include 1.1 metre high glazed balustrades to the rear and 1.8 metre high obscure glazed balustrades to the sides for safety and privacy respectively. Whilst these glazed balustrades do not match the existing balustrades at the property it is deemed that they would be unlikely to have a significant detrimental effect on the appearance of the dwelling.
- 5.4 The proposed front porch would be located on the same footprint as the existing open sided porch and would maintain the same height. The proposed front porch would be finished in render to match the finish of the existing dwelling.
- 5.5 Policy PSP17 of Policies, Sites and Places Plan seeks 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.
- 5.6 Advice Note 12: Thornbury Conservation Area (approved March 2004) identifies that the 'open closes' around the historic town are important to the historic character and in providing vistas of the Church Tower and estuary, setting the town in its wider context.
- 5.7 The application site borders one of these 'open closes' to the west of Thornbury and whilst the application property is visible from this open space it does not positively contribute to the character of the conservation area nor can it be seen in the same context as the Church Tower. Due to the relatively modern nature of the existing dwelling and its lack of contribution to the historic fabric of Thornbury or character of the conservation area there is no conservation objection to this proposal.
- 5.8 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the building or negatively impact the visual amenity of the streetscene, character of the area, or character of the conservation area.
- 5.9 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.10 When considering the impact of the development on the residential amenity of neighbouring residents, the neighbouring properties which are most likely to be

affected are the adjacent property to the north at No.8 Stokefield Close, and the adjacent property to the south at No.6 Stokefield Close.

- 5.11 In respect of the adjacent properties to the north and south, it is noted that there is separation between the application dwelling and the neighbouring dwellings and separation between the proposal and the shared boundaries. The proposed single storey rear extension without the balcony could be built under permitted development rights so would be unlikely to have a significant detrimental effect on the amenity of the neighbouring properties. The proposed first floor balcony would include 1.8 metre high obscure glazed balustrades to the sides to act as privacy screens, stopping sideways/backwards overlooking of the neighbouring properties. The proposed front porch would be located on the same footprint as the existing open sided porch and would maintain the same height.
- 5.12 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.13 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposed development will not increase the number of bedrooms in the property and will not remove any on-site parking spaces.
- 5.14 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.
- 5.15 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the 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 **Approved** subject to the conditions included on the decision notice.

Contact Officer: Oliver Phippen
Tel. No. 01454 866019

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 colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of 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.

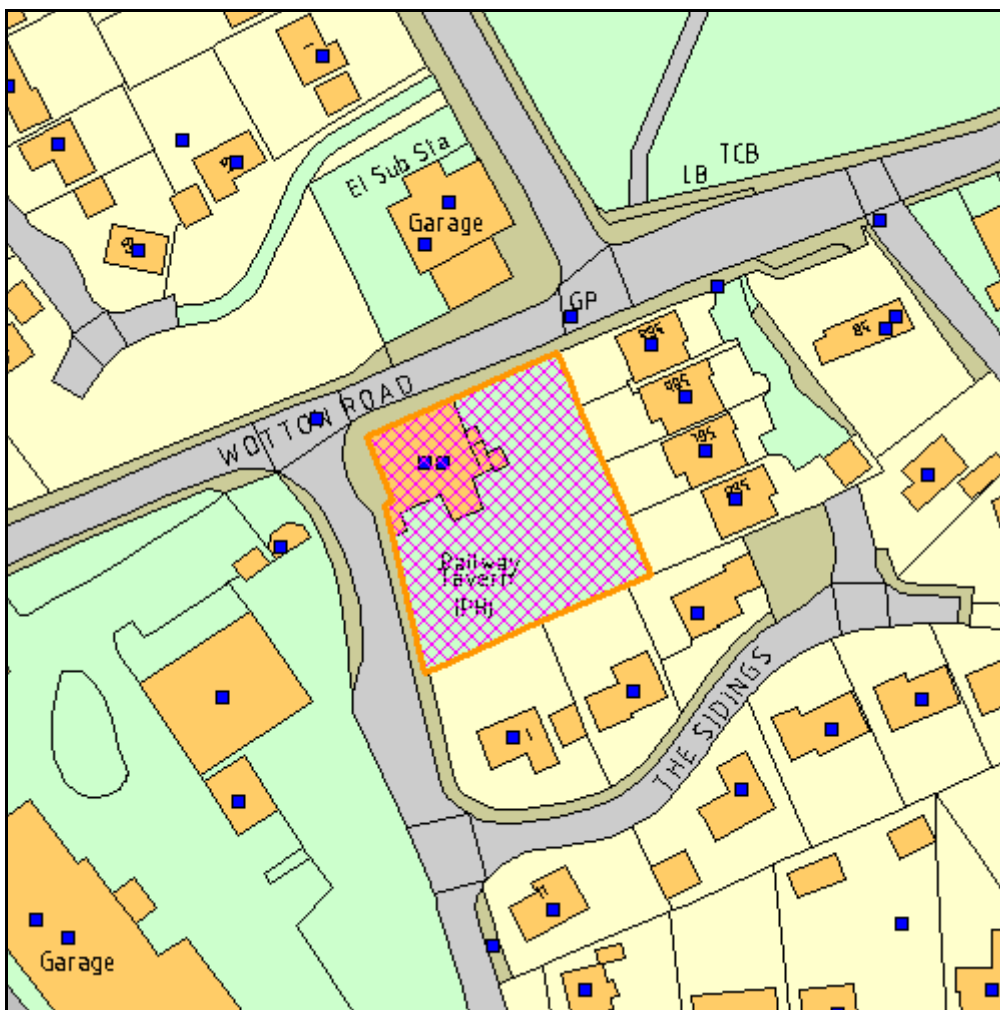
3. Prior to the use or occupation of the balcony hereby permitted, and at all times thereafter, the proposed side balustrades shall be glazed with obscure glass to level 3 standard or above and be at least 1.8m above the floor level of the balcony to which they are installed.

Reason

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

CIRCULATED SCHEDULE NO.11/20 - 13 MARCH 2020

App No.:	P19/4818/F	Applicant:	Punch Taverns
Site:	Railway Tavern 56 Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8SR	Date Reg:	16th May 2019
Proposal:	Replacement of existing rear external stairs with new compliant stairs and replace external first floor rear door. Creation of outdoor children's play area, and seating area for consumption of food and drink.	Parish:	Charfield Parish Council
Map Ref:	372470 192337	Ward:	Charfield
Application Category:	Minor	Target Date:	9th July 2019



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REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following comments from Charfield Parish Council which are contrary to the officer recommendation within this report. Whilst they did not object, they suggested a number of conditions which have not been recommended by officers. Also, three local residents have submitted objection letters.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to replace the existing external stairs with new stairs and replace the external first floor rear door, as well as the creation of an outdoor children's play area and a seating area for the consumption of food and drink at the Railway Tavern, 56 Wotton Road, Charfield.
- 1.2 During the course of the application a number of amendments have been sought, including the reduction in height of the children's play equipment due to privacy concerns, as well as the installation of acoustic fencing. Additional car parking surveys were also requested and received. A period of public re-consultation is not considered necessary.
- 1.3 The site is situated within the settlement boundary of the village of Charfield.

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 Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Environment and Heritage
CS14 Town Centres and Retail
CS23 Community Infrastructure and Cultural Activity

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP11 Highway Safety

PSP16 Parking Standards
PSP20 Flood Risk
PSP21 Environmental Pollution and Impacts
PSP31 Town Centre Uses
PSP32 Local Centres, Parades and Facilities
PSP34 Public Houses

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007

Waste Collection: Guidance for New Development SPD (Adopted) January 2015

Community Infrastructure Levy and Section 106 Planning Obligations Guide (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|--|-------------------------|------------|
| 3.1 | PT17/5602/ADV | Approve | 15/01/2020 |
| | Consent to display 3no static illuminated fascia signs, 1no static illuminated hanging sign and 8no non illuminated hoarding signs. | | |
| 3.2 | PT16/4447/ADV | Refusal | 20/09/2016 |
| | Display of 3no. externally illuminated fascia signs, 1no. externally illuminated double sided swing sign, 7no. non-illuminated wall signs and internally illuminated lanterns and floodlight. | | |
| 3.3 | PT16/3558/F | Approve with conditions | 03/08/2016 |
| | Installation of first floor fire exit door, and erection of external staircase. | | |
| 3.4 | PT13/3043/RVC | Approve with conditions | 30/09/2013 |
| | Variation of condition 6 attached to planning permission PT12/4282/F for the car park hereby permitted not be open to customers outside the following times 10.00 hours to 00.30 hours Monday to Sunday inclusive. | | |
| 3.5 | PT07/2268/F | Approve with conditions | 31/08/2007 |
| | Erection of smoking shelter (retrospective) | | |
| 3.6 | P99/1141 | Refused | 24/03/1999 |
| | | Appeal Allowed | 08/10/1999 |
| | Change of use of vacant retail premises to class A3 (public house) | | |
| 3.7 | P98/2188 | Refused | 24/09/1998 |
| | Alterations to existing premises (construction of external staircase and balcony to provide access to children's play area at lower ground level). | | |
| 3.8 | P98/1821 | Refused | 21/08/1998 |
| | Installation of play equipment and safe surface | | |

4. CONSULTATION RESPONSES

4.1 Charfield Parish Council

Conditions recommended:

- Entire staircase to be fully enclosed
- An acoustic fence be established where the garden borders adjacent dwellings
- That on-street drinking is prohibited

4.2 Other Consultees

Transport

Initial comment:

The proposal results in the loss of 8 car parking spaces. No assessment of the impact of this on the surrounding highway has been provided. Can you please ask the Applicant to submit car park surveys covering two weekends both Saturday and Sunday lunchtime 12:00 - 14:00 and evening 19:00 - 22:00 with counts taken every 30 minutes detailing the number of occupied and unoccupied spaces in the car park. The surveys should be supported with photographs.

Following receipt of parking survey:

Although some of the numbers in the table don't match the numbers in the photographs, from the evidence in the photographs which show up to 11 spaces occupied plus possibly some more alongside of the pub which can't be seen from the camera, I'm satisfied that the remaining 23 spaces shown on the proposed plan will be sufficient for the development.

Drainage

No objection.

Highway Structures

No comment.

Environmental Protection

I have reviewed the information in this application and note that the location of the play area is directly adjacent to neighbouring gardens. The Institute Of Acoustics, Good Practice Guide on the Control of Noise from Pubs and Clubs, 2003 recommends that the use of gardens and external play areas from which noise disturbance may arise, should not commence before the start of normal trading hours and should normally cease at dusk or at 21.00 hours, whichever is the earlier.

Given the close proximity of residential receptors to the siting of this play equipment, I would advise that the above hours of use are conditioned so that the use of the play area ceases at 21:00hrs.

Acoustic fencing recommended.

Other Representations

4.3 Local Residents

Three letters of objection have been received stating the following:

- Concerned about increased use of rear door to the garden as people using this exit have direct sight of my garden/property. Wooden screen should be erected
- Previous beer garden was removed to make way for 4 no. houses to east, the previous beer garden was an issue for residents of the Sidings
- Car park is often informally cordoned off for children to play and customers to sit out in the area, and this has demonstrated the increased noise and disturbance that use of this area will cause
- Door and steps is supposed to be emergency access only but are used all the time, creating noise disturbance
- Reducing car park will have knock on parking implications
- Acoustic fencing was put up around car park previously – this application makes this obsolete
- Current restriction on hours that outside area can be used is not adhered to
- Height of children's play area is not in application
- Rubbish will be thrown over fence, vermin attracted and development would affect the structure of our fencing
- Being so directly affected, the brewery should have contacted us directly.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is an existing public house within an established settlement boundary. Improvements to existing public houses are supported by the Council and policy PSP34. The development is therefore acceptable in principle subject to an assessment regarding the impact on visual amenity, residential amenity and highway safety and any other material planning considerations.

5.2 Design and Visual Amenity

The proposal includes the replacement of the existing fire exit stairs so that they are compliant with regulations, enabling customers to use them to access the rear garden. The stairs will be steel, as are the existing, however they will also have a painted render block with capping and a steel hand rail. The children's play area and seating area for food and drink will be sited within part of the existing car park, enclosed by a picket fence and following amendments a 2m acoustic fence will divide the play area from no. 1 The Sidings. The alterations are minor and will have a neutral impact on the public realm, and are considered to accord with policy CS1 of the Core Strategy.

5.3 Residential Amenity

There has been some confusion during the course of the application regarding a previous condition placed upon a previous approval at the site preventing the stairs being used by customers, except in an emergency, in the interests of residential amenity. This condition actually related to stairs located on the east elevation of the public house, and not the stairs under consideration here.

- 5.4 A previous application (P98/1821) has been submitted for a children's play area and was refused on the grounds of loss of privacy, however this application proposed tall play equipment. Amendments during the course of this application have significantly reduced the size of the play equipment and so this application is materially different from that previously refused in 1998. Similarly, a previous application refused alterations to the same stairs under consideration here and was recommended for refusal at the time (P98/2188). The alterations included adding a gallery/balcony to the stairs, which would have encouraged people to stand at first floor level and this would have been detrimental to the amenities of The Sidings.
- 5.5 This proposal proposes to improve the stairs and open them up for customers to use, however it does not propose the previously refused balcony area. The Parish Council have asked that the stairs be fully enclosed for privacy reasons however this is likely to look visually incongruous. It is considered that customers would be unlikely to use the area at the top of the stairs as a balcony because of its small size, so the stairs would only be used for accessing the garden from the public house. Overlooking would therefore be minimal and the stairs are some distance from the closest residential property. The play equipment proposed has been reduced in height preventing children from overlooking into no. 1 The Sidings.
- 5.6 In terms of noise, the additional outdoor seating areas and the location of the play area will increase noise levels from the site. In order to mitigate against this, an acoustic fence has been proposed along the boundary with no. 1 The Sidings, and a condition on the decision notice will ensure that this is implemented. A condition will also prevent the play equipment being used later than 9pm, the outside space approved closed to customers from 11pm. A previous condition prevented use of the car park later than 12.30am and this condition is still applicable to the remaining car park. Subject to these conditions, the development is considered to accord with policy PSP8 and PSP21 of the Policies Sites and Places Plan.
- 5.7 Highway Safety
An area of the existing car park is being removed to accommodate for the development, resulting in the loss of 8 no. parking spaces. No information regarding the impact of this was submitted with the application, however during the course of the application a car parking survey was carried out. Whilst the pictures do not show all of the car park, it is clear that even at peak times a large number of spaces are unoccupied and so the loss of 8 spaces will not have an impact on the surrounding highway network.
- 5.8 Other Issues
The Parish Council have asked for a condition restricting on-street drinking. As the development proposed is to the rear within the application site and the public house is an existing use, on-street drinking does not fall under the remit of this planning application, and would instead be controlled by the type of license the premises has.

5.9 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 864735

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 outdoor ancillary space hereby permitted shall not be open to customers outside the following times: 10:00 hours to 23:00 hours Monday to Sunday inclusive, and the children's play equipment shall not be used outside of the following times: 10:00 to 21:00 Monday to Sunday inclusive.

Reason

In order to ensure the use of the outside space does not have a detrimental impact on residential amenity, in accordance with policies PSP8 and PSP21 of the Policies Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

3. The acoustic fencing shown on Proposed Site Plan reference 18.170.202 Rev B (received 10th Jan 2020) must be implemented prior to first use of the development approved in accordance with the Acoustic specification document (received 10th Jan 2020). It must then be maintained thereafter.

Reason

In order to ensure the use of the outside space does not have a detrimental impact on residential amenity, in accordance with policies PSP8 and PSP21 of the Policies Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 11/20 - 13 MARCH 2020

App No.:	P20/01194/F	Applicant:	Mr And Mrs Gould
Site:	53 High Street Wick Bristol South Gloucestershire BS30 5QQ	Date Reg:	27th January 2020
Proposal:	Conversion of outbuilding to form 2no holiday lets. (retrospective)	Parish:	Wick And Abson Parish Council
Map Ref:	370471 172733	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	19th March 2020



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N.T.S.**P20/01194/F**

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

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with procedure as an objection has been raised by the Parish Council that is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of a garage building/storage building to 2no. holiday lets (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with associated works. The application is retrospective, the use having commenced.
- 1.2 The site relates to a single storey natural stone building which has a number of existing openings/windows. There are no external changes to the building proposed (other than improvements to the windows). The site is just outside of the settlement boundary of Wick, in the open countryside and part of the Bristol/Bath Green belt. A plan has been submitted with the application that shows spaces dedicated to the existing house and to each of the holiday lets.
- 1.3 Recently consent has been given for the conversion of a building also within the former curtilage of No.53 to 3 no. holiday lights (P19/4823/F).

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
CS3	Renewable or low carbon district heat networks
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS11	Distribution of economic development land
CS15	Distribution of housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
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PSP2	Landscape
PSP3	Trees and Woodland
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
PSP28	Rural Economy
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Development in the Green Belt SPD (Adopted) 2007
 Design Checklist SPD (Adopted) 2007
 Residential Parking Standards SPD (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 P19/4823/F Change of use and conversion of building to 3 No. holiday lets (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with associated works. (Approve with conditions 31st October 2019)
- 3.2 PK11/1979/F Construction of vehicular access track (retrospective).
 Approved 21st September 2011
- 3.3 PK07/2451/CLE Application for Certificate of Lawfulness for an existing use of outbuilding for ancillary residential purposes.
 Approved 15th October 2007.
- 3.4 PK07/1434/F Erection of two storey rear extension to provide additional living accommodation.
 Approved 4th June 2007

4. **CONSULTATION RESPONSES**

4.1 Wick Parish Council

Wick and Abson Parish Council would like to object to this planning application as we have major concerns for vehicular access with an unsuitable entry/exit point onto a bust 'A' road.

4.2 Sustainable Transport

Initial comments

Insufficient information has been submitted to assess the application. Visibility splay and parking spaces needs to be shown. The access needs to be widened

Following the submission of further information including a plan, no objection is raised subject to a condition being applied to secure the proposed parking and the widening of the access as shown. Also a condition needs to secure visibility splays of 2m by 43m to the nearside kerb on each side of the entrance.

Lead Local Flood Authority

No objection

Other Representations

4.4 Local Residents

There have been no objections received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application seeks full planning permission for the change of use and conversion of existing art studios to 2no. holiday lets within part of the open countryside and Bristol/Bath Green Belt.

Green Belt

- 5.2 Footnote 9 of paragraph 14 of the NPPF sets out that Green Belt is a specific policy which restricts development. Policy CS5 of the Core Strategy sets out that this type of development within the Green Belt will need to comply with the provisions of the NPPF or relevant local plan policies. CS34 of the Core Strategy provides the vision for rural areas, it aims to protect designated Green Belt areas from inappropriate development. Further to this, the NPPF sets out that the construction of new buildings within the Green Belt is considered to represent inappropriate development. Paragraphs 145 and 146 of the NPPF provides exceptions to this. The most relevant to this development is 'the re-use of buildings provided that the buildings are of permanent and substantial construction'. A proviso of this is that they should preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

It is considered that the change of use, which does not involve any increase in the size of the building or external works that would conflict with the purposes of including the land within the Green Belt (ie to preserve the countryside or prevent urban sprawl) nor would it impact upon openness of the Green Belt. The proposal is considered to fall within the definition of a "re-use". As such the proposal is considered to be acceptable in Green Belt terms.

5.3 *Residential Development in the Countryside*

Policy CS5 of the Core Strategy establishes the spatial strategy for development in the district. Under this policy, new development is directed to the existing urban areas, market towns, and defined rural settlements. Residential development outside of these locations is strictly controlled. Furthermore, policy CS34 of the Core Strategy seeks to protect the character of the rural areas, with residential development outside of a defined settlement

resisted. Policy PSP40 allows only for specific forms of residential development in the open countryside.

5.4 PSP40 sets out that residential development within the countryside, could be acceptable in a number of circumstances. These include; rural housing initiatives, rural workers dwellings, replacement dwellings, and the conversion/re-use of disused buildings. It goes on to state that in all of the circumstances, development proposals will be acceptable where they do not have a harmful effect on the character of the countryside, or the amenities of the surrounding area.

5.5 In this instance, the most relevant is the conversion and re-use of an existing building. This is subject to the following criteria:

i). the building is of permanent and substantial construction; and

The building is of permanent and substantial construction.

ii). it would not adversely affect the operation of a the rural business(es) or working farm(s); and

The development proposes to introduce holiday lets (which can be secured by condition). However the site is not in an agricultural use. Accordingly, officers consider that the proposed development would provide some local economic value and that there would be a neutral impact.

iii). any extension as part of the conversion or subsequently is not disproportionate to the original building; and

No extension is proposed as part of the conversion.

iv). If the building is redundant or disused; the proposal would also need to lead to an enhancement of its immediate setting

The building is not redundant or disused.

5.6 The development is considered to comply with PSP40 and would form one of the circumstances where development is acceptable in the open countryside.

Summary Principle of Development

5.7 The development is considered to be acceptable in principle. Detailed matters are discussed below.

5.8 Design and Visual Amenity

Policy CS1 only permits new development where the “highest standards” of site planning and design are achieved. This policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.

The building has been converted “as found” with only very minimal changes to the windows externally. Alterations are largely internal. It is considered appropriate to remove permitted development rights on the basis that the consent is for the re-use of the existing building to accord with Green Belt Policy and the building has quite an attractive rural character. Such rights were removed in the consideration of the earlier application.

This is considered acceptable in terms of design. It would be expected that no boundary treatments/residential curtilages are introduced. A condition is recommended to this effect.

5.9 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties.

5.10 This application is for holiday lets, as such whilst it still comprises a C3 class use, it is acknowledged that they would be used differently from a traditional household. Given their single storey scale, it is not considered that there would be overlooking or overbearing concerns to and from the host dwelling, neighbouring properties or between the holiday lets.

5.11 Turning to the provision of private amenity space, PSP43 sets out standards which is based on the number of bedrooms at a property. In this instance, the host dwellings garden would not be impacted by the development. A substantial area of private amenity space is retained by the existing property.

The holiday lets are one and two bedroom units. Space is available in the form of an external covered area for one of the units and there is also an area of open space to the rear of the other. The amenity space does not meet the usual standards in terms of size or privacy. It is noted however that the proposal is for holiday lets which are used in a different way to a dwelling. Further, it is considered that extensive, enclosed residential curtilages would be harmful to the landscape/Green Belt. Given this conclusion, a condition will be attached to the decision notice to ensure that the units can only be used as holiday lets. It is noted that this was the approach taken in consideration of the other application previously approved.

5.12 Highway Safety

The site has an existing access off High Street (A420). Concern has been raised regarding the unsuitability of the access.

Officers also have this concern and for this reason an amended plan has been submitted to show the access widened to 5 metres. Furthermore it will be a requirement that appropriate visibility splays are provided at 2m by 43m with no development over 0.9m within the splay. This can be achieved. The provision of the widening and the splays will be the subject of a condition attached to the planning permission requiring this to be in place within 1 month of this decision (given that this is a retrospective application).

Moving on to parking provision, PSP16 sets out standards for residential units which is based on the number of bedrooms. The submitted plan shows an arrangement of 8 no. parking spaces for all the users of the site and this considered sufficient. A condition will be attached to the decision notice to require the provision of the parking spaces within 1 month of the issue of the decision notice

On this basis, and subject to the above suggested conditions, officers are satisfied that the proposed development is acceptable in highway safety terms.

5.13 Equalities

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

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **GRANT** permission has been taken having regard to the policies and proposals in the South Gloucestershire 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 **APPROVED** subject to conditions.

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

1. Restriction to Holiday Lets

The class C3 units hereby permitted shall only be used for the purposes of holiday accommodation, and shall not be the primary or main place of residential accommodation for the occupant. A register of occupants shall be kept and made available at any time at the request of the Local Planning Authority, with the development occupied for a maximum of eleven months per calendar year.

Reason

The development has been permitted on the circumstances of the case, and in balancing those issues weight has been given to the intended occupancy of the unit as holiday accommodation in terms of the lack of residential amenity space and the impact on highway safety matters, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

2. Removal of Permitted Development Rights

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

Reason

To protect the character and appearance of the area and the openness of the Green Belt, and to accord with Policies CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

3. Access

The access to the site shall be widened to 5m as shown on Drawing No. PLN-1 Combined Plan received on 25th February 2020 within 1 MONTH of the date of the decision notice.

Reason

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

4. Parking Provision

The parking spaces shown on Drawing No. PLN-1 Combined Plan received on 25th February 2020 shall be provided within 1 MONTH of the date of the decision notice.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP11 and PSP16 of South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017.

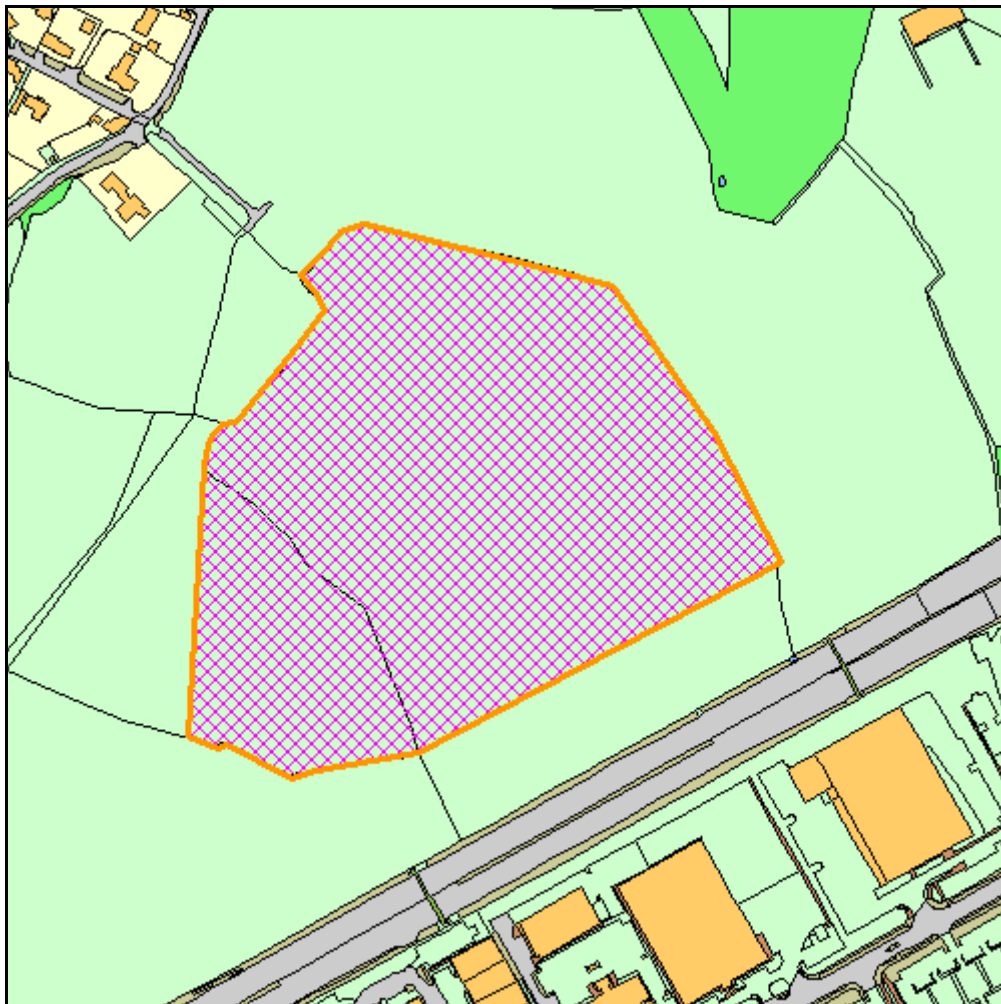
5. Within 1 MONTH of the date of the decision notice visibility splays of 2m x43m to the nearside kerb edge in both directions with any obstructions reduced in height to no more than 0.9m shall be provided and retained as such thereafter.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP11 and PSP16 of South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017.

CIRCULATED SCHEDULE NO. 11/20 - 13th March 2020

App No.:	P20/01471/RVC	Applicant:	NTR plc
Site:	Oakham Farm Land At Parklands Almondsbury Bristol South Gloucestershire BS32 4BS	Date Reg:	28th January 2020
Proposal:	Variation of condition 2 attached to permission PT15/2164/F to allow the development to be in place for 40 years. (PT15/2164/F-Construction of 4.6mw solar farm including transformer housing, security fencing, access and associated works)	Parish:	Almondsbury Parish Council
Map Ref:	359813 183403	Ward:	Severn Vale
Application Category:	Major	Target Date:	24th April 2020



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 100023410, 2008. N.T.S. P20/01471/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.

INTRODUCTION

The Town and Country Planning (Consultation) (England) Direction 2009 states that any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt is required to be referred to the Secretary of State prior to the issue of a decision.

Accordingly this application is referred to the Circulated Schedule in accordance with the Constitution.

1. THE PROPOSAL

- 1.1 On 22nd October 2015 consent (PT15/2164/F) was given for the “*Construction of 4.6mw solar farm including transformer housing, security fencing, access and associated works*”. The development has been completed and has been operating for a period of time.
- 1.2 The application site is located to the southwest of the village of Almondsbury and sits directly to the North of the M5 motorway. The site comprises two fields and extends to 8.7 hectares of land at Oakham Farm. Access to the site is onto Over Lane. The proposed development will consist of up to 16818 solar PV modules mounted upon steel frames fixed at 20^o pitch to maximise solar gain, two transformer buildings and a circuit breaker. In addition, 2.2m high deer-proof security fence has been installed around the site and a Distribution Network Operator (DNO) substation is provided.

In terms of site constraints there are no Public Rights of way within the site although there is a PROW that runs along the access. The site lies in the Green Belt and there is a listed building on Over Lane opposite the proposed vehicular entrance.

- 1.2 This application seeks consent to vary Condition 2 attached to planning consent PT15/2164/F to extend the life of the permission by an additional 15 years (from 25 to 40 years)

Condition 2 reads as follows:

*“The development hereby approved shall be removed not later than **25 years** from the date that electricity from the development is first exported to the National Grid; or within 3 years of the cessation of the exportation of electricity to the grid, whichever is the sooner; and the land shall be returned to its former condition within 12 months of the removal of the solar farm equipment and all associated road, equipment and structures. Any panel installed but not connected to the grid within a 3 year period shall be removed and the land restored to its former condition. Such renovation of the landscape shall be carried out in accordance with a scheme previously approved in writing by the Local Planning Authority.”*

The reason for the condition was as follows:

Reason:

In order to ensure that the approved development does not remain in situ beyond the projected lifetime of the equipment so installed in the interests of the visual amenity and character of the surrounding landscape; and to accord with Policy CS3 and CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved policies L1, and L13 of the South Gloucestershire Local Plan (Adopted) 2006.

- 1.4 The proposed development does not trigger the requirement for an Environmental Impact Assessment. A Screening Opinion (P20/002/SCR) to this effect has been issued. The application has been accompanied by a covering letter which sets out the applicant's case for allowing the variation of condition. It should be noted that no other changes to the original proposal are proposed.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF February 2019)
National Planning Policy Guidance (NPPG)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS3 Renewable and Low Carbon Energy Generation
CS5 Location of Development
CS9 Environmental Resources and Built Heritage
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP6 On site Renewable and Low Carbon Energy
PPS7 Development in the Green Belt
PSP11 Transport Impact Management
PSP17 Heritage Assets and the Historic Environment

2.3 Supplementary Planning Guidance

Development in the Green Belt (Adopted)
South Gloucestershire Design Checklist (Adopted)
South Gloucestershire Landscape Character Assessment (Adopted)
Renewable Energy SPD
Biodiversity Action Plan

2.4 Other Material Considerations

Climate Change Act 2008
Climate Change Act 2008 (2050 target amendment)

3. **RELEVANT PLANNING HISTORY (earliest first)**

- 3.1 PT15/2164/F Construction of 4.6mw solar farm including transformer housing, security fencing, access and associated works Approved 22nd October 2015.

PT15/002/SCR Solar PV farm and associated works.
EIA not required February 2015

PT15/0925/OHLE Application for consent under Section 37 of the Electricity Act 1989 for the erection of 1no. wood pole in line with the existing overhead circuit. The application is made under section 5(2) of The Overhead Lines (Exemption) (England and Wales) Regulations 2009 - Planning Act 2008. Approve 14th September 2015

PT15/4812/NMA Non material amendment to PT15/2164/F to amend layout with alteration of location of solar panel rows, DNO sub-station hardstanding area and fence, no dig specified. Increase length of DNO substation to 7.048m and removal of circuit breaker housing building. Revised solar panel row elevation to include ballasted rows for no dig area. No objection 2nd December 2015

PT15/4950/NMA Non material amendment to approved planning permission to PT15/2164/F for amended layout plan drwg no. 001595_01PL Rev D with additional no dig area defined No objection 10th December 2015

P20/002/SCR Screening opinion for application P20/01471/RVC. EIA Not required 4th February 2020

4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council

No response has been received

- 4.2 Other Consultees

Highway Officer
No objection

Police

Having viewed the information as submitted I find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

Public Rights of Way

No Objection – no PROW's will be adversely affected.

Highway Structures

No comment

Conservation Officer

No objection

Archaeology Officer

No objection

Lead Local Flood Authority

No Objection

Arts and Development

No Objection

Ecology Officer

No objection

Landscape Officer

No objection received

Other Representations

4.3 Local Residents

No responses have been received

5. ANALYSIS

- 5.1 The application seeks consent to vary Condition 2 attached to planning consent PT15/2164/F to extend the life of the permission by an additional 15 years (from 25 to 40 years). The full wording of the condition is set out in Section 1.2 above.

This analysis therefore only considers this issue although as a S73 application, there is an opportunity to vary or amend other existing conditions or if it meets the tests of a condition to add additional conditions in appropriate.

5.2 **Principle of Development**

In considering the application, the only consideration in assessing whether the principle of development is acceptable is the siting of the development within the Green Belt.

The Extant Consent

It is considered necessary in the first instance to examine the basis upon which the original application was determined.

In considering the principle of development, the site is located within the Green Belt. Paragraph 17 of the National Planning Policy Framework (NPPF) provided a set of core planning principles, which include protecting the Green Belt and encouraging the use of renewable resources that should underpin both plan-making and decision-taking. Paragraph 87 of the NPPF sets out that in the case of proposals which come forward in the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Furthermore, the NPPF also states that the fundamental purpose of the Green Belt is to preserve its openness. The proposed development does not fall within one of the defined categories of appropriate development within the Green Belt, as set out in paragraph 89 of the NPPF. Furthermore, paragraph 91 of the NPPF stated that,

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

On this basis, it was considered that the proposed development was not appropriate within the Green Belt; and was by definition harmful to the openness of the green belt and the purpose of including the land within it and therefore on that basis the onus was on the applicant to demonstrate that very special circumstances existed so as to outweigh the defined harm.

The applicant set out a number of significant constraints in relation to the viability of large-scale solar energy generation. These constraints include the availability of land, proximity to an urban area, and viability. The applicant also puts forward examples of other solar development nationwide that has been approved on Green Belt land.

In summary Officers accepted the "Very Special Circumstances" put forward that can be summarised as follows:

There were wider environmental benefits of allowing the consent – the development would make a significant contribution to the South Gloucestershire Climate Change Strategy (CCS) which carries the objective of reducing the reliance on unsustainable energy generation in the interests of reducing the impacts of climate change. It was considered that the proposed development would make a positive contribution to the South Gloucestershire CCS and would bring positive wider environmental benefits, and this should be given weight in determining this application.

Considerable weight was therefore given to the wider community benefit. Notwithstanding this assessment, the Case Officer also considered the proposal against the purposes of including land within the Green Belt; to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns;

and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The assessment was made that although the development was still inappropriate, it had a modest visual impact given its size. In considering the location it was accepted that a difficult balance had to be struck between finding a site of sufficient size with good grid connection, with acceptable landscape, residential amenity, ecology, hydrology, heritage impacts. It was accepted that given that large parts of South Gloucestershire are covered by the Green Belt, it is inevitable that some sites satisfying these criteria will unfortunately lie within the Green Belt. It was therefore accepted that some Solar development in the Green Belt would be required.

On this basis, it was considered that the very limiting constraints to developing large-scale solar energy generation; and the positive wider environmental benefits combine to carry significant weight in determining this planning application. Accordingly it was considered that very special circumstances existed which clearly outweighed the defined harm to the openness of the green belt and the purpose of including land within it.

The Current Proposal

The applicant has put forward a case for the extension to the existing consent as follows:

- 1) The site will be still be restored to its previous condition at the end of the operational period.
- 2) Positive weight should be given the prolonged production of energy
- 3) It was originally concluded that there would be no significant landscape harm from the development.
- 4) If anything there is an even greater emphasis on the need for carbon reduction. The Government has a stated aim of achieving zero carbon emissions by 2050 and has declared a climate energy (as has South Gloucestershire).
- 5) There is a greater need for energy security given Brexit
- 6) Government publications (practical guide to Climate Change) stress no or low cost means of responding to the Climate Change emergency – the continuing use of the site given that it is complete is one such response
- 7) The existing benefit of providing renewable energy the equivalent to the needs of 1394 homes (1978 tonnes of Carbon Dioxide annually) will continue
- 8) The revised NPPF places greater emphasis on the delivery of infrastructure. This includes energy and how this is integral towards fulfilling the economic arm of achieving sustainable development. The National Planning Policy Framework (NPPF) sets out a clear presumption in favour of sustainable development in Paragraph 10. Section 14 of the NPPF relates to meeting the challenge of climate change, with Paragraph 150 confirming the role that planning plays in supporting the delivery of renewable and low carbon energy and associated infrastructure.
- 9) SGC will benefit from additional revenue – business rates

Analysis

It is noted that there have been a number of similar consents granted across the UK albeit not in the Green Belt to extend the life time of consents to 30 and 40 years. Including a consent in Stroud District near Charfield at Upper Huntingford Farm. Other examples:

Land South of Dallen Back Wood (30 increased to 40 years) Eden BC Feb 2019

Pancrasweek Holsworthy (25 to 40 years) Torrridge BC July 2017

Burrowton Cottage Broadclyst (25 to 40 years) East Devon Council Jan 2020

In considering the proposal against national and local policy, the development remains “inappropriate” when assessed against Green Belt Policy and is by definition harmful to the openness of it, however the Special Circumstances previously accepted in consideration of the original consent are considered to still apply.

The existing visual impact will not be increased by this proposal. Planting that was secured on the original consent has in fact matured so the impact is now marginally less and landscaping will be more developed.

Since the granting of the previous consent, both International, National and Local Concern regarding the impact from Climate Change has significantly increased, with Policy being strengthened accordingly. In 2019, the existing Climate Change Act 2008 was amended such that specific reference is made to a net zero carbon emission for the UK by 2050. This is considered a significant new factor since the grant of the original consent.

Since the original consent, the need for carbon reduction has also been reflected in local policy. South Gloucestershire has adopted a new plan (Policies, Sites and Places Plan) since the original consent, which places greater emphasis on the need for renewable energy production – PSP6). Both nationally and locally it is recognised widely that the achievement of Zero Carbon by 2050 will require significant changes to energy use and production. The case put forward by the applicant is accepted (although the impact of Brexit is uncertain and financial gain to South Gloucestershire is not a material consideration).

It is noted that in justifying the restriction to 25 years, the Case Officer noted that should national, local or global situations arise, the panels could be removed and the land reverted to agriculture within a few months. This could still be the case should a new technology be developed.

In conclusion it is not considered that the granting an additional 15 years will result in any significant additional impacts. Furthermore the scheme would continue for a further 15 years and thus benefit and contribute to reaching energy targets.

5.2 Community Benefit

In accordance with Policy CS3, and the draft Renewable Energy SPD, significant weight is given where renewable energy developments return a contribution to benefit the local community. It is important to note that community benefit is voluntary. It would be for the applicant to negotiate a revised deal.

5.3 Cumulative Visual Effect

At the time that the original consent was given, it was noted that the proposed solar farm was in close proximity to several other solar farms along the edge of the M5 and M4 motorways – both in South Gloucestershire and further south in Bristol. Despite the relatively close proximity (i.e. within 2 miles) it was deemed that there would be no direct inter-visibility between the proposed solar farm and any other solar farms either in existence or consented but not yet developed. Your officer is satisfied that nothing has changed on the ground that would now result in a different conclusion.

5.4 Conditions

A S73 Application provides the opportunity to revise/amend or even add conditions as appropriate. Many of the conditions attached to the original consent are no longer applicable and those that remain relevant require revisions to the given reason in the light of Policy changes. The following section will consider this issue:

Condition 1 – 3 year standard time limit for the implementation of the development. Given that the scheme has been implemented in full this is no longer relevant

Condition 2 – This condition is the subject of the current application and will be revised accordingly

Condition 3 – Required the developer to notify the LPA when electricity was first exported to the grid. This is no longer relevant as the site has been operation for a period of time

Condition 4 – A construction hours condition. This is no longer relevant as the scheme has been built out.

Condition 5 - Noise emissions during the operation of the development shall be limited to 35dBA when measured at the boundary. This condition remains relevant and will be applied to the current consent

Condition 6 – This requires all work to take place in accord with a submitted Traffic Management Plan. Although this largely relates to the construction phase it also includes the operational phase so it is appropriate to reapply the condition and to update the reason to include PSP11 (rather than T12)

Condition 7 – This required the submission of lighting details post construction. This is no longer relevant, it would appear that there was no lighting in place

Condition 8 – Required boundary fencing to be dark brown or green. This requirement still applies so this condition will be re-applied

Condition 9 – Required the transformer and substation buildings to be Olive Green and maintained as such thereafter. This will therefore be reapplied

Condition 10 – This required details of tree protection measures during construction and this is no longer relevant as the development has been built out.

Condition 11 – Required planting works to be undertaken in accordance with submitted details. Again as the development has been completed this is no longer relevant

Condition 12 – Required details of archaeology to be excluded from ground disturbance prior to the commencement of development. The condition also states *“thereafter the approved location shall not be subject to any form of ground disturbance of any type, including but not limited to, exempt infrastructure, geotechnical works, remediation works, topsoil stripping, landscape, trenching, cabling or construction”*. As this part of the condition is still relevant the condition will be amended accordingly and the reason shall include Policy PSP17 (rather than L11)

Condition 13 – This required the submission of a detailed programme of archaeological investigation, mitigation, post-excavation analysis etc to be submitted prior to the commencement of development. As the scheme has been completed in full, this condition is no longer relevant

Condition 14 – Required the submission of details of panels and cabling prior to their installation. As the scheme has been completed in full, this condition is no longer relevant

Condition 15 – Required, prior to the commencement of work, an updated ecological report and the development to proceed in accord with the recommendations of the report. As the scheme has been completed in full, this condition is no longer relevant

At the time that the original consent was determined, approved plans were placed on the decision notice as an informative. It is now the practice to include these as a condition and this change has now been made. This list also reflects the changes that were permitted through the non-material amendment procedure since the original consent.

5.5 Consideration of likely impact on Equalities

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

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

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

6. CONCLUDING SUMMARY

- 6.1 Officers have given considerable weight to the wider environmental benefits of the proposed development and have concluded that those benefits clearly outweigh the identified harm to the Green Belt over a longer period than the original consent allowed for.
- 6.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

1. The development hereby approved shall be removed not later than 40 years from the date that electricity from the development is first exported to the National Grid; or within 3 years of the cessation of the exportation of electricity to the grid, whichever is the sooner; and the land shall be returned to its former condition within 12 months of

the removal of the solar farm equipment and all associated road, equipment and structures. Any panel installed but not connected to the grid within a 3 year period shall be removed and the land restored to its former condition. Such renovation of the landscape shall be carried out in accordance with a scheme previously approved in writing by the Local Planning Authority.

Reason

In order to ensure that the approved development does not remain in situ beyond the projected lifetime of the equipment so installed in the interests of the visual amenity and character of the surrounding landscape; and to accord with Policy CS3 and CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PS2 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan 2017.

2. Noise emissions resulting from the development during operation shall not exceed a noise level of 35dBA when measured at the boundary of the site in accordance with BS4142:1990 (as amended)

Reason

To protect the residential amenity of the residents of surrounding residential properties and to accord with Policy CS3 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)

3. All development must be carried out strictly in accordance with the Traffic Management Plan dated 15th July 2015 and submitted with the application at all times.

Reason

In the interests of highway safety and to comply with the requirements of Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan 2017

4. All transformer buildings and the substation building hereby permitted shall be finished in RAL 6005 Olive Green and maintained as such at all times thereafter

Reason

In the interests of the visual amenity of the area and to comply with the requirements of Policies CS1, CS3 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the Renewable Energy SPD (Adopted November 2014)

5. The approved location shall not be subject to any form of ground disturbance of any type, including but not limited to, exempt infrastructure, geotechnical works, remediation works, topsoil stripping, landscape, trenching, cabling or construction works.

Reason

To protect the sensitive archaeological site in accordance with the requirements of Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan 2017

6. The boundary fencing shall be finished in a dark brown or olive green colour.

Reason

In the interests of the visual amenity of the area and to comply with the requirements of Policies CS1, CS3 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the Renewable Energy SPD (Adopted November 2014)

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

Received by the Council on 7th September 2015 - Ecological Report

Received by the Council on 13th August 2015 - Biodiversity Management Plan, C11920.15.900revB - Landscape Proposals Plan, Supplementary Landscape Information, Preliminary Ecological Assessment, Landscape Management and Planting Schedules Report.

Received by the Council on 24th July 2015 - Traffic Management Plan, Road Safety Audit

Received by the Council on 11th June 2015 - Glint and Glare Study

Received by the Council on 19th May 2015 - Landscape and Visual Impact Appraisal, Geophysical Survey, Geophysical Survey Report, EIA Analysis and Screening Report, Flood Risk Assessment,

Received 19th May 2015

ALC, 000930_100 - Site Location Plan

000930_101revA - Location Plan,

Design and Access Statement, Transport Statement, Environmental Management Plan, construction Environmental Management Plan

Received 6th November 2015

001595 04 Rev A Typical building details,

001595 15 Rev A Typical sections and fence detail,

Received 17th November 2015

001595 01 PL Rev D Site Plan

Received 6th January 2020

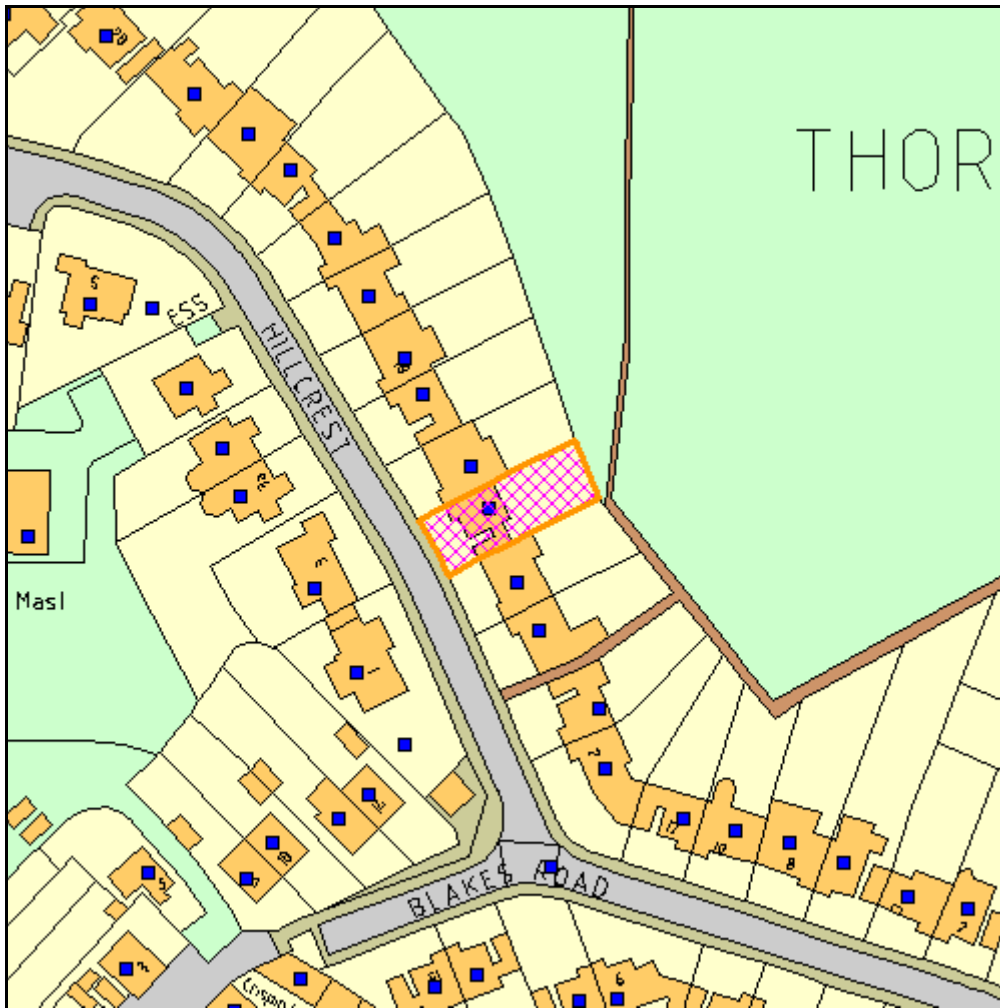
Planning Statement (SLR Jan 2020)

Reason:

For the avoidance of doubt

CIRCULATED SCHEDULE NO. 11/20 – 13 MARCH 2020

App No.:	P20/01742/F	Applicant:	Mr And Mrs Bull
Site:	10 Hillcrest Thornbury Bristol South Gloucestershire BS35 2JA	Date Reg:	30th January 2020
Proposal:	Replacement garage roof to facilitate partial garage conversion.	Parish:	Thornbury Town Council
Map Ref:	363958 190194	Ward:	Thornbury
Application Category:	Householder	Target Date:	24th March 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

Contrary view of Thornbury Town Council.

1. THE PROPOSAL

- 1.1 Planning permission is sought for a replacement garage roof to facilitate a partial garage conversion at 10 Hillcrest, Thornbury.
- 1.2 The application site comprises a two storey semi-detached dwelling with attached side garage. The application site is located within the designated Thornbury settlement boundary.
- 1.3 The proposal included the replacement of the existing flat roof over the garage with a pitched roof and the partial conversion of the garage into a utility room. The proposal is linked to the neighbour's application for the same work (P20/02963/F).

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

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P97/2179
Single storey rear extension
Approval Full Planning (29/09/1997)

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
Objection - There will not be adequate parking for the size of the house.
- 4.2 Local Residents
1 Support - Initial objection but supports the amended plans.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application seeks permission for a replacement garage roof to facilitate a partial garage conversion at an existing residential property. Policy PSP38 of the Policies, Sites and Places Plan permits extensions and alterations to existing dwellings 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 Design and Visual Amenity
Policy CS1 of the Core Strategy and Policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should 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.
- 5.3 The proposal to replace the existing flat roof over the garage with a pitched roof would, if done on its own, harm the character and rhythm of the street scene but as the neighbouring property is proposing the same work and these works would be reliant on each other, this character and rhythm would be maintained.
- 5.4 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the building or negatively impact the visual amenity of the streetscene or character of the area.
- 5.5 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

- 5.6 When considering the impact of the development on the residential amenity of neighbouring residents, the neighbouring property which is most likely to be affected is the adjacent property to the south at No.8 Hillcrest.
- 5.7 In respect of the adjacent property to the south, it is noted that the neighbouring property is proposing to carry out the same work.
- 5.8 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.9 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. Currently the application property is required to provide 2 on-site parking spaces for its size and as the proposed works would not include any additional bedrooms, this requirement of 2 on-site parking spaces remains.
- 5.10 The existing garage on the site does not meet the Councils minimum size guide to be classed as a parking space so the property currently only provides 1 on-site parking space. This one on-site parking space would be maintained by the proposed works and whilst this is below the Councils parking standards, the site is in a sustainable location and on-street parking is possible.
- 5.11 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.
- 5.12 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Oliver Phippen
Tel. No. 01454 866019

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).

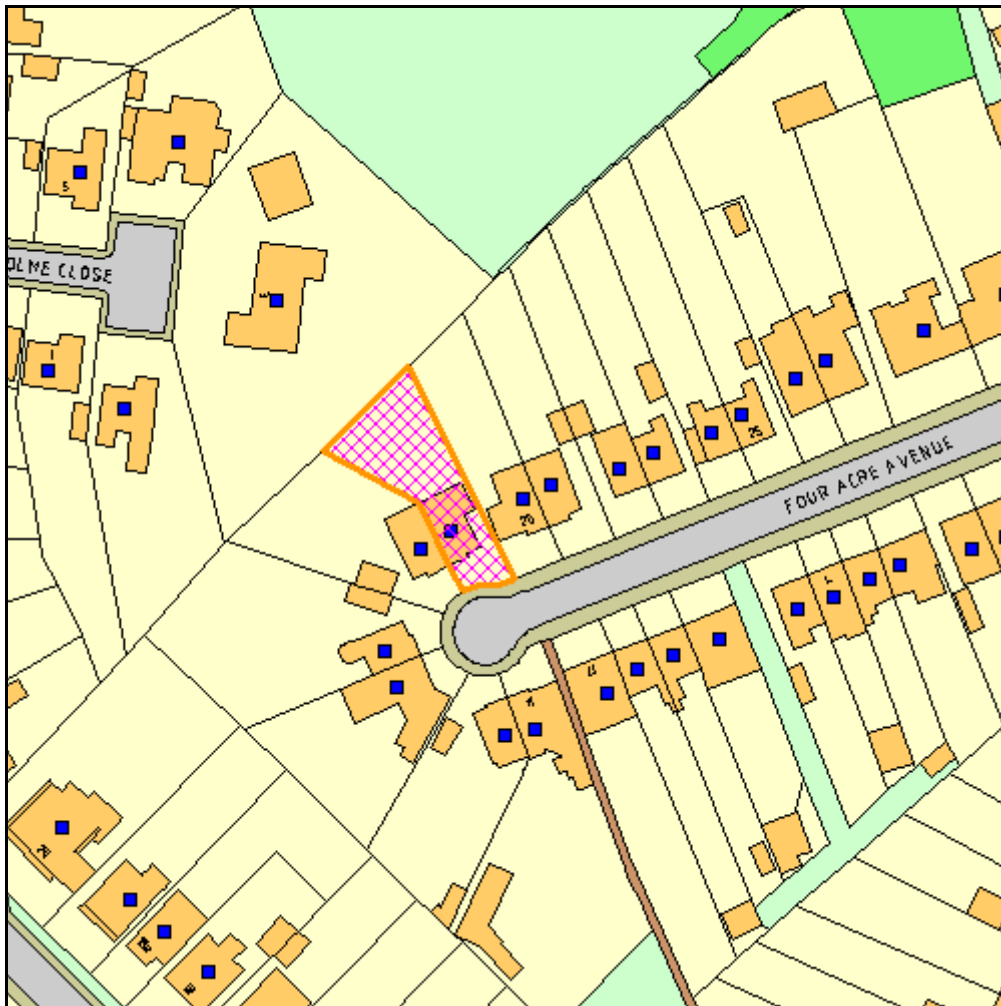
2. The tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

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.

CIRCULATED SCHEDULE NO. 11/20 - 13th March 2020

App No.:	P20/02993/F	Applicant:	Dr And Dr Arshad
Site:	19 Fouracre Avenue Downend South Gloucestershire BS16 6PD	Date Reg:	19th February 2020
Proposal:	Erection of a two storey side and single storey rear extension to form additional living accommodation (Amendment to previously approved scheme P19/15289/F).	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365303 177713	Ward:	Frenchay And Downend
Application Category:	Householder	Target Date:	13th April 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 REPORT IN THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a two storey side and single storey rear extension to form additional living accommodation.
- 1.2 The original dwelling is a semi-detached house located at 19 Four Acre Avenue, Downend.
- 1.3 This planning application seeks to make certain amendments to the previously-approved plans under application P19/15289/F.

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 Design
CS5	Location of Development

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 P19/15289/F

Erection of a two storey side and single storey rear extension to form additional living accommodation.

Approved: 04/12/2019.

- 3.2 PK02/1657/F
Erection of single storey side and rear extension to enlarge kitchen area and provide bathroom.

Approved: 25/07/2002.

- 3.3 P96/4280
Erection of single storey rear extension and attached domestic garage.

Approved: 25/07/1996.

- 3.4 K1330/1
Porch to front door.

Approved: 13/02/1987.

- 3.5 K1330
Conversion of roof space of existing dwelling to provide an addition room.

Approved: 05/04/1976.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
The parish council objects on the following grounds:
- Overdevelopment;
- Out of keeping with the local streetscape;

- 4.2 Other Consultees

Sustainable Transport
No objection.

Other Representations

- 4.3 Local Residents
1no. objection comment has been received and key points summarised below:
- We currently only object to the upper most far right window (570mm) on the first floor and the lowest right window (570mm) on the ground floor for privacy and light pollution reasons both on the east side of the building. The remaining windows on the east side to be of a frosted nature.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

Policy CS1 'High Quality Design' of South Gloucestershire Core Strategy (adopted December 2013) states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan is supportive in principle of development within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

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

5.3 The proposed ground floor section of the extension will project to the rear of the existing house by 3.64m (no change from P19/15289/F) and have a width of 7.7m (no change from P19/15289/F). 1no. roof light proposed for this part of the extension.

5.4 On the first floor level the proposed extension will project to the rear by 5m (1.4m increase from the previous application) and have a width of 4.75m (no change from P19/15289/F). It will incorporate 1no. bedroom with en-suite. It will result in 6.65 sq.m. footprint increase of this part of the extension compared to the previously-approved P19/15289/F.

5.5 No changes proposed to previously-approved second floor part of the extension. It will measure 5.5m in depth and 6m in width. It will incorporate 1no. bedroom with en-suite.

5.6 It is considered that the scope of proposed changes is insignificant compared to the previously-approved application P19/15289/F. It is considered that the proposed alterations would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and are considered to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the Policies, Sites and Places Plan.

5.7 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.

5.8 It is also considered that ample levels of external amenity space would be retained at the site post-development. On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impacts on residential amenity, and the proposed development therefore accords with policies PSP8, PSP38 and PSP43.

5.9 Access and Parking

The proposed development would increase the bedrooms within the dwelling to five. The submitted plans show 3no. off-street parking spaces, which were considered satisfactory under the previously-approved P19/15289/F. As such it is considered that proposed parking provision is sufficient and complies with Policy PSP16.

5.10 Other Matters

In regards to the concern raised by the local resident in relation to proposed windows on the east elevation. A condition will be attached to any permission granted for 2no. bathroom windows on the first floor level to be obscure-glazed. It is the case officer's opinion that study window on the first floor as well as 2no. windows on the ground floor do not provide enough potential to cause detrimental effect on privacy of neighbouring occupiers.

In regards to the objection raised by the Parish Council in relation to the proposal being out of character with the local streetscape, as well as being overdevelopment. It is the case officer's opinion that the proposed changes will not alter the existing dwellinghouse enough to make it appear out of character with surrounding houses. Also, the proposed alterations to the existing house are not considered to result in overdevelopment of the site.

5.11 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Mykola Druziakin
Tel. No. 01454 868434

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 two windows on the East elevation (bathroom window and en-suite window as per plan 80462-2, Rev. B) shall at all times be of obscured glass to a level 3 standard or above.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.