

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: 33/20

Date to Members: 14/08/2020

Member's Deadline: 20/08/2020 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
35/20	Wednesday 26 August 12noon	9am Thursday 27 August	5pm Thursday 3 September	Friday 4 September

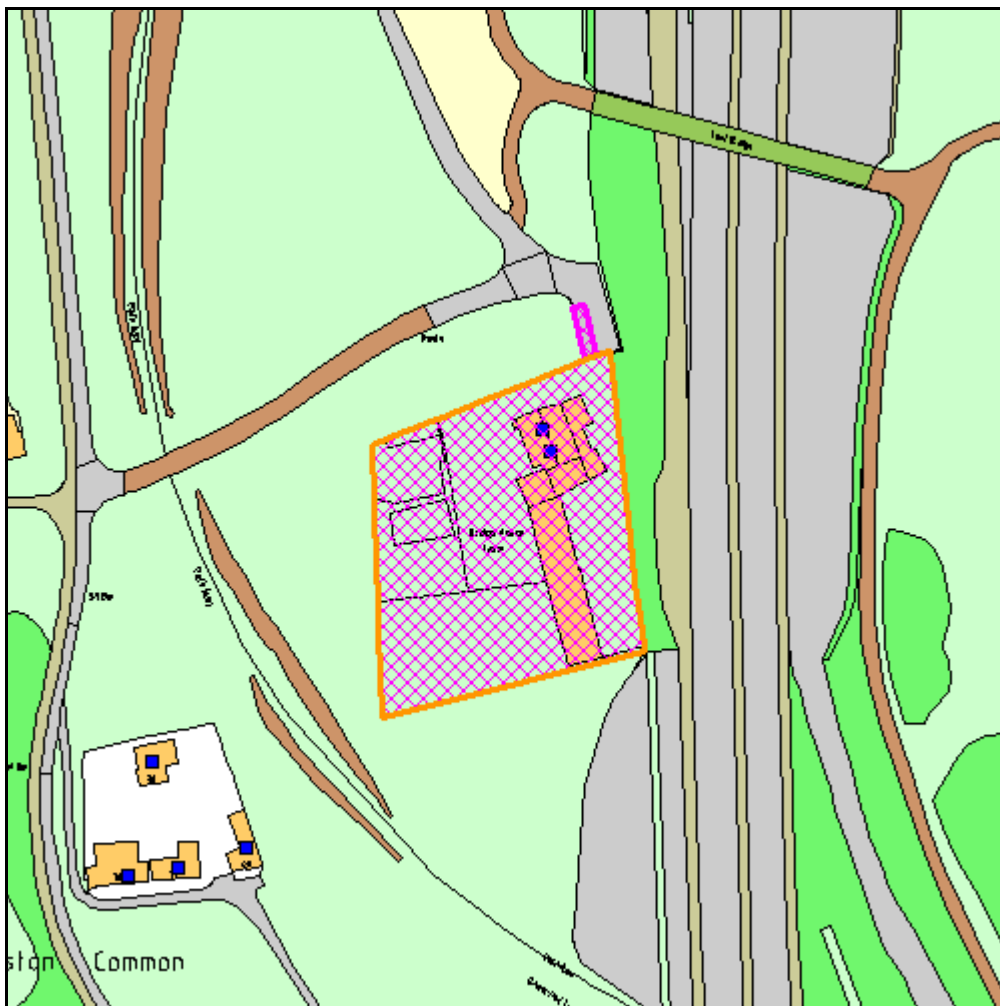
Dates and officer deadlines for Circulated Schedule August Bank Holidays 2020

CIRCULATED SCHEDULE - 14 August 2020

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/15257/F	Refusal	Bridge House Farm Siston Common Siston South Gloucestershire BS30 5LS	Parkwall And Warmley	Siston Parish Council
2	P19/19409/RM	Approve with Conditions	White Stables -Plot C Emersons Green South Gloucestershire BS16 7NJ	Emersons Green	Emersons Green Town Council
3	P20/00319/F	Approve Subject To S106	33 Quarry Road Alveston South Gloucestershire BS35 3JW	Severn Vale	Alveston Parish Council
4	P20/04568/F	Approve with Conditions	Unit 1 Downend Business Park 124A North Street Downend South Gloucestershire BS16 5SE	Frenchay And Downend	Downend And Bromley Heath Parish Council
5	P20/04823/F	Approve with Conditions	Land At Upper Farm West Littleton Road Marshfield South Gloucestershire SN14 8JE	Boyd Valley	Tormarton Parish Council
6	P20/06621/F	Approve Subject To S106	Land Off Tabernacle Road Hanham South Gloucestershire BS15 8DU	Hanham	Hanham Parish Council
7	P20/08749/F	Approve with Conditions	Little Birdbush Wickwar Road Yate South Gloucestershire BS37 6PA	Chipping Sodbury And Cotswold Edge	Wickwar Parish Council
8	P20/09147/F	Approve with Conditions	6 Ferndale Avenue Longwell Green South Gloucestershire BS30 9XS	Longwell Green	Oldland Parish Council

CIRCULATED SCHEDULE NO. 33/20 - 14th August 2020

App No.:	P19/15257/F	Applicant:	St Thomas Syro Malabar Catholic Church
Site:	Bridge House Farm Siston Common Siston Bristol South Gloucestershire BS30 5LS	Date Reg:	22nd October 2019
Proposal:	Demolition of existing commercial building and erection of 1no two storey building to form Church and Community Hall (Use Class D1 with parking and associated works.	Parish:	Siston Parish Council
Map Ref:	366533 174402	Ward:	Parkwall And Warmley
Application Category:	Minor	Target Date:	16th December 2019



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 100023410, 2008. **N.T.S.** **P19/15257/F**

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

CIRCULATED SCHEDULE

This application appears on the circulated schedule following support comments contrary to officer recommendation. .

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the .demolition of existing commercial building and erection of 1no two storey building to form Church and Community Hall (Use Class D1 with parking and associated works. The existing farmhouse is to be retained as a presbytery.
- 1.2 The application site relates to a former farm, Bridge House Farm situated on Siston Common, above and adjacent to the ring road. The site is within the settlement boundary of Siston Common, within a site of SSNI but lies outside the Green Belt which begins on the other side of the A4174.
- 1.3 During the course of the application revised plans were received following comments from Officers. These plans showed a slight reduction in the scale and some changes to the overall design. The result remains a large building on this site and as such the plans were not put out for re-consultation. The application has been assessed using these new plans.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP9	Health Impact Assessments

PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.

South Gloucestershire Design Checklist (Adopted) 2007)

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PRE18/1017 Demolish existing commercial storage units and to keep existing farm house as presbytery and to build a church and a community (church) hall with necessary parking.)

Response November 2018

Summary:

No objection in principle as the site is within a settlement boundary. No objection in highway terms – proposed access is satisfactory and level of parking spaces is considered reasonable; more information needed in a full planning application re the possible uses to give a more accurate assessment of parking demand

- 3.2 PK17/2778/O Demolition of existing dwelling and outbuildings and erection of 8. No dwellings with access and layout to be determined and all other matters reserved (Outline)

Approved 14.2.18

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Whilst members have no objection to the proposed built development at this somewhat isolated brownfield site, they wish to register their deep concern at the prospect of such a public attraction being sited in this location. The Applicants estimate alone adds to much local concern "Drawing roughly 150/200 people to midday mass and occasional congregations of approximately 450 people".

Providing for such a dramatic increase in so many types of vehicles accessing and exiting this site over what is a narrow and totally unsuitable single track lane is considered to be totally inappropriate. Vehicles visiting and leaving this site during hours of darkness will undoubtedly bring many dangers to other road users and local residents.

Because of the nature of this application and likely detrimental effect on the immediate local area, we request that relevant Members undertake a site visit before considering any supportive officer recommendation.

Internal Consultees

4.2 Archaeology
No comment

4.3 Ecology
Objection: - the submitted survey falls outside the optimal survey period. Updated details needed.

Following additional information, there are no objections subject to conditions that the scheme must proceed in accordance with the Precautionary Method Statement; a sensitive lighting scheme for bats and evidence of installation of ecological enhancement to be submitted to the LPA for written approval.

4.4 Commons Steward
No objection subject to condition/informative

4.5 Environmental Protection
No objection subject to condition

4.6 Highway Structures
No objection

Statutory / External Consultees

4.7 Transport
No objection subject to conditions

4.8 The Coal Authority

Objection: - Risk Assessment Report required

Updated comments:

The planning application is now accompanied by a Geotechnical Investigation and Contamination Assessment Report (TB/SR/18287/GICAR, August 2018) prepared for the application site by Ruddlesden Geotechnical. It is noted that this Report has been prepared for residential purposes (8 / 9no. dwellings) and not for this current proposal: 1no. two storey building to form Church and Community Hall.

Intrusive ground investigations / gas monitoring has subsequently been undertaken (6no. rotary open hole boreholes drilled to depths of approximately 30m) in order to confirm the exact ground conditions present beneath the site. Borehole logs and a plan illustrating where the boreholes were drilled has been provided.

Based on the findings of the ground investigations, the report author identifies that much of the site is underlain by a succession of thin coals and carbonaceous mudstone at shallow depths, including a seam at only 4.90m depth of 0.60m thick (BH03). However the report author goes on to state that these range in depth throughout the site.

Therefore, in order to clarify the geological sequence beneath the site and to further assess the 'zones' of land instability including the location / alignment / depth of the mine entry and how this relates to the development proposed, further site investigations are required. The results of the additional investigations will inform the extent of remedial / mitigatory measures that may be required (Section 9.1). We are pleased to note that Drawing No. 6003 100 (Site Plan, Location Plan) illustrates that no development will be taking place within the zone of influence of the entrance of the mine entry.

The Coal Authority's written consent will be required from our Licensing and Permitting team as part of the permitting process for these additional works.

No objection subject to condition.

4.9 **Drainage**

Query the disposal methods for both foul sewage and surface water.

Updated comments:

Wessex Water are happy with the proposal of accepting both foul and surface water drainage from the site as long as it is restricted to the discharge rate of 1 l/s therefore we have no issue.

Other Representations

4.10 **Local Residents**

Support – 247 comments received summarised as:

Faith and community facilities

Bring people together to worship

Church would be open to all

Create a church of their for St Thomas community

Asset to our community

Will bring together communities of different backgrounds, cultures and beliefs to help preserve the South Indian traditions and avoid discrimination

Proposed energy consumption is low

Pleasure to see a community project not the 8 houses that already have permission

Building would not take up as much room as 8 houses

Many of the members of this church are front-line workers such as those working in the NHS

Main service on Sundays which will not impact on locals

Ample parking on site

Social and economic benefits to the area

A church of our own would be beneficial rather than having to rent one as is the case now

Objection – 46 comments received summarised as:

Parking problems

Noise

Volume of traffic

Out of character in the area

Increased danger to cyclists and pedestrians

Loss of countryside views

Affect wildlife

Large scale building and hundred car parking spaces

Impact on biodiversity

Lovely farm buildings part of our local history and heritage will be demolished

5. ANALYSIS OF PROPOSAL

5.1 The proposal is to demolish existing outbuildings, retain the existing residential dwelling and build a two-storey church.

5.2 Principle of Development

The application stands to be assessed against the above listed policies and all other material considerations. The approved outline scheme for the erection of 8 new dwellings is a material consideration. The application site is situated within the established settlement boundary of Siston Common. Policy CS23 of the South Gloucestershire Core Strategy (Adopted) December 2013 broadly supports the provision of new community infrastructure such as places of worship. Places of worship are specifically referred to in the examples of community facilities included in the reasoned justification of Policy CS23 but, the policy does not distinguish between the uses for any types of faith nor does it say that places of worship should be a 'public' facility. The proposal is acceptable in principle.

5.3 However, full support is only given to such proposals provided all relevant policy criteria are satisfied. Of particular relevance is the location of the site within an established settlement boundary, the overall resulting appearance and the impacts on the character of the area including that of Siston Common, the impact on the residential amenity, highway safety and parking, landscape, ecology, and the environment.

5.4 Location

The application site is within a settlement boundary and is also adjacent to the registered common G/CL29 Siston Common on three sides. The common is owned and managed by South Gloucestershire Council and subject to a Scheme of Management and Bylaws. The Commons Steward has indicated that the quantity of parking provision and access up the narrow road would be assessed by Transport Engineers. It is noted that there will be a net increase with regards to tree planting which is a positive outcome. It is however noted that developers cannot use the common to store building related materials,

tools or supplies and any storage of for example, skips outside the site must have a licence from the council.

5.5 Design and visual amenity

The proposed two-storey church would replace a series of buildings formerly associated with the farmhouse and its operation as a farm shop. The site is within Siston Common and is in an exposed and highly visible position. The sensitive treatment of new development would therefore be required.

5.6 During the course of the application concerns were expressed to the applicant regarding the proposed scale of the development. Revised plans were received and this assessment is based on the updated plans which show a slight reduction in the scale and overall design of the proposed church.

5.7 Historically the site was used as a farm and latterly as a small scale farm shop. The main farmhouse remains along with a number of low agricultural type buildings stretching out to the rear/side of the house. The site is to the eastern side of Siston Common and bound on that side by the A4174 ring road, several metres below. Siston Common is a sloping piece of common land rising from the west to the east with the application site at one of the highest points. The rooftop of the modest farmhouse is visible from various points while the rest of the site and buildings are somewhat screened due to their low profile, the topography and some existing planting.

5.8 The main issue of concern would be the resulting very large structure and its impact on the character of the area. It is noted that revisions have been made to reduce the bulk of the proposed building and to simplify its external appearance. However, despite these changes the final design remains a high, two-storey block with a large number of windows. It is appreciated that this is the style of many churches but more usually they can be found in heavily built-up urban settings. Despite this location being within the settlement boundary as shown on adopted policy maps, the character of the area is distinctly rural. By contrast to the existing built form, the proposed building would occupy a more prominent space in the skyline.

5.9 It is understood that the applicants require the church to achieve a certain standard of design/specification to accommodate the liturgical services of the Syro Malabar Catholic church, which include, for example, a specific height for the altar. Changes to the design have therefore, tried to accommodate comments made by Officers, but can only go so far. A compromise has been put forward by way of the church being set into the ground by around 2.5 metres. This is acknowledged but, the result is a contrived development that is still not representative of its surroundings. The church building would neither reflect the remaining farmhouse nor would it reflect the rural nature of the common. It is recognised that the building would replace poor quality structures but it must be acknowledged that these were erected to serve the agricultural business use and at the time of their erection were acceptable on that basis. Furthermore, these were low level single storey structures screened by planting.

- 5.10 As acknowledged by the applicant in details accompanying revised plans, Officers have suggested the appropriate form of development here could be a simple chapel like building. But due to the requirements of this church, a very much smaller scale structure would not be suitable.
- 5.11 In making an assessment it is necessary to take cues from the immediate area and taking into account the highly visible location, the open, semi-rural nature of the area a building of this size is not in-keeping or representative of its setting. On this basis it would fail to represent the highest form of site planning and design expected in both local and national planning policy. Weight is given against the scheme for this reason.
- 5.12 It is noted that plans indicate an increase in planting to help screen the proposed new building. The introduction of new trees is welcomed in all new development in South Gloucestershire, however, the planting would take some considerable time to mature and to function as good screening. Given the above this would have to be awarded some weight against the proposal.
- 5.13 It is for the above discussed reasons that the proposal fails to accord with policies CS1, PSP1 and recently published national design guidance.
- 5.14 Transportation and highway matters:
The impact on the Common and on the immediate highway network has been the topic of a number of objection comments. Access to the site would be from the Station Road Link, passed The Horseshoe public house and the linear development that stretches along this side of the Common towards the application site. The road is narrow but is not single track and is unenclosed on one if not both sides for some distance. It is useful to consider the following general transport headings in this assessment:
- 5.15 Traffic movement:
The applicant has not provided specific details of likely traffic movements associated with this proposal, however, details indicate that the church would be open from 8.00 am to 10.00 pm on a daily basis with a daily service at 9am. It has also been confirmed that the congregation sizes will vary, but it could be drawing roughly 150/200 people (at 12.00 midday service on Sunday service) – and on special occasions such as Christmas Day, a congregation of approximately 450 people could be attending services.
- 5.16 It is understood that the frequency for large congregation gatherings would be limited in number and these would occur on special religious [calendar] occasions. In traffic terms, it is generally accepted that a church does not generate significant traffic during weekdays and most of the trips are likely to be outside the weekday peak hour when the adjacent road is quieter and that the traffic movements would be at their highest on a Saturday and Sunday. For the larger services, it is noted that the applicant is proposing to use minibus pickups for members of the congregation in order to keep traffic impact to a minimum. It is also an established travel culture for churches that the members travel to services in family units. As a result car sharing is normal for travel to services. Furthermore, it is not unusual for members of the congregation to know other members who live near them and so shared travel is generally

- coordinated with ease. In view of this therefore, officers anticipate that car occupancies for this use to be relatively high – maybe between 3 or 4 persons per car.
- 5.17 Extant permission:
A relevant consideration in this case is that this site already benefits from having a planning consent (No. Pk17/2778/O) for 8no. houses and this is the fall-back position. This potential new housing development would generate daily traffic movements with some traffic during both the morning and evening peak hours. Having considered all the relevant issues transportation officers conclude that the net increase of traffic would not be significant when the fall-back position is taken into account.
- 5.18 Class D1 use:
In planning terms, the use of a church falls under class use D1. The D1 class use also covers a 'day nursery'. As such and under a blanket Planning 'D1 use', the church could also be utilised as a day nursery. By comparison, it is noted that a day nursey has the potential to generate a greater number of traffic movements, including additional traffic in the morning peak hour.
- 5.19 If the application is approved an appropriate condition restricting the site for religious uses only should be attached to the decision notice. This would assist in restricting traffic movement from/to the site, and would mean that an alternative use within the D1 use class could not be made without further analysis of the impact that a change, (for example to a day nursery), would have on the local highway network.
- 5.20 Access:
In respect of the access, it is noted that the site would use the existing road (Siston Common) that currently provides vehicular access to the site and a small number of other residential dwellings. Siston Common varies in width and narrows in places but is generally wide enough to allow two cars to pass one another. As such, the road is considered to be adequate to accommodate additional traffic resulting from the new church. It is noted that there is no footway abutting the road, however, there are footpaths and cycle routes in the area and these connect the application site to the wider highway and provide suitable and safe routes for people on foot and cycling.
- 5.21 Road safety:
With regards to road safety, Officers are satisfied that vehicular speeds on Siston Common are low. There is an advisory 20mph sign just past the Horseshoe Public House and vehicles travelling at this location have to drive over a cattle grid which also slows them down. Officers have checked the accident data and it is confirmed that there have been no recorded person injury accidents on Siston Common within the last 5 years.
- 5.22 Parking:
Plans submitted with the application indicate that there are total of 60+no. Car parking spaces for the church plus one space for a mini bus. South Gloucestershire Council does not currently have any specific standards for car parking for uses other than residents' dwellings. However, using South

- Gloucestershire Local Plan 2006 previous Policy T8 as a reference, parking requirements for a church were based on 1 parking space for every 10 seats. In general, it is felt that there is sufficient space on site to satisfy the parking demand for the church on site.
- 5.23 In concluding the transport assessment, overall the proposal would not have a negative impact on the highway and as such a refusal on this basis could not be substantiated or successfully defended in an appeal situation. For the above reasons, neutral weight is given with regards to transport impact.
- 5.24 Residential amenity
The proposed building would not impact on the amenity of closest residential properties. For this reason neutral weight is given with regards to impact on residential amenity.
- 5.25 Trees and ecology
The introduction of new tree planting is noted. Had the scheme been acceptable in all other areas, an appropriate condition would have been attached to the decision notice regarding species and planting times. Similarly ecological conditions regarding mitigation measures, lighting and enhancement would also have been required had the application been recommended for approval.
- 5.26 Impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.27 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.28 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.
- 5.29 Other Matters
A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.30 Reference has been made to the previously approved scheme which remains extant. However, each application is assessed on its own merits and no direct comparison can be made between schemes.

- 5.31 Loss of views, impact on the countryside and wildlife have been included in the list of objections. There is no right to a view and this scheme would be the re-development of a brownfield site within the settlement boundary. Adopted policy encourages such development provided it meets all policy tests.
- 5.32 Impact from noise has been given by objectors as a reason to refuse the scheme. The site is adjacent to the very busy ring road. If the application had been deemed acceptable, any noise from construction would be for a limited period only and would not form a valid objection reason. Similarly, if the objection is on the basis of church services, these would be limited to certain times and would be held within a building. The objection due to such noise would therefore not be sufficient to refuse an application.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

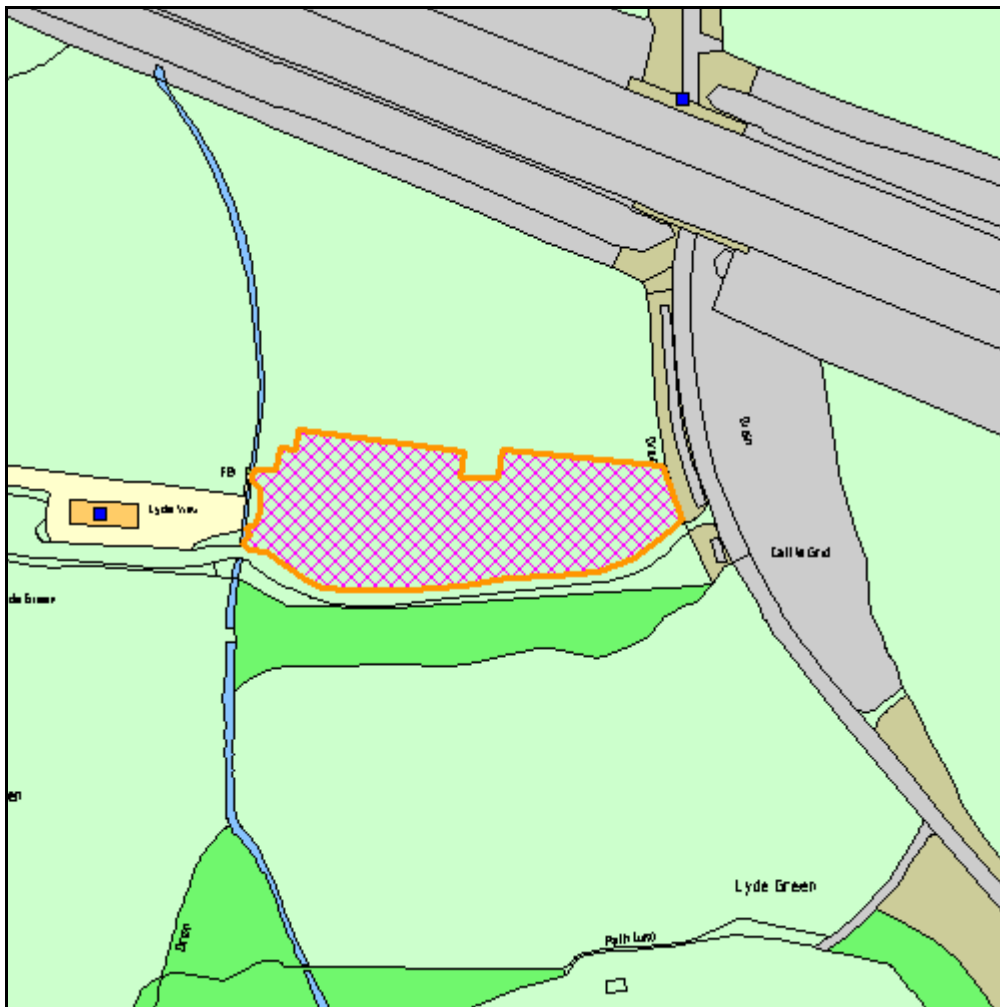
Contact Officer: Anne Joseph
Tel. No. 01454 863788

REFUSAL REASONS

1. Due to the overall scale, size, massing and appearance the proposed church has failed to demonstrate how it would respect, reflect and be in-keeping with its proposed surroundings given the sensitive nature of the site. As such the proposal is contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted 2013), Policy PSP1 of the South Gloucestershire Policies Sites and Places Plan (Adopted 2017), government design guidance and the NPPF.

CIRCULATED SCHEDULE NO. 33/20 - 14th August 2020

App No.:	P19/19409/RM	Applicant:	LSS
Site:	White Stables -Plot C Emersons Green Bristol South Gloucestershire BS16 7NJ	Date Reg:	15th January 2020
Proposal:	Erection of two storey building to form Warehouse (Class B8), creation of car and lorry parking area and associated works with appearance, landscaping, layout, scale and access to be determined (Approval of Reserved Matters to be read in conjunction with Outline permission PK04/1965/O superseded by P19/09100/RVC).	Parish:	Emersons Green Town Council
Map Ref:	367681 178111	Ward:	Emersons Green
Application Category:	Minor	Target Date:	10th 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 REFERRAL TO CIRCULATED SCHEDULE

This application is referred to circulated schedule due to the receipt of 3no. objections from local residents and 1no. objection from an adjacent landowner, which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of a two storey building to form a Warehouse (Class B8) alongside a parking area and other associated works. The reserved matters, which comprise appearance, landscaping, layout, scale and individual access should be read in conjunction with the outline permission ref. P19/09100/RVC (formerly PK04/1965/O). This was for an urban extension on 99 hectares of land including residential development of up to 2550 dwellings and up to 100,000m² of B1, B2, B8 and C1 employment floor space. The outline permission included details of access to the site as a whole off the Rosary roundabout (A4174). The wider site has the benefit of an approved Detailed Masterplan and Design Code.
- 1.2 The application site is known as 'White Cat Employment Area C Plot' and relates to 0.56 hectares of land within the defined employment area, to the north east of the Lyde Green development. The site is situated off a spine road; Elderflower Drive. Vacant employment plots are located to the north of the site, with the 'DPD' distribution facility to the north west. Directly to the west of the site is Parcel 16B; a residential development which was recently given reserved matters consent. A proposed bridleway would run along part of the southern boundary of the site (ref. P20/0251/RM) and south of this is Lyde Green Common; a public open green space. To the right of the site is a residential development which is currently under consideration, at Lyde Green Farm.
- 1.3 Through the course of the application process revisions and additional information were requested and received. This will be outlined in detail in this report.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Policy Guidance
National Design Guide (October 2019)

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
CS11	Distribution of economic development land
CS12	Safeguarded areas for economic development
CS29	Communities of the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP26	Enterprise Areas
PSP27	B8 Storage and Distribution Uses
PSP47	Site Allocations and Safeguarding

2.3 Supplementary Planning Guidance

Emersons Green East Development Brief – adopted SPD

South Gloucestershire Biodiversity Action Plan (adopted)

South Gloucestershire Landscape Character Assessment SPD

Approved EGE Detailed Masterplan and Design Codes

Design Checklist SPD (Adopted) 2007

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

3. RELEVANT PLANNING HISTORY

Outline Permission

- 3.1 PK04/1965/O Approve with Conditions 14/06/2013
- Urban extension on 99 hectares of land comprising of :-Residential development of up to 2550 dwellings; up to 100,000m2 of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m2 of small scale A1, A2, A3, A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavilion (Class D1) and health centre. Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined.

- 3.2 P19/09100/RVC: Urban extension on 99 hectares of land comprising of :- Residential development of up to 2550 dwellings; up to 100,000m² of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m² of small scale A1,A2, A3 A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavilion (class D1). Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined. Variation of Condition relating to trigger for construction of Tiger Tail on M32 attached to approved Outline application. Permission granted October 2019.
- 3.3 Development Control East Committee on 15th February 2013 approved the Detailed Masterplan associated with outline planning permission PK04/1965/O at Emersons Green East.
- 3.4 Local residents commented that an Environmental Impact Assessment (EIA) should be carried out. An EIA was carried out for the Outline planning permission for this development and officers can confirm that the current RM application does not raise any issues that would call into question the EIA conclusions.

Other related applications

- 3.5 PK16/4926/RM Approve with Conditions 19/01/2017
Construction of road 5 and adjoining roads, including carriageway and footway. Construction of Pond C4 and reprofiling of Lyde Green Watercourse. Approval of reserved matters - appearance, landscaping, layout and scale; to be read in conjunction with outline planning permission PK15/4232/RVC, formerly PK04/1965/O).
- 3.6 P19/8823/RM Approved with Conditions 25/06/2020
Erection of 96no. dwellings, garages and associated infrastructure with appearance, landscaping, layout, scale and access to be determined. (To be read in conjunction with Outline Planning Permission P19/09100/RVC, formerly PK04/1965/O). (Parcel 16B)
- 3.7 P19/1275/F Pending Consideration
Erection of 393 no. dwellings, including 139 affordable housing units. Alteration of existing vehicular access off Henfield Road. Provision of public open space, landscaping, sustainable urban drainage and related infrastructure and engineering works.
- 3.8 P20/02521/RM Pending Consideration
Details of layout, scale, landscaping and appearance, in respect of a proposal for a Public Bridleway, (Outline) (Approval of Reserved Matters to be read in conjunction with outline permission PK04/1965/O).

4. CONSULTATION RESPONSES

4.1 Emersons Green Town Council

No objection in principle, however Members have concerns regarding the possible negative impact on wildlife and the adjoining Common and note the comments of local residents.

4.2 Lead Local Flood Authority

No objection in principle, subject to conditions.

4.3 Highways Authority

No objection, comments summarised as follows:

- An occupier travel plan and transport statement have been submitted.
- Parking considered sufficient and not excessive.
- Further details of cycle parking are required.
- The impact on surrounding highway network would be acceptable.

4.4 Highway Structures

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

Or

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

4.5 Landscape Officer

Originally raised a number of concerns to scheme. Comments summarised as follows:

- Site needs to provide an appropriate, attractive setting to bridleway.
- Landscape buffer needs to be introduced.
- Additional screening required, different and larger trees and shrubs recommended
- Gravel paths should be introduced
- Darker cladding should be considered.

Through course of application amendments have been made to the scheme which includes;

- Security fence moved in to site with landscape provided adjacent to bridleway
- Larger species to be provided
- 11no. additional trees and hedgerow introduced
- Hedgerow to be maintained at higher height.

4.6 Environmental Protection (Contamination)
No objection subject to standard informatives.

4.7 Environmental Protection (Acoustics)

Originally raised a number of concerns, these are summarised below:

- Area to east of site needs to be considered in assessment. Development could be detrimental to residential amenity of future occupiers.
- Acoustic report should include 1/3 octave band data for specific equipment
- Consideration needs to be given to any potential HGV movements.
- Hours operation of the site are requested.

Through course of application a revised acoustic report and additional information were submitted. This will be covered in detail in paras. 5.14-5.18 of this report. The environmental health officer has now not raised any concerns but has recommended that a condition is imposed in relation to noise emitted from the site.

4.8 Economic Development

Support. Comments summarised as follows:

- In Emersons Green Enterprise Area
- The proposed development presents employment opportunities in an Enterprise Area, which economic development team expect to see significant growth and development in the future.

Other Representations

4.9 Local Residents

3no. objections were received from local residents to the original proposals. Comments summarised as follows:

- Chipping away at green belt is a long term disaster
- Green space being destroyed
- Impact on adjacent common land
- No mention of common land in application
- Disruption to houses and views from windows
- Impact on wildlife
- Noise and pollution
- Ecological appraisal undertaken on common land identified several protected species
- EIA expected which references these species and details of mitigation of the application.
- Noise assessment has not mentioned impacts of noise to walkers, grazing wildlife and other users of the Common
- Air quality of common could be impacted.
- Suitable provision must be made to protect common land from contamination – drainage and run off.
- Visual impact on Common – will tall trees be planted?
- Light pollution impacts.
- Landscaping proposed is not sufficient
- Concerns in relation to hedgerows
- Large amount of site is tarmacked – no greenery of wildlife corridor

4.10 Adjacent Landowners

1no. objection has been received from an adjacent landowner; 'Edward Ware Lyde Green Farm Ltd'. Comments summarised as follows:

- Comments in relation to consultation and procedural matters.
- Concerns in relation to noise attenuation of the site given HGV movements.
- Potential for noise impacts from this use.
- Concerns in relation to the sites access off Elderflower Drive (Road 5), in particular ongoing concerns with its use prior to its completion, relating to PK16/4926/RM.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Outline planning permission ref. PK04/1965/O has been granted on this site. This covers a substantial part of the Emersons Green East (EGE) development, which was allocated by saved policy M2 of the South Gloucestershire Local Plan (Adopted) January 2006 and which is superseded by PSP47 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017. The outline planning permission reserved all matters for future consideration, with the exception of the means of access off the 'Rosary' roundabout, which has been approved in detail. The extant outline permission is a Section 73 application: ref. P19/09100/RVC.

5.2 In February 2013, the Development Control (East) Committee approved the site wide detailed masterplan, and subsequently officers approved the Design Code under delegated powers for the outline application site. There has been some change to the adjacent primary street layout (Elderflower Drive) and layout of employment plots since the masterplan/design code. These changes were assessed and approved as part of ref. PK16/4926/RM. Nevertheless, the application is an employment site which is within the 'Employment' area as shown on the masterplan and within the design code.

5.3 The outline consent restricted employment floorspace to up to 100,000m². Condition 14 of the extant outline consent also sets limits for the amount of B1 employment floorspace, or total B class employment floorspace that can be built out on the wider site before an improvement scheme relating to the M32 motorway has been completed. For B class uses the total is 26,614m². To date the following applications have been approved:

- Parcel 2 Geopost, DPD building – 6,642m² B8 floorspace – built out
- Parcel 3 Chancery Gate – 6,287m² B8 floorspace
- Parcel 4 Chancery Gate – 3,646m² B8 floorspace
- Parcel 5, ALD building – 3,862m² B1 floorspace – built out

This provides a total B class employment floorspace of 20,437m². This application would provide 650m² of B8 floorspace and therefore would increase this total to 21,087m². This remains below the trigger point set by Condition 14 of the outline consent, and below the restriction for the total amount of employment floorspace on the wider site. As such, it is considered that the principle of the proposed scale and use of the development in this location is acceptable.

- 5.4 This application seeks approval of matters reserved at the outline stage. These being the appearance and scale of the buildings, as well as the layout, landscaping and individual access into the site itself. These matters are considered below.
- 5.5 Compliance with Principles and Parameters
Condition 5 attached to the outline consent sets out that reserved matters applications shall be in accordance with the approved parameter plans and principles and parameters as set out in the Design and Access Statement as well as the approved Design Code and Masterplan. It is also requested that a statement is submitted alongside each reserved matters application which demonstrates compliance. This application was supported by a Design and Access Statement which includes details of compliance.
- 5.6 The Design and Access Statement approved as part of the outline permission sets out that the Employment areas of the wider site will provide employment opportunities for residents in the eastern and northern fringes of Bristol. It also goes on to state that it would provide for local businesses to expand. This application proposes a new headquarters for a local business to replace an existing office in South Gloucestershire. The applicant states. *“the lack of space in...existing facility has restrained business growth”*. Submitted information also details that the scheme will generate employment opportunities for 26 staff. Clearly, this is in accordance with the intentions for the employment area.
- 5.7 The approved parameter plans and design code, set out that this area should comprise buildings of up to 2 storeys. The proposed building is 2 storeys in height and therefore complies with this parameter. The urban design principles set out in the design code and parameter plans also show that this area would form a main frontage with landmark buildings, albeit Officers are mindful that the layout of the road has changed in this location (ref. PK16/4926/RM). The design code sets out that landmark buildings must employ the creative use of architectural details, and two or more of the following:
- Projection of building line forward of the established building line
 - The use of contrasting walling and/or roofing material
 - An increased height above the surrounding buildings
 - A distinctive roofline.
- 5.8 The proposed building cannot be increased over 2 storeys and is not proposed to have a distinctive roofline. It is proposed that it would have floor to ceiling glazing in the most prominent corner of the building, and contrasting aluminium cladding and recessed blue brick detailing along the main frontage, these are aspects which are emphasised within the design code. Through the course of the application process it was requested whether the location of the building could be bought forward or that further details could be introduced. It is noted that these amendments have not been brought forward. In this way, the scheme does not fully accord with the design code and this does attract some negative weight in the planning balance. However, a landmark building would not serve such an important function in this location as originally envisaged given the amendments made to the layout of the spine road. Accordingly, it is

considered that less weight can be given to this deviation from the design code. Officers are also mindful of the proposed B8 class nature of the site, and it is considered that the detailing proposed is sufficient to form some frontage characteristics. Conditions are recommended in relation to samples of materials.

5.9 Landscaping

To the south of the site is Lyde Green Common (the Common); a public open space. A public bridleway is proposed (ref. P20/02521/RM) to run between the southern boundary of the application site and the northern boundary of the Common.

5.10 There were a number of concerns raised by the landscape officer to the original proposal. These involved the need to provide an attractive setting to the bridleway, the need for a landscape buffer to surround the site, additional screening (larger trees/shrubs) required to protect the character of the Common, gravel paths should be introduced and darker cladding/materials for building should be considered. Some of these concerns were also reflected in comments from local residents. They were concerned in relation to the visual impact on the adjacent Common to the south, that the landscaping proposed was not sufficient, potential for disruption of views, whether taller trees would be planted, existing hedgerows, and that a large proportion of the site would be tarmacked.

5.11 Through the course of the application, negotiations have taken place. This has led to amendments to the scheme, which include; a hedgerow introduced alongside the bridleway and to the east of the main building, 11no. additional trees to be introduced, some larger species to be provided and maintenance of the hedgerow at a higher level to help screen the site from the Common. A detailed landscaping plan has also been provided, which specifies the species of vegetation/trees proposed. These alterations are considered to comprise improvements and will allow for improved screening from the Common and setting to the bridleway path. It is recommended that conditions should be issued to ensure the planting is carried out in accordance with the submitted plans.

5.12 The development would not involve the loss of any existing trees or hedgerow. It is acknowledged that the development would still have some visual impact on the Common, and that the site is largely tarmacked. This does carry some negative weight in the planning balance. However, the principle of a B8 employment use has been established through the outline permission. The applicant states that the hard surfacing is required to enable HGVs to manoeuvre in the site. The building is proposed to be 2 storeys which is in accordance with the parameters set at outline stage. Given the improved screening and planting proposed, it is not considered that there would be a significant adverse impact on the visual amenity of the area.

5.13 Ecology

Local residents raised concerns in relation to the presence of protected species on the Common, what mitigation was proposed, and the impact on wildlife. Lyde Green Common is a Site of Nature Conservation Interest (SNCI), and is

designated for its marshy grassland. As part of the outline permission, a number of protected species were identified. The extant outline permission ref. P19/09100/RVC, was subject to a series of ecological planning conditions; 28 to 32 in relation to tree and hedgerow protection, slowworm, great crested newt, badger and a Landscape and Ecological Management Plan (LEMP). This reserved matters application should be read in conjunction with this permission and should be carried out in accordance with these conditions. Further to this, the development also has the potential to adversely affect the SNCI during the construction phase through a variety of factors including pollution incidents. Given this, the development should also be subject to Conditions 35 and 36 of ref. P19/09100/RVC in relation to the Folly Brook catchment and pollution preventative measures. Given the development will be subject to these conditions, it is considered that the development would not bring about any adverse ecological issues.

5.14 Residential Amenity

Noise

The development would be close to residential properties which were recently permitted at Parcel 16B to the west. It would also be close to proposed properties to the east at Lyde Green Farm (ref. P19/1275/F, pending consideration). Comments from local residents that raised concerns in relation to noise and pollution arising from the development are noted. An adjacent landowner also raised concerns that the development would result in noise from HGVs and could have an impact on the nearest proposed dwellings at Lyde Green Farm.

- 5.15 The applicant has stated that the site will require 24/7 access due to the nature of the business. However, they state there will be no unloading or loading operations on site and no forklifts will be used, and that the predominant hours of operation for office workers would be 7am to 6pm and for vehicles 5am to 9pm. Officers note that other nearby employment uses (e.g. DPD) also have 24/7 access and are considerably larger operations.
- 5.16 The application was supported by an Environmental Noise Assessment (ENA). This indicates the nearest residential noise receptors which includes the developments noted above. Through the course of the application concerns were raised in relation to the potential for noise impacts on existing and future nearby occupiers. Through the course of the application additional information and clarification has been sought. The ENA concludes that the existing road traffic along the M4 motorway was found to be the dominant noise source with some other sources of road traffic nearby. The modal background levels on-site during the day were measured to be 51Db. Plant noise limits have been set below the background levels in the day and the noise at the window of the nearest noise sensitive receiver (ie. Dwelling) was found to be 14 Db below the prevailing background levels. The Environmental Health Officer reviewed the ENA and additional information. They have now recommended that a condition is issued which relates to restriction of noise emitted. It is also noted that condition 23 of the outline permission ensures that the development shall not exceed background noise level at any time.

- 5.17 From the evidence before officers it is considered that any noise and disturbance emitted from the proposal would be below existing background noise levels at the site. Subject to the recommended condition, it is not considered that any unacceptable impacts would occur in this respect.
- 5.18 Comments were also raised from local residents that the noise assessment did not assess impacts on walkers, grazing wildlife and other users of the Common. Whilst these concerns are acknowledged, this assessment would not be expected to be included in an acoustic report. Significant material weight is given to the fact that the relationship between the employment site to the common has already been accepted by virtue of the approved detailed masterplan. The ecology section (para. 5.13) of this report outlines how wildlife/protected species will be protected.

Other Residential Amenity Impacts

- 5.19 The principle of a two storey employment building in this location was permitted through the outline permission. The nearest residential property to the proposed building would be at Parcel 16B, which would be over 50 metres away at the nearest point. Given this separation distance, it is not considered that any overbearing, loss of light or outlook issues would occur.
- 5.20 An External Lighting Assessment was submitted in support of the application, this indicates that there would be minimal light spillage resulting from the development. With the parts of the site nearest residential dwellings showing a minimal light intrusion level of 0-5 lx. No details were provided in relation to building luminance, and as such, a condition is recommended in this respect.
- 5.21 Transport
The application was supported by a Transport Statement (TS) and Occupier Travel Plan (OTP). An Occupier Plan is something that is required through condition 16 of the outline permission, and therefore this application satisfies this condition. It is proposed that the development would have a total of 26 staff, with 6 being office based.

Parking

- 5.22 On-site parking is proposed in two separate areas for staff car parking and parking for articulated lorries including a low-loader. For non-residential development such as this (B1 and B8 uses) parking is determined on its own merit. It is relevant to note that the Council does not currently have an adopted policy for Commercial Land Uses in relation to car parking provision. Instead, when considering the parking requirement for commercial uses, the Highways Authority rely on [in part] the former standards [i.e. maximum parking standards] as appeared under policy T8 in the superseded South Gloucestershire Council Local Plan (adopted) January 2006 as guidance for parking requirement.

- 5.23 Based these standards, the parking requirement for this building would be 10 car parking spaces and 2 HGV parking spaces. The plans submitted with this application show 20 car parking spaces, 15 vans and 13 HGVs, plus secure internal storage for trailers. The applicant advises that the company would employ 26 staff from the site, 6 being office-based, with potential to increase to 34 with the Van/HGV parking all in use. The applicant also confirms that this building would be the headquarters for the company and will therefore need to accommodate occasional additional demand associated with meetings. When additional capacity is required, empty Van/HGV bays could be used to prevent parking overspill from the site. The Highways Authority have not raised an objection to the proposed car parking provision.
- 5.24 The TS states that 6no. cycle stands would be provided on site. The Highways Authority raised concerns that these were not shown on a plan. Through the course of the application, the applicant has since confirmed that the cycle stands would be provided within the building itself. It is recommended that a condition is imposed to ensure that the car and cycle parking is provided prior to first use.

Access and Traffic Flows

- 5.25 The site would have one main access off Elderflower Drive (also known as Road 5, and recently constructed as part of the main Emersons Green development). Traffic management measures requiring Traffic Regulation Orders (TRO) would be in place in order to prevent the traffic on this road travelling north of the motorway bridge on Lyde Green Road towards Westerleigh Road junction and to discourage development traffic travelling towards Pucklechurch using Coxgrove Hill.
- 5.26 An adjacent landowner raised concerns in relation to this application taking occupation off Elderflower Drive without the road being open in its entirety, and that consent should be withheld until such point that it is open in its entirety. By way of update, officers can confirm that the Section 38 adoption agreement for Road 5 is in an advanced stage, and is now with the Council for engrossing. The Development Implementation Manager has confirmed that the process for the TRO on Henfield Road has recently been commenced.
- 5.27 There are a number of existing developments taking access off Elderflower Drive. The site would still have access onto the highway network, and would utilise this as adjacent sites do at this time. The update demonstrates that there has been significant progress in terms of the adoption of Elderflower Drive. As such, whilst these concerns are understood, it is considered that it would be unreasonable to withhold consent in relation to these matters.
- 5.28 The Highways Authority have reviewed the plans and have confirmed that the access provides adequate visibility onto Elderflower Drive.
- 5.29 In terms of traffic flows, the proposed building is relatively small and most movements would arise from vehicles which are kept on site, trip rates have been based on the number of proposed staff. On the basis that the site will operate to maximum capacity, it could have up to 86 vehicle movements per

day. The Highways Authority consider that the impact on the surrounding highway network as a result of this development would be negligible, and in any case, the surrounding highway network has been designed to accommodate such movements.

Transport Conclusions

- 5.30 The outline consent permitted in principle B8 uses on this part of the wider site. The development is considered to provide sufficient parking, the access is appropriate and the impact of the traffic flows arising from the development would be negligible. Conditions will be recommended to ensure that the parking is in place prior to first use. Overall, it is considered that the development would not be detrimental to highway safety, and is considered to be in accordance with policy CS8.
- 5.31 Drainage
Local residents raised concerns that suitable drainage and run off should be provided to protect the Common from any contamination. The application was supported by a Drainage Strategy Report. This confirms that all foul and storm drainage will be discharged to sewers which are already installed along Elderflower Drive. The Lead Local Flood Authority have reviewed this report, and have confirmed that it would be in accordance with the drainage strategy that was approved through the outline permission in this area (296-PH4-101-01 B Surface Water Drainage Strategy C4 Whitecats Catchment sheet 1 of 2). It is recommended that a condition is imposed for the detailed surface water drainage design.
- 5.32 Other Matters
Concerns were received from local residents in terms of the loss of a greenfield site and that air quality could be impacted as a result of the development. The wider site was given outline permission in 2013, including this area which is designated as employment land (including B8 class uses). As such, these comments are outside the scope of this Reserved Matters application.
- 5.33 Comments were received from an adjacent landowner in relation to consultation and procedural matters. Officers can confirm that the development was consulted in accordance with the Councils Statement of Community Involvement and that a site notice was placed near to the site.
- 5.34 Overall Conclusion
This is a Reserved Matters application for the erection of a warehouse B8 class use, alongside the creation of parking areas for cars and HGVs as well as other associated works. As set out in this report, the development is acceptable in principle, in accordance with the outline planning permission.
- 5.35 Extensive negotiations have been held with the applicant and revisions as well as additional information have been received. This report has identified that the building would not fully comply with the design code and would not have as many frontage characteristics as would be expected for a building in this location. Further, the site would be largely tarmacked in nature and this is likely to have some visual impact on the surrounding area. These matters carry some

negative weight in the planning balance. In terms of residential amenity, ecology, transport and drainage, it is considered that subject to conditions, and the mitigation proposed, there would not be any significant adverse harm.

5.36 There would be economic and social benefits to the development. It would provide an opportunity for a local business to expand, and the creation of up to 26 jobs. Further, the proposal is supported by the outline permission which allows for 100,000m² of B1, B2, B8 and C2 uses; and the site is located within the Emersons Green Enterprise Area, where significant employment growth is envisaged. It is considered that these matters carry significant weight in the planning balance.

5.37 Taking into account all of the above, it is considered that the harms identified would not clearly outweigh the benefits of the development. Therefore, this reserved matters application is recommended for approval, subject to conditions.

5.38 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.

5.39 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** reserved matters consent 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 below.

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

1. Plans

This decision relates only to the plans below:

Existing Site Plan (LSS - DKA - XX - ZZ - DR - A - 0010 P01)
Section A (LSS - DKA - ZZ - XX - DR - A - 3010 P02)
Section C and D (LSS - DKA - ZZ - XX - DR - A - 3011 P02)

Plans received 23rd December 2019

External Lighting Assessment Ground Floor (1382ILO-MET-ZZ-ZZ-DR-E-6310 D2-P03)
Proposed Elevations N and E (LSS - DKA - XX - XX - DR - A - 2010 P04)
Elevations S and W (LSS - DKA - XX - XX - DR - A - 2011 P04)
Fence and Gate Elevations (LSS - DKA - XX - XX - DR - A - 2012 P01)

Plans received 14th January 2020

Soft Landscape Proposals (1371-01 C)
Proposed Ground Floor Plan (3000 P3)
Proposed First Floor Plan (3001 P3)
Proposed Ground Floor Plan (LSS - DKA - ZZ - 00 - DR - A - 1010 P05)
Proposed First Floor Plan (LSS - DKA - ZZ - 01 - DR - A - 1110 P05)
Proposed Roof Plan (LSS - DKA - ZZ - ZZ - DR - A - 1210 P03)
Site Location Plan (LSS-DKA-ZZ-XX-DR-A-0001 P04)
Proposed Site Plan (LSS-DKA-ZZ-ZZ-DR-A-0101 P10)

Plans received 24th June 2020.

Reason

To clarify the plans forming this consent.

2. External Facing Materials

Prior to the construction above Damp Proof Course the external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. Planting

All planting, seeding or turfing comprised in the landscaping details, hereby approved shall be carried out no later than the first planting and seeding season following the substantive completion of the development hereby approved, and any trees or plants (retained or planted) which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting seasons with others of a size and species as shall reasonably be specified by the Local Planning Authority.

Reason

To prevent losses damage and to achieve the earliest possible establishment of the landscape and its retention, and protect the character and appearance of the area, and in accordance with Policy PSP2 of the adopted South Gloucestershire PSP, and CS2 of the adopted South Gloucestershire Core Strategy.

4. Noise

The rating level of noise emitted from the site shall not exceed the existing background noise. The background noise determined to be [B] dB by day (7.00am - 11.00pm) and [C] dB by night (11.00pm - 7.00am). The residual noise determined to be [D] dB by day and [E] dB by night. The noise levels shall be determined at the nearest noise sensitive dwelling. The measurements and assessment shall be made in accordance with the provisions of BS4142:2014.

A - noise level difference rating level and background level

B and C - background noise levels - LA90t over time period t

D and E - residual levels - LA eqt (can be taken at time backgrounds are obtained).

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2016; and the provisions of the National Planning Policy Framework.

5. Building Luminance

Prior to the erection of any external lighting, details of building luminance (cd/m²) shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate lighting design in the interests of the amenities of the area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

6. Parking

Prior to first use of the development hereby permitted, the off-street parking facilities for all vehicles shown on the plans hereby approved and the cycle storage provision shall be provided and made available for use, and thereafter retained for that purpose.

Reason

In the interest of the amenities of the site and to accord with policy CS1 and CS8 of the South Gloucestershire Core Strategy (adopted) December 2013; and the provisions of the National Planning Policy Framework.

7. Drainage

Prior to the relevant stage of development, surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. Development shall thereafter proceed in accordance with the approved details.

Reason

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2012.

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 REFERRAL TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as there have been objections to the proposed development received by the Local Planning Authority, whilst the officer recommendation is one of approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of two houses and six blocks of garages within a parking court all of which are accessed from Quarry Road, Alveston. The application also proposes the construction of a further 12 parking spaces at Haddrell Court.
- 1.2 The site is located within the settlement boundary of Alveston, a village washed over by the Bristol Bath Green Belt. Surrounding the site on all sides are houses flats or bungalows and the access to the site will be modified at the same position as access is currently gained to the site. The additional displacement parking is to be added to existing parking for Haddrell Court and as such will enter and exit from the existing access at Vattingstone Lane.
- 1.3 The properties would be two storey except for one bungalow, in a mix of two flats over garages, two terraces of three and two pairs of semi-detached houses. These create 7 No. two bedroom properties, 5 No. three bedroom properties and a one bedroom bungalow.
- 1.4 The plans have been modified only slightly during the course of the application in order to secure additional visitor parking for the site within the new cul-de-sac and in relation to minor highway issues.
- 1.5 The applicant is a registered affordable housing

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green infrastructure
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of housing
CS16	Housing Density

CS17	Housing Diversity
CS18	Affordable 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
PSP7	Development in the Green Belt
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP37	Internal Space and Accessibility Standards for Affordable Dwellings
PSP42	Self build and custom housing
PSP43	Private Amenity Space Standards
PSP44	Open Space, Sport and Recreation.

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (May 2007)

The South Gloucestershire Design Checklist SPD (adopted)

The South Gloucestershire Residential Parking Standards SPD (adopted)

Waste Collection: Guidance for New Developers SPD (adopted March 2020)

CIL Charging Schedule and the CIL and S106 (March 2015)

Affordable Housing and Extra Care SPD (May 2014)

The South Gloucestershire Technical Note – Assessing Residential Amenity

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

Object due to the lack of consideration to the impact that the development has on the issues of parking with residents in the immediate surrounding area.

4.2 Other Consultees

LLFA

No objection in principle on the basis of the submission but a condition to resolve details of surface water is required.

Transport Development Control

Having regard to all of the above there is no transport objection to the number of car parking spaces proposed either on the site or in the enlarged Haddrell Court Car Park.

Affordable housing team

No objection. The proposal requires the provision of four dwellings, three for social rent and one to be shared ownership. However as the whole site will otherwise be rented social accommodation under the applicant a registered social landlord it is considered acceptable to agree that all four properties are secured for social rent. The specific plots agreed are 6-9.

Self-build officer

No objection

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

We welcome a discussion with the applicants about any self and custom housebuilding opportunities.

Highways structures

No comment

Avon and Somerset Police

No objection

Wessex Water

No objection

The submitted drainage strategy indicates "that all surface water runoff generated by the dwellings will be directed into soakaways, except plots 5 & 10. Plots 5 & 10 will discharge into a new public storm network located in the highway, which will connect to the existing on-site storm sewer. The discharge rate will be limited to 5 l/s". The foul water drainage system, which serves the new dwellings, has been proposed to connect to the existing foul water sewer located northeast of the site in Quarry Road.

This methodology is acceptable to Wessex water and in line with discussions held to date.

Environmental Protection

There is information to indicate historic use(s) of the site (as garaging); and land within 250m of the site (as a former quarry now infilled) may have caused contamination which could give rise to unacceptable risks to the proposed development. In order to ensure that the site is suitable for its proposed use and in accordance with The National Planning Policy Framework, a ground work condition is recommended.

No development shall take place until a site specific Construction Environmental Management Plan (CEMP) has been submitted to and been approved in writing by the Council to protect residential amenity.

Education team

There is a shortage of primary school provision in the immediate vicinity and whilst the development is expected to yield four primary school children the team acknowledge that there is insufficient policy position to justify a S.106 contribution.

Community Infrastructure and public open space

The proposed development generates a requirement for a total financial contribution of £57427.11 towards off site public open space (based upon the introduction of 11 new dwellings). This is broken down as follows:

- Off-site POS provision/enhancement contribution £23,696.55
- Off-site POS maintenance contribution £33,730.56

The Community Infrastructure Officer indicates that the funds would relate to the following open spaces (or other open spaces considered appropriate for the development);

- Natural & Semi-Natural Open Space – Lime Kiln Field
- Informal Recreational Open Space – Down Road Green Space (Alveston Down)
- Provision for Children & Young People – Lime Kiln Play Area & Skate Park and/or Down Road (Alveston Down) Play Area
- Allotments – Alveston Allotments

Landscape team

No response received

Ecology

No objection

Avon Wildlife trust

No response received

Environmental policy team - Low Carbon Projects/Heat Networks Consultant Sustainable Energy Statement required additional input.

Comments received which indicate that the development could do more to assist the development itself. The Energy Statement proposes a 10.98% reduction in emissions from a fabric first approach, which is welcome. However, the proposal to use gas boilers and the omission of on-site renewable generation was disappointing. Requests that micro-renewables could be optional extras to purchasers. Developer is encouraged to provide each dwelling with a 7kW charge point for an electric vehicle. More resilience to overheating was sought. More reference to water conservation and measures to reduce surface run off.

Waste Engineer no response

NHS – no response

Children and young people - no response

Other Representations

4.3 Local Residents

Objections from 20 households were received

- Concerns about loss / displaced parking
- Concerns that there are more families with three cars now.
- Concerns that existing congestion makes it hard to see children at play and this scheme will have overflow to Quarry road and Quarry Mead – happened already in 1996
- Concerns that residents will not walk to the new parking spaces
- Concern that there is no provision of green space to play
- Good quality of life is important
- Too dense for 13 homes
- Concern about additional noise traffic and population density
- Concerns for safety of elderly and children.
- Concern about obstruction of emergency vehicles
- Concern that alternative parking at Haddrell car park is insufficient – parking will be used by anybody, concern it's on a first come first served basis.
- Concern that disabled residents and prams have to deviate off the path due to parking on curbs
- Need a solution to existing problem.
- Concern about school drop off and picks ups in road
- Concern during demolition – ill-health
- Loss of privacy
- Loss of car security / home security / garaging
- Concern site is too small
- Concern sturdy garage walls are replaced by fencing - Storms can better damage fences than garages
- Concern that the survey was poor and carried out after a no parking sign was erected so that it shows less cars.
- Concern people will park on the green area in Quarry road and will stop children playing.
- Perhaps use of eth green for parking should be used.
- Perhaps a one way system is needed.
- Lack of access for bin collections or refilling of oil tank.
- Removal of garages could reduce maintenance fee ad create more parking.
- Bromford should put dropped curbs on their properties to get cars off the road
- Concern about radon gas, drainage, asbestos removal machinery digging foundations

5. ANALYSIS OF PROPOSAL

5.1 The planning application details the proposal to construct 13 dwellings. The proposal requires the demolition of a pair of semi-detached houses and a garage area.

5.2 Principle of Development

Alveston is a village with a defined settlement boundary which is washed over by the Green Belt. The site is located within the defined settlement boundary. In respect of this application, Policies CS5 and CS34 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and Policy PSP7 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 provide the basis for the consideration of new housing development where it would be located within the village settlement boundaries which are in turn, washed over by the Green Belt.

5.3 Policy CS5 directs housing development to sites within existing Village Development Boundaries (as well as the urban areas). In respect of villages washed over by the Green Belt, the policy also makes provision for *small scale infill development* within the settlement boundaries of villages. Policy CS34 sets out that the Green Belt will be protected from inappropriate development, and this is reiterated in policy PSP7. The scope of these policies in the context of sites located within the Green Belt is consistent with paragraph 145 of the National Planning Policy Framework which provides the limited type of development that is appropriate within the Green Belt.

5.4 Principle of Development - Green Belt Consideration

The National Planning Policy Framework sets out that the Government attaches great importance to Green Belts. It goes on to set out that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 145 of the National Planning Policy Framework sets out that the Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Limited exceptions to this are;

(a) buildings for agriculture and forestry;

(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

(e) limited infilling in villages;

(f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

5.5 This proposal is considered to fall into exception 'g' as the site garage site, the two existing houses and the additional parking spaces proposed are considered to be previously developed land and 'f' as the whole site would be affordable housing (the applicants business model) although only 4 house houses are actually secured as such and there is a demonstrable need in Alveston. Further the redevelopment of the site is not considered to cause substantial harm to the openness of the Green Belt and falls within the fifth purpose of the greenbelt to encourage recycling of derelict land.

5.6 Principle of Development - Conclusion

Policy CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy are consistent with the scope of the National Planning Policy Framework in respect of the Green Belt. In this instance, officers conclude that the proposed development would take place within the Alveston Village Development Boundary; and would be consistent with Green Belt policy. Accordingly officers conclude that the proposed development satisfies the Green Belt test; and as such is consistent with Policy CS5 and CS34 of the South Gloucestershire Local Plan. The proposed development is therefore acceptable in principle.

5.7 Paragraph 11 of the National Planning Policy Framework makes a presumption in favour of sustainable development. In terms of the decision making process, the National Planning Policy Framework goes on to set out that this means 'approving development proposals that accord with an up-to-date development plan without delay. In this instance, the development plan is made up of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017. Officers are satisfied that the proposed development is consistent with the scope of the relevant principle policies contained in the South Gloucestershire Core Strategy (adopted) December 2013 (namely,

policies CS5 and CS34). Therefore, as required by the National Planning Policy Framework, officers consider that there is a strong presumption in favour of approving the proposed development, subject to detailed consideration of the following issues and relevant development plan policies.

- 5.8 Accordingly, significant weight is afforded to the presumption in favour of approving the proposed development.
- 5.9 Affordable housing
There is a demonstrable need for affordable housing in Alveston with 18 households requesting Alveston as their first choice of location and over 600 households advising that they would consider Alveston on the register.
- 5.10 Policy CS18 requires developers to provide 35% of on-site affordable housing on sites of more than 10 dwellings. As the application proposes 13 dwellings, the secured affordable housing requirement for the scheme is 4. As the applicant's business model is that of only social rent all of the four units will be acceptable as social rent rather than securing one for shared ownership in accordance with the SHMA. The house types proposed are broadly in line with the SHMA requirements and this is considered to be acceptable.
- 5.11 The secured affordable homes are to be built to the same high quality design standards and visually indistinguishable from the market units and in addition, Part M of the Building Regulations accessibility standards M4(2), Secured by Design Silver, Part Q Building Regulation standards and compliance with the RP Design Brief as agreed with the affordable housing team. This will be secured by a condition and the S.106 Agreement.
- 5.12 The Council's adopted SPD on affordable housing requires that the clustering of the affordable units to be no more than 6 dwellings or no more than 6 flats sharing a communal entrance. However the whole scheme is affordable units in line with the applicants business model and so this is not possible. Whilst this is not possible it needs to be balanced against the relatively substantial contribution of this affordable housing to the need in the locality. Nevertheless the secured number of affordable units within the scheme will only number four and this is considered to be acceptable under the SDP.
- 5.13 It is therefore considered that the proposed affordable housing is in accordance with the requirements of Policy CS18, subject to a s106 agreement requiring its provision and the conditions set out above and significant weight can be afforded to the four unit secured as affordable units but also to the provision of the other additional affordable housing units under the applicant's business model and as a registered affordability provider.
- 5.14 In relation to self-build policy PSP42 encourages the provision of self-build plots on sites of over ten houses. In this case it is recognised that the practicalities of providing self-build on a 100% affordable scheme would be would preclude this. The provision of the level of affordable housing proposed would outweigh the loss of self-build opportunity in this instance.

5.15 Transportation and Parking

Current situation

Parking at the site is a highly contentious concern to residents in the surrounding properties. There is a general concern from surrounding properties that there is too much on street parking going on and insufficient off street parking spaces for the general population and as a result residents have parked on this private garage court, without authorisation from the owner. This is a private car park and very limited households have authority to use the private land. The proposal is expected to cater for its own parking needs which are set out in PSP16 and the residential Parking standards SPD but cannot be held to account for unauthorised use of its land or an existing parking situation. In addition to this however Bromford Housing, through the Pre-Application process were advised to carry out vehicle occupancy surveys to establish the current level of use.

5.16 For the survey, letters were sent to 50 Bromford customers at Quarry Road, Quarry Mead, Haddrell Court, Vattingstone House and Bridge House. 24 responses were received providing a response rate of 48%. 50% (12) of the responses received were from customers living at Haddrell Court, Vattingstone House and Bridge House. The following information was obtained:

- 17 respondents have one or more car(s) and 7 respondents do not have a car.
- 4 respondents that have a car have their own off street parking.
- 3 respondents rent a garage at the Quarry Road garage site (2 of which have a car).
- 12 respondents use the Quarry Road garage site (2 of which park more than one car).

5.17 This information provided the Council with some useful information however to establish the actual number of vehicles using the parking area weekday evening and weekend daytime surveys were requested. This provided the following information:

Quarry Road Car Park. (16 spaces)

- Saturday 7th September 10:00 – 13:00 the maximum car park occupancy was 8, of these 1 car was not permitted to park there.
- Wednesday 11th September 18:00 – 21:00 the maximum car park occupancy was 13, of these 5 were not permitted to park there.

Haddrell Court Car Park. (13 spaces).

- Saturday 7th September 10:00 – 13:00 the maximum car park occupancy was 14, of these 11 were not permitted to park there.
- Wednesday 11th September 18:00 – 21:00 the maximum car park occupancy was 14, of these 8 were not permitted to park there.

5.18 Based on the above survey information the redevelopment of the Quarry Road site would result in the displacement of 13 cars parked outside plus 4 from the garages. It should be noted that 5 of the 13 are not permitted to park on the site. This leaves a displacement of authorised parking of 12 car spaces. The applicant has offered and included as part of this application, the proposed 12 additional spaces at the Haddrell Court Car Park to facilitate parking for their

current leaseholder arrangements. This is considered to be a reasonable way forward given that they could look to simply terminate leases. Whilst the spaces are potentially more remote from the authorised users they will form part of an existing carpark which is overlooked from the street and from flats in Haddrell Court. As such whilst it is potentially more remote from the existing user's homes, the car park has a reasonable level of security. This is being given modest weight in the assessment of the scheme and will therefore be secured by a suitably worded condition.

5.19 Care has been made to facilitate and maintain access for the two dwellings at Quarry Mead who have rear garden access for vehicles via the parking court.

5.20 Provision for the new dwellings

Each of the five proposed three bedroom dwellings have two or three parking spaces and the seven proposed two bedroom dwellings and the one bedroom bungalow have one parking space allocated each. Policy PSP16 seeks that 1.5 spaces are provided for two bedroom dwellings and that this should be rounded down, particularly in respect of flatted accommodation, the additional 3.5 spaces (7 x 0.5 space) are provided as 4 additional visitor spaces. In addition to this the required 3 visitor spaces (0.2 x13 units =2.6) for a development of this size are also provided and as such visitor spaces amount to seven in total. It is also clear that two of the Affordable units will be able to park additional cars, informally, in tandem to their own spaces outside of no 6 and 7. Where parking spaces will front onto the close boarded fencing proposed to enclose the site bollards are provided to protect the fence. The undercroft parking facilities are shown without doors to ensure their usability and overall this fully accords with the Parking Standards SPD and plans area to be conditioned.

5.21 Cycle parking sheds are provided in all of the units except the flats which have under stairs storage space and a lobby area or a rear patio area where a cycle shed could be installed. A condition can be attached to ensure that sufficient space is available to provide for one cycle parking space per bedroom on each plot.

5.22 Access and turning

The agent has evidenced that access and turning into and within the site is acceptable upon the 6m wide shared surface provision and that this will be a two way cul-de-sac throughout. Access is also maintained to the Electricity substation as existing.

5.23 Conclusion to parking and transportation

As set out above the application provides fully for the needs of the 13 units, in accordance with PSP16 and includes 12 additional spaces at the Haddrell Court Car Park. Rear access to two existing dwelling parking spaces on gardens in Quarry Mead will also be retained. There is adequate visibility from the access road and each new unit has either an active or passive 7kw Electric

- 5.24 Having regard to all of the above there is no Transport objection to the number of car parking spaces proposed either on the site or in the enlarged Haddrell Court Car Park and it is not considered that the proposed development would result in a severe adverse impact on highway safety.
- 5.25 It is understood that the applicants in their role as a social landlord to houses in the area are working with officers of the council and Alveston Parish Council to facilitate additional parking in Quarry Road but this is not required as part of the scheme and cannot be taken into account or required as part of this application.
- 5.26 Design, layout and appearance
The surrounding development has a fairly wide pallet of construction finish materials and is a mixture of ground and two storey units, including flats. The materials vary from render to various brick colours and tiles hanging to the first floors.
- 5.27 The site is designed with shared surface roads within a cul-de-sac of varying house types from one to three bedrooms and will be constructed in red multi stock brickwork with interlocking smooth grey and old English dark red tiles over, with white UPVC windows and GRP composite doors and two different canopy porches. To ensure that the appearance of the proposed dwellings is appropriate, a condition will be used to require the submission of samples of external wall and roofing materials to allow officers to ensure the proposed materials are acceptable.
- 5.28 The proposal is a small cu-de-sac but with permeability through on foot to Haddrell Court area as it currently the case and is only five minute walk to a children's play area.
- 5.29 Overall, the layout, design and appearance of the proposed development is considered to be acceptable in the context of the surrounding development.
- 5.30 Impact on residential amenity
Existing occupiers
The proposal is designed to respect the surrounding low ridge lines and the surroundings dwellings in respect of daylight and back to back intervisibility. The Council's Technical Advice note has been referenced in this design which seeks 20m between the rear elevations of properties. In the tightest of back to back scenarios around 17m and an angle of 30 degrees is achieved between the single bedroom window on the rear of plot 2 and no 14 Quarry Mead. The other two windows at the rear of plot 2 serve a landing and a bathroom window which are not considered to be habitable rooms and therefore are at an acceptable juxtaposition. This scenario is mirrored on the attached house and as such plot 3 meets the tests. A condition will secure the plans and a further condition can be applied to the landing windows and bathroom windows of plots two and three to secure obscure glazing in these windows. Plot 9 is close to bungalows in Quarry Road but the house is positioned sufficiently far away and windows are such that their angle of incidence is not considered to cause loss of privacy from within the properties. Plot five is also close to windows at Haddrell Court but the flats over garages are designed with a blank

elevation and only skylight illumination to the stairwells, and a bathroom closest to those neighbouring flats. Overall therefore it is not considered that this would result in a significant adverse impact on the existing or proposed residential amenity.

5.31 In view of the above, it is not considered that there would be any significant adverse impacts of the residential amenity of existing occupiers as a result of this proposal.

5.32 Future occupiers

Policy PSP43 sets out the minimum provision for private amenity space required for new dwellings across the district. Two bedroom flats would be expected to have 5m² private space and additional shared space. In this case the two flats above garages have a much extended area of around 60m² outside space, more akin to a house and as such this is acceptable, there is also ample room for a cycle shed. The bungalow should have 40m², two bedroom houses should have 50m² and three bedroom houses should have 60m². The site complies with these policy standards and the assessment above deals with levels of intervisibility. In view of this, the levels of amenity space available is considered to be acceptable and in accordance with the requirements of Policy PSP43.

5.33 Landscape and trees

The whole of the garage site is hard surfaced with the exception of two strips of grass with a shrub and minor greenery around the site in neighbours' gardens. The additional parking spaces at Haddrell Court is better represented with trees and an Arboricultural Survey and Method statement and Tree Protection plan were submitted and agreed by the tree officer. A condition is necessary to secure the mitigation which maintains the trees with careful groundworks. There are few areas of new public fronting greenery and as such this is afforded neutral weight.

5.34 POS

Policy CS24 seeks to secure adequate provision for the future occupiers of the proposal if there is inadequate current provision of Public Open Space. In this case there is inadequate provision demonstrated in four of the five categories of open space sought by the council: informal recreational open space, natural and semi-natural open space, provision for children and young people and there are no allotments, within the agreed distances. This is a small site and it is unrealistic to expect the provision to be facilitated on site as part of a redevelopment of this garage site. As such an off-site contribution of £23,696.55 provision contribution and £33,730.56 for ongoing maintenance is agreed and will be secured in a S.106. The applicant has requested that this is spent on the specific areas set out in the request for contribution and that it is spent within five years. These would be:

- Natural & Semi-Natural Open Space – Lime Kiln Field
- Informal Recreational Open Space – Down Road Green Space (Alveston Down)
- Provision for Children & Young People – Lime Kiln Play Area & Skate Park and/or Down Road (Alveston Down) Play Area

- Allotments – Alveston Allotments

As such the site accords with policy CS24 and this is afforded modest weight in favour of the scheme.

5.35 Energy efficiency

Policy PSP6 seeks that new housing shall be 'encouraged' to minimise end user energy requirements over and above those required by the current building regulations. It goes on to say that the design and orientation of the roofs will also assist the potential siting and efficient operation of solar technology.

- 5.36 A sustainability / Energy statement for the site states that a fabric first proposed specification can achieve a reduction of 10.98% in emissions (kg CO₂/year) and 13.37% in energy (kwh/year) compared to building regulations compliance using L1A 2013 across the site. The improvements over building regulations is being achieved by the use of the significantly better U values in the floors (75mm PIR Insulation), Walls (100mm PIR insulation in a timber frame) and Roofs (400mm mineral wool) the heating has been improved by using an exceptionally efficient gas combi boiler (Logic ESP1) with time and temperature zone control (controls at least 2 different zones independently by using different heating loops) and weather compensators. The specifics on the exact manufacturers and models may alter if required but will achieve a 10% reduction in emissions (kg CO₂/year) and energy (kwh/year) compared to building regulations compliance using L1A 2013 across the site.
- 5.37 With regards to climate adaptation and resilience to overheating, the developer felt that dynamic thermal modelling is not necessary for such a small scheme ahead of the future Part L of Building regulations.
- 5.38 In response to requested further information on water conservation measures and measures to reduce surface water run-off, and design adaptations to deal with increases in the intensity of rainfall we are advised that water use within the dwelling will be in line with Approved Document G. The construction specification will ensure that there is no undue consumption of water, with fittings and fixed appliances specified to achieve a maximum of 125L per person per day. With regards to surface water run off; the current site (garages & houses) discharges surface water directly into an existing piped network with no forms of attenuation. The proposed drainage strategy will seek to utilise the permeable strata below the site and discharge all private areas via infiltration devices, with only the surface water from the proposed adoptable highway network, discharging into the offsite sewer system. The whole drainage network will be design to accommodate a 1 in 100yr storm event with 40% for climate change in line with the recommendations of NFFP for the design life of the scheme.
- 5.39 The proposal makes adequate provision for climate change under the policy given the restrictive factors such as the limited scale of the scheme and the viability constraints of delivering the regeneration of this brownfield site for affordable homes. In addition to the Sustainability/Energy Statement Rev D

05/05/2020 the agent is also providing 7Kw / 32amp electric car charging points for each dwelling which has either a car port or space adjacent to it and the remaining spaces will be provided with ducting for future electric car charging points (passive provision). Overall the level of enhancements are acceptable this is afforded neutral weight in the planning balance.

5.40 Ecology

An Ecological Impact Assessment (The Landmark Practice, December 2019 / updated May 2020) was submitted with the application. The full report is available on line but it is agreed that no *designated sites for Nature Conservation* will be impacted by the proposed development.

5.41 *Species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species') and Wildlife & Countryside Act 1981 (as amended) were considered in respect of:*

Bats

A preliminary bat roost assessment was undertaken for both 33 and 35 Quarry Road and found that they have low roosting suitability whilst the garages were recorded as negligible. Further emergence surveys were completed and found roosting common pipistrelles in both 33 and 35 Quarry Road which resulted in a further two surveys to characterise roost. The abundance and diversity of bat species recorded at the site was very low with only a single species recorded.

Judicial reviews have directed that surveys for bats cannot be left to planning Conditions; and that where bats are present, planning authorities should be applying the same 'tests' to which licence applications are subject to under Regulation 53/56 of the Habitat Regulations 2010.

Satisfying these 'tests' necessitates providing the detail of a mitigation strategy prior to determining the application.

The three 'tests' are:-

- *For the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of social or economic nature and beneficial consequences of primary importance for the environment;*
- *There is no satisfactory alternative to the work specification;*
- *The action authorised will not be detrimental to the maintenance of the population of the species at a favourable status in their natural range.*

The first 'test' is satisfied in that development is regarded as being of 'overriding public interest of an 'economic nature'.

Regarding the second 'no satisfactory alternative' test, the two existing houses on the site fall below acceptable standards of living and require a solution. The garages are underutilised and are falling into disrepair. The new development will be more sustainable and create additional housing.

Regarding the third 'favourable status' test, the report provides an Outline Mitigation Plan which details recommended mitigation once the licence has been granted. The details that have been set out in the mitigation strategy detailing mitigation roost provisions and temporary roost features in place prior to development in the unlikely event any bats are found during works. With this in mind the third test is satisfied.

Great crested newt (GCN)

There are no ponds within 500m of the site, therefore this species is not considered to be a constraint to the proposed development.

5.42 *Species protected under the Wildlife and Countryside Act 1981 (as amended):*

Birds

The proposed development will result in the loss of habitat suitable for breeding birds including the buildings and shrubs.

Reptiles

There is a small amount of amenity grassland on site though it is isolated from surrounding habitat which could support common reptiles. It is considered sub-optimal for reptiles and they are not considered to be a constraint to the development.

Badgers protected under the Badger Act 1992:

No field evidence of badger was noted during the survey and the overgrown amenity grassland is considered sub-optimal to support this species, therefore they are not considered to be a constraint to the development.

5.43 *Species of principle importance (Priority Species) Section 41 Natural Environment and Rural Communities (NERC) Act and Local Biodiversity Action Plan Species:*

Hedgehog

The habitat on site offers limited foraging opportunities, though the gardens do provide some suitable habitat.

Invertebrates (e.g. noble chafer)

The limited botanical diversity on the site is unlikely to support any invertebrates other than the more common species.

5.44 As such the Ecological Impact Assessment details sufficient mitigation and enhancements for this site and there are no further objections which justify withholding consent subject to conditions to secure the mitigation measures, a lighting strategy for biodiversity and evidence prior to occupation that the ecological enhancements area in place. The ecological enhancements together with the decrease in hard surfacing of the site are afforded modest weight in favour of the scheme.

5.45 Drainage

The garage site is predominantly hard surfaced and overall there will be more area of permeable garden space and permeable surfacing after the building project. Drainage for the buildings will all be controlled by buildings regulations and the submitted drainage strategy indicates that all surface water runoff generated by the dwellings will be directed into soakaways, except plots 5 & 10. Plots 5 & 10 will discharge into a new public storm network located in the

highway, which will connect to the existing on-site storm sewer. Discussions have been held around the discharge rate being limited to 5 l/s. The foul water drainage system, which serves the new dwellings, has been proposed to connect to the existing foul water sewer located northeast of the site in Quarry Road. Wessex Water, who are responsible for the sewer have confirmed acceptance of this methodology.

- 5.46 The LLFA would like to see details of the whole sewerage scheme prior to commencement of development but given the relatively small nature of the site, the need to demolish existing buildings and take up existing hard surfacing which will allow natural permeability it is considered appropriate to secure the final details of drainage before development commenced except in relation to the construction of new parking areas at Haddrell Court, demolition of the two houses and garage blocks, and removal of hard surfacing. Informatives are also attached to remind the developer that mud should not be trafficked onto the road and indicate the nature of the information sought by the LLFA and of course this can be submitted well before any occupation occurs. The sustainable approach is afforded modest weight in favour of the scheme but has already been accounted for in the energy paragraphs of this report.

5.47 Other environmental matters

The site is within 250m of a filled quarry and as such the Environmental Protection Team require assessment of the site to be undertaken and provided for assessment. Concerns of surrounding residents are largely considered above but one comment relates to the potential for Radon Gas to be present. This is something which will be considered and mitigated for under the Building Regulations phase of development if not picked up as part of this assessment and need not hold up planning permission.

5.48 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.

5.49 Planning Balance

The proposal is afforded significant weight as it is appropriate development in a sustainable location in the washed over settlement boundary of Alveston. Further significant weight is afforded as the site is also proposed to be for

affordable housing, and further weight again can be given as four of the houses will also be secured in perpetuity as affordable units in a S.106 legal agreement. Modest weight can be afforded as the proposal would have a net gain of 11 houses to the 5year housing land supply.

The improved visual amenity of the site by comparison to the garage site, the overall reduction of hard surfacing, increase in garden space, benefits to biodiversity and contribution towards Public Open space all weigh moderately in favour of the proposal.

Weighing against the application is the loss of existing parking but its authorised functionality is adequately mitigated so this attracts neutral impact overall as it is not reasonable to expect a landowner to resolve the existing parking concerns or maintain unauthorised use of the site by individuals.

Overall the application merits clearly outweigh the perceived harms of the development.

6. CONCLUSION

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

7. RECOMMENDATION

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

- i) Affordable Housing
35% of dwellings to be delivered as affordable housing, as defined by the NPPF. Plots 6, 7, 8 and 9 which are 2 x 2 bed houses and 2 x 3 bed houses have been agreed by the developer and shall all be for social rent.

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

Reason

In order to secure the appropriate level of affordable housing and to comply with Policy CS18 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013.

ii) Public Open Space Enhancement

A financial contribution of £57427.11 towards the provision or enhancement of off-site public open space (based upon the introduction of 11 new dwellings). This is broken down as follows:

- o Off-site POS provision/enhancement contribution £23,696.55
- o Off-site POS maintenance contribution £33,730.56

The Community Infrastructure Officer indicates that the funds would relate to the following open spaces (or other open spaces considered appropriate for the development);

- o Natural & Semi-Natural Open Space – Lime Kiln Field
- o Informal Recreational Open Space – Down Road Green Space (Alveston Down)
- o Provision for Children & Young People – Lime Kiln Play Area & Skate Park and/or Down Road (Alveston Down) Play Area
- o Allotments – Alveston Allotments

Reason

To offset the impact of the development upon public open-space provision in the locality and to comply with saved Policy CS24 of the South Gloucestershire Core Strategy, Local Plan (adopted) January 2013

7.2 That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

7.3 Should the agreement not be completed within 6 months of the date of the committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. Prior to the relevant part of the project full details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. No development save for the construction of new parking areas at Haddrell Court, demolition of the two houses and garage blocks, and removal of hardsurfacing shall take place until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted to and approved by the Local Planning Authority.

Reason

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2019.

4. The surface water and foul sewage drainage details agreed under condition 3 shall be implemented in full prior to first occupation of the first dwelling and retained as such thereafter.

Reason

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2019.

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

The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting.

The plan should include, but not be limited to:

- § Procedures for maintaining good public relations including complaint management, public consultation and liaison
- § All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 07.30 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays, unless the CEMP specifically refers to the short term flexibility set out in the Written Ministerial Statement - HLWS230, allowing working to 9pm on Monday to Saturday until

13/5/2021 and sets out mitigations or limitations of certain activities given the close proximity of neighbours during these extended hours.

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- A lorry routing schedule shall be provided.
- Access arrangements for construction vehicles with adequate provision for the delivery and storage of materials together with adequate provision for contractor parking.
- Measures to control the migration of mud from the site by vehicles during construction.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Piling will not be undertaken without prior approval of the Environmental Protection Team.
- Control measure for the removal of spoil and waste.
- Control measures for dust and other air-borne pollutants; the best practice measures identified to be incorporated into a dust management plan in order to minimise the impacts of construction dust.
- Measures to control the tracking of mud off-site from vehicles.
- Measures to control dust from the demolition and construction works approved.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of the development and how any spillage can be dealt with and contained.
- Contact details of the main contractor.
- Details of how neighbouring residents will be kept informed of the construction works as they progress and details of the Contractors complaints procedures.
- Recommended membership of the Considerate Constructor Scheme or similar regime and site induction of the workforce highlighting pollution prevention and awareness.

The development shall be implemented in accordance with the approved CEMP.

Reason

The condition is required prior to commencement to ensure all works on site do not result in harm to residential amenity and to accord with CS8 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and Policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017.

6. The development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 5 of the Ecological Appraisal (The Landmark Practice, December 2019 / May 2020).

Reason

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

Local Plan: Policies, Sites and Places Plan (adopted) November 2017 and the National Planning Policy Framework.

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

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

Reason

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

8. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the Ecological Appraisal (The Landmark Practice, December 2019 / May 2020) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, soft landscaping suitable for wildlife, bird boxes, bat boxes and hedgehog shelter. These shall be maintained as such thereafter.

Reason

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

9. The additional off-street parking facilities at Haddrell Court shown on the plan hereby approved shall be provided prior to the removal of the hard surfacing of the central parking court or its access and manoeuvring areas and shall thereafter be retained for parking purposes.

Reason

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

10. The off-street parking facilities for the new 13 dwellings (for all vehicles, including cycles) , together with the Electric Vehicle Charging Points and electrical ducting for passive provision shown on the plan 3893/PL/102/ Rev L hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

In the interest of highway safety, to promote sustainable travel and to accord with SGC policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

11. The glazing on the rear elevation of plots 2 and 3, in respect of the bathroom and landing windows shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position, except at a height above 1.7m from first floor finished floor level.

Reason

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

12. The dwellings shall not be occupied until the access road including drainage and street lighting relating to the thirteen new dwellings has been completed in accordance with the submitted layout drawing 3893/PL/102/ Rev L and details to be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented and retained as such thereafter.

Reason

In the interest of highway safety and to accord with SGC policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

13. Before being brought into use the parking spaces to the front of plots 11, 12 and 13 and spaces 14 - 17 at Haddrell Court shall be provided with wheel stop kerbs 0.5m from the kerb in accordance with details to be submitted to and approved in writing by the local Planning Authority.

Reason

To prevent vehicles obstructing the adjacent paths and to accord with SGC Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

14. The works shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan received 3/1/2020.

Reason

In the interests of the long term health of the trees, and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

15. The 4 affordable dwellings on plots 6-9 shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2).

Reason

To facilitate adaption as tenant's needs change, to facilitate mixed balanced communities in accordance with policy PSP18 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

16. A) Desk Study - Previous historic uses(s) of the site and land within 250m of the site may have given rise to contamination. No development subject to this application 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

The condition is required prior to commencement to ensure all works on site do not result in harm to residential amenity and to accord with CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

17. Approved Plans List

This development shall be implemented in accordance with the plans identified below:

Location plan

Proposed streetscene

Plot 1 and 5 proposed elevations

Plot 1 and 5 proposed floor plans

Plots 2,3 and 4 proposed elevations

Plots 2,3 and 4 proposed floor plans

Plot 6 and 7 proposed elevations

Plot 6 and 7 proposed floor plans

Plot 8 and 9 proposed elevations

Plot 8 and 9 proposed floor plans

Plot 10 proposed elevations and floor plan

Plots 11,12 and 13 proposed elevations

Plots 11,12 and 13 proposed floor plans all received 3 January 2020

Arboricultural Impact Survey, Method statement and Tree Protection plan by Hillside trees Ltd received 3 January 2020

Landmark Practice Ecological Impact assessment may 2020 received 3/6/2020

Design and access statement all received 3 January 2020

Sustainability /Energy statement received 6/5/2020

Proposed site plan 3893/PL/102 Rev L received 13/7/2020

SPA_01 P2 swept path analysis

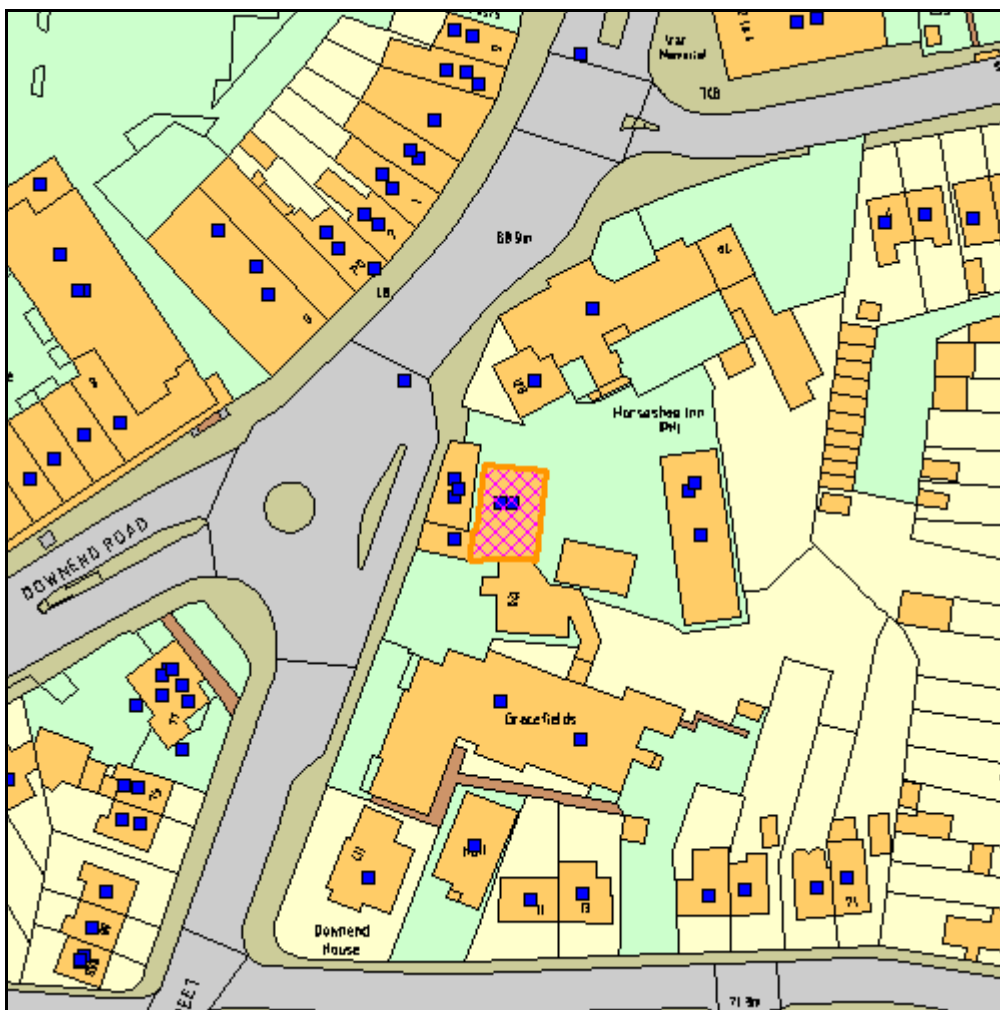
SPA_02 P2 swept path analysis both received 6/5/2020

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 33/20 - 14th August 2020

App No.:	P20/04568/F	Applicant:	Mr Jack Scott
Site:	Unit 1 Downend Business Park 124A North Street Downend South Gloucestershire BS16 5SE	Date Reg:	20th March 2020
Proposal:	Change of use from B8 (Storage or distribution) to Use Class D2 (Assembly and leisure) as defined in the Town and Country Planning (Use Classes Order) 1987 (as amended).	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365135 176669	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	12th May 2020



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 100023410, 2008. **N.T.S.** **P20/04568/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.

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

A representation has been made by the parish council, which is contrary to the findings of this report. Under the current scheme of delegation it is therefore required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the change of use of a building from Use Class B8 (Storage and distribution) to Use Class D2 (Assembly and leisure) as defined in the Town and Country Planning (Use Classes Order) 1987 (as amended). The application relates to Unit 1, Downend Business Park, 124A North Street, Downend.
- 1.2 The application site comprises a small industrial unit currently in a B8 (storage and distribution) use. The existing premises is occupied by a window supplier and fitter. The site is located within the urban fringe area of Downend, and within the defined town centre.
- 1.3 The proposal seeks to change the use of the building to a D2 use. Specifically, it is intended for the building to function as a Fitness Worx gym. The applicant envisages that the business will employ one full-time member of staff and one part-time member of staff, and based on other Fitness Worx locations and the size of the unit, predict to open with 50 members, with the aim of growing to 100 members by the end of the first year.
- 1.4 An acoustic report was received by the Local Planning Authority on 17th July 2020.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework Feb 2019
National Planning Policy Guidance (2014)

- 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
CS12	Safeguarded Areas for Economic Development
CS13	Non-safeguarded Economic Development Sites
CS14	Town Centres and Retail
CS23	Community Infrastructure and Cultural Activity

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
PSP31	Town Centre Uses
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

3.1 P96/4299

Change of use from dwelling (C3) to offices (B1) and change of use of Units 1, 2 and 4 from light industry (B1) to storage and distribution (B8).

Approved: 15.08.1996

3.2 K5480/6

CHANGE OF USE FROM BUILDERS YARD (SUI GENERIS) TO LIGHT INDUSTRIAL UNITS (B1) AND ALTERATIONS TO ELEVATIONS OF EXISTING BUILDINGS. (Previous ID: K5480/6)

Approved: 18.04.1994

3.3 K5480/5

ERECTION OF LIGHT INDUSTRIAL UNITS WITH ASSOCIATED PARKING (B1) (OUTLINE) (Previous ID: K5480/5)

Approved: 11.08.1993

3.4 K5480/4

REDEVELOPMENT OF EXISTING TIMBER YARD AND BUILDINGS TO ERECT UNITS FOR FINANCIAL AND PROFESSIONAL SERVICES (A2) AND OFFICES (B1) (Previous ID: K5480/4)

Approved: 12.12.1991

3.5 K5480/3

REDEVELOPMENT OF SITE TO PROVIDE PROFESSIONAL & FINANCIAL SERVICES (A2) & OFFICES (B1).ALTS. TO EXTG. ACCESS (Previous ID: K5480/3)

Refused: 08.10.1990

3.6 **K5480/2**

ERECTION OF OFFICES (OUTLINE) (Previous ID: K5480/2)

Approved: 19.01.1988

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

Objection – Insufficient information to fully assess application. Increased traffic at busy location would have detrimental effect on traffic flow.

4.2 Other Consultees

Economic Development

No objection

Environmental Protection

Concerns originally raised regarding potential noise disturbance to local residents. However following submission of requested acoustic report – no objection subject to condition requiring roller door and all door and windows at the gym to be kept closed at all times.

Sustainable Transport

No objection – following submission of further information by applicant, are satisfied that change of use is unlikely to generate significant number of additional vehicular trips and so will not create material transportation issues. Given nature of use as gym/fitness workshop, busiest times tend to be outside of traditional peak times. In terms of parking, given probable visitor profile, consider that 5 designated on-site spaces together with free visitor/shopper parking nearby will be sufficient to serve use.

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the change of use of a building from B8 (storage and distribution) to D2 (Assembly and leisure). The site is located within the defined urban fringe, as well as the defined town centre of Downend. The site also forms part of a small business park; however this is not designated as a safeguarded site in the Development Plan.

- 5.2 In terms of the general location of the development, policy CS5 of the Core Strategy directs development to the existing urban areas. As such, the proposed change of use is broadly consistent with the Council's overarching spatial strategy for development in the district.

Loss of 'B' Use

- 5.3 As discussed previously, the application site is not designated as a safeguarded area for economic development in policy CS12 of the Core Strategy. Given that the existing premises is within a B8 use, and is located amongst several other businesses, the site can be considered as a non-safeguarded site for economic development.
- 5.4 Policy CS13 of the Core Strategy outlines that proposals for change of use on non-safeguarded sites within settlement boundaries will not be allowed unless it can be demonstrated that all reasonable attempts have failed to secure a suitable economic development re-use. It also outlines that mixed-use schemes will be given priority over residential only schemes.
- 5.5 In this instance, it is acknowledged that the proposal would result in the loss of a B8 use. However given the minor scale of the unit, the wider strategic impacts of this would be limited. Furthermore, the proposed re-use as a gym would provide a form of employment. It is also acknowledged that the proposed re-use would not require fundamental changes to the building to occur. Therefore should changes in market conditions dictate that the unit be reverted to a 'B' use, this could take place with only modest alterations to the building required. As such, whilst the proposals are not entirely consistent with the aims of CS13, there is not considered to be a significant policy conflict, with no material harm identified in this respect.

Town Centre Use

- 5.6 The application site falls within the defined town centre of Downend, as identified on the Policies Map. Both policy CS14 of the Core Strategy and PSP31 of the Policies, Sites and Places Plan are supportive of appropriate development in town centre locations, and seek to direct development proposals for main town centre uses to town and district centres. A gym/fitness centre is identified as a town centre use within the Glossary to the National Planning Policy Framework. As such, the change of use from B8 to D2 (in this case a gym) is supported at this location by policies CS14 and PSP31.
- 5.7 When considering the Development Plan policies as a whole, the proposed change of use is considered to be acceptable in principle. However the application is to be assessed against more detailed matters, in order to identify any potential harm which could arise from the change of use.

5.8 Design and Visual Amenity

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

- character, distinctiveness and amenity of both the site and its context. Policy CS1 is fully compliant with design guidance in the NPPF.
- 5.9 On the basis of the plans submitted, it does not appear that the proposal includes any alterations to the exterior of the building. It is also not considered that the change of use from storage and distribution to a gym would fundamentally alter the character of the building or site in general. The building does not hold a prominent position within the streetscene, and as such the overall impact of the change of use on the visual amenity of the streetscene and general character of the area would be minimal.
- 5.10 It has been indicated that existing signage would be replaced by new signage. However signage of this nature is covered by advertisement regulations, and the applicant has been advised that advertisement consent would be required for any replacement signage.
- 5.11 However in terms of the planning application under consideration, there are no concerns with the proposed change of use from a design perspective. The proposal is therefore compliant with CS1.
- 5.12 Residential Amenity and Environmental Impacts
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals should not have an unacceptable impact on the residential amenity of nearby properties. Unacceptable impacts can include overbearing and dominant impact.
- 5.13 Furthermore, policy PSP21 of the Policies, Sites and Places Plan outlines that development proposals should be sited and designed to avoid unacceptable levels of pollution, such as noise and light pollution. Proposals which have the potential for any adverse impact will be expected to provide an appropriate scheme of mitigation.
- 5.14 It is acknowledged that residential units are present within the immediate locality. Most notably, a nursing home (Gracefields), is situated immediately to the south of the site, with a first floor flat situated immediately to the west. It is therefore of primary importance that any change of use is compatible with the residential location, and would not adversely affect the amenity of adjacent residents.
- 5.15 At present, the unit is occupied by a window supplier/fitter. The premises is primarily used for storage and distribution, however does benefit from a trade counter for customers to view and collect products. The company also offer a delivery service which, given the nature of the goods sold, requires flatbed lorries to enter the small business park several times a day. The extant permission for the site allows for the permitted uses to operate from 08:00 – 18:00 Mondays to Fridays, and 08:00 – 13:00 on Saturdays. Given the nature of the activities occurring at the site, it is likely that adjacent residents would experience a degree of disturbance during the permitted hours. This should be seen as a baseline, against which any new use should be assessed.

5.16 In terms of use as a gym (or other D2 use), when compared to a B8 use, it is not considered that the new use would necessarily cause any greater disturbance during these hours. However it should be noted that, given the proposed use as a gym, the facility would be open for longer periods of the day, when compared to a B8 use.

5.17 In terms of hours of operation, the applicant has outlined their expected openings hours, as follows:

Monday – Friday: 06.00 – 21.30

Saturday: 07.30 – 16.30

Sunday: 10.00 – 14.00

5.18 As such, during the week the facility would operate during both earlier and later hours, when compared to the extant B8 use. There is particular concern regarding the proposed opening time of 06:00, which is within curfew hours.

5.19 Given the proximity of residential receptors, the Council's environmental health officer was consulted on the application, and raised concerns regarding noise disturbance. Other similar proposals in the district were cited; whereby the levels of noise generated from a gym use such as from music playing or heavy weights being dropped had caused a noise nuisance to local residents. As such, an acoustic report was requested, and this was submitted by the applicant on 17th July 2020. The report concluded that provided that roller shutter doors present at the building remained shut, the use as a gym would not adversely affect the amenity of local residents through noise disturbance. The findings of the report were found to be acceptable by the environmental health officer, and subject to a condition requiring all windows and doors to remain closed at all times, no objection was raised. As such, subject to a condition of this nature, it is concluded that the proposed use would not cause a noise nuisance to local residents.

5.20 However this assessment has been made on the premise that the gym would not be open throughout the night. Given that residential units are present in the locality, the building is also not considered suitable for use as a 24-hour gym, which would likely lead to increased general activity around the site throughout the night. As such, a condition will be attached to any consent, restricting the use from operating between the hours of 23.00 – 06.00 during the week, and 23.00 – 07.30 on the weekends.

5.21 Subject to adherence with these conditions, it is not considered that the development would result in any significant environmental pollution, or impact upon the amenity of residents to a significantly greater degree than the current use. The proposal is therefore compliant with the requirements of PSP8 and PSP21.

5.22 Transport

The existing premises is occupied by a company which supply and fit windows. The applicant has outlined that the Downend, Bristol branch has a team of fitters that are in and out of the business park daily, and also a trade counter for customers to view and collect products, which increases traffic flow within the

- park. Additionally, the company offers a delivery service, which requires flatbed lorries to enter the park several times a day between the opening hours. The main consideration in transportation terms is whether the proposed change of use to a gym would lead to significantly increased vehicular movements and on-street parking, to the detriment of highway safety.
- 5.23 The transport officer has reviewed the proposals, and on the basis of the modest size of the building and the fact that a gym use would likely be busier at non-peak hours, is satisfied that the change of use would not materially alter vehicular trip patterns associated with the site, or significantly impact upon the surrounding transportation network.
- 5.24 In terms of parking, a total of 5no. parking spaces currently serve Unit 1, with a further 4 guest spaces located within the small business park. It should also be noted that a total of 20 spaces serve the small business park as a whole. The applicant has outlined their intention to agree a plan with other tenants within the business, to allow customers of the gym to use other parking spaces during the busiest periods (06.00 – 8.00 and 17.30 – 20.00), when the other businesses are closed. It is also acknowledged that a large, free car park is available within 100m of the site.
- 5.25 Further to this, given the relatively small scale of the business, it is anticipated that a large proportion of customers will be local. As such, the premises would be accessible either on foot or by cycle to said customers.
- 5.26 When taking account of the above factors, it is not anticipated that the proposed use would generate significantly higher levels of vehicular movements than the existing use. It is also considered that sufficient levels of off-street parking would be provided either on-site or within the immediate locality, as to accommodate the modest customer base. However in the interests of promoting more sustainable means of travel, a condition will be applied to any consent, requiring details of cycle parking to be agreed and installed prior to the first use of the premises as a gym.
- 5.27 Overall, it is not considered that the proposed use would have any greater impact in transportation terms than the current, extant use. As such, subject to the aforementioned condition, there are no concerns with the proposal from a transportation perspective.
- 5.28 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.

5.29 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: Patrick Jackson
Tel. No. 01454 863034

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. Other than for use to allow for people to enter and exit the building, all roller doors, doors and windows at the gym shall be kept closed at all times.

Reason

To limit noise generation in the interests of protecting the amenities of the occupiers of nearby residential units, and to accord with Policies PSP8 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

3. The D2 (Assembly and leisure) Use hereby approved shall only operate at the site between the following hours:

Monday - Friday: 06.00 - 23.00

Saturday, Sunday and Bank Holidays: 07.30 - 23.00

Reason

To protect the amenities of the occupiers of nearby residential units, and to accord with Policies PSP8 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

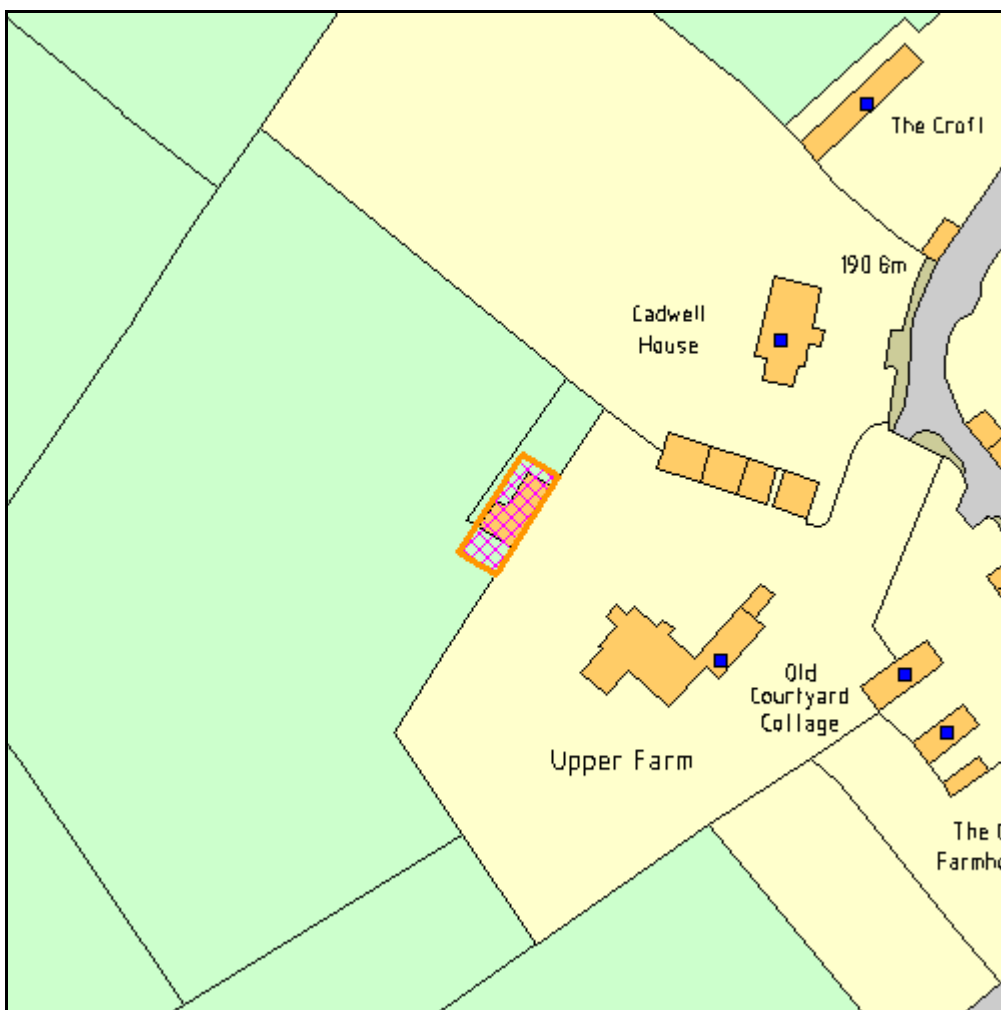
4. Prior to the first use of the D2 (Assembly and leisure) Use hereby approved, details of the cycle parking facilities to serve the site shall be submitted to the Local Planning Authority for approval in writing. The cycle parking facilities shall then be provided in accordance with the agreed details, and within 3 months of details being approved.

Reason

To promote more sustainable methods of travel, to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework (2019).

CIRCULATED SCHEDULE NO. 33/20 - 14th August 2020

App No.:	P20/04823/F	Applicant:	Mrs Jennifer Orchard
Site:	Land At Upper Farm West Littleton Road Marshfield South Gloucestershire SN14 8JE	Date Reg:	6th April 2020
Proposal:	Relevant demolition of an existing stable block. Erection of building to form art studio (Class C3).	Parish:	Tormarton Parish Council
Map Ref:	376099 175221	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	29th May 2020



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

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of objection from the Tormarton Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the demolition of existing stable block and the erection of building to form art studio at Upper Farm West Littleton Road Marshfield. The existing stable block is situated outside the residential curtilage of Upper Farm. Planning permission P19/4302/F was granted for the erection of an art studio at the same site. The main differences are that the current proposed building would have a pitched roof instead of a flat roof, and the design of the fenestration would be different. Following the approved scheme, an application for discharging condition for P19/4302/F was submitted in connection with condition 3 (lighting strategy) and condition 6 (landscaping scheme), and these conditions have been discharged. The recent site visit reveals that the planning permission has not been implemented.
- 1.2 The host property comprises a large detached property within the Cotswold Area of Outstanding Natural Beauty. The house and part of the stable block stand within West Littleton Conservation area. While the site is situated in the open countryside, it is not located in the Bristol / Bath Green Belt. During the course of the application, the applicant submitted the assessment of site visibility to address the landscaping issues.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF) February 2019
National Planning Practice Guidance
- 2.2 South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS34 Rural Areas
- 2.3 South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017
PSP1 Local Distinctiveness
PSP2 Landscape
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment

PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP40	Residential Development in the Countryside
PSP44	Open Space, Sport and Recreation

- 2.4 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) 2007
 West Littleton Conservation Area SPD

3. **RELEVANT PLANNING HISTORY**

The site has been subject to a number of planning applications in the past, and the following applications are the most relevant to the determination of this application.

- 3.1 DOC19/00267 Discharge of condition 3 (lighting strategy) and 6 (landscaping scheme). Conditions discharged.
- 3.2 P19/4302/F Installation of tennis court, 3m fencing and associated works. Relevant demolition of existing stable and erection of building to form art studio. (Class C3). Approved 15 July 2019
- 3.3 PK15/4772/F Alterations to main house (Amendment to previously scheme PK14/4608/F and PK15/2743/F). Erection of car port and outbuilding (Retrospective). Approved 26.02.2016
- 3.4 PK15/2743/F Construction of extended horse walking track and alterations to design of timber storage building. (Partially Retrospective). (Amendment to previously approved scheme PK14/4608/F). Approved 28.09.2015
- 3.5 PK14/4608/F Change of use of land from agricultural to use of land for the keeping of horses and construction of ménage with associated works. Erection of a single storey extension to the existing stable block and erection of a single storey timber storage building. Erection of a two storey side extension to dwelling house to provide additional living accommodation. Approved February 2015
- 3.6 PK10/2118/F Change of use of land from agricultural to land for the keeping of horses. Erection of stable block. Approved November 2010

4. **CONSULTATION RESPONSES**

- 4.1 Tormarton Parish Council
 The Parish Council would like to raise objections to this planning application and hopes that they are considered when deciding the outcome of this application. In the first instance, the applicant states that there would be no commercial activity in the building however the current application seems to be aligned for a commercial setting. Secondly, the height of the buildings is not in keeping with the existing building. The Parish Council take exception to this as

they believe that the new building should match the height of the existing building to ensure no disruption to the skyline.

4.2 Other Consultees including internal consultees of the Council.

The Listed Building and Conservation Officer: The Officer advise that the proposal would result in less than substantial harm in the middle to lower end of the spectrum to the significance of the conservation area. The proposed scheme would fail to preserve the character or appearance of the West Littleton Conservation Area.

The Landscape Officer: No objection.

Sustainable Transport: The Highway Officer raised no objection to the previous scheme subject to conditions securing the access must be obtained from the existing site access and there shall be no commercial uses or business activities.

Lead Local Flood Authority: No objection to the previous scheme.

The Ecology Officer: No objection to the previous scheme subject to conditions securing the implementation of the ecological mitigation measures and seeking detailed lighting design strategy biodiversity and native planting.

Other Representations

- 4.3 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy CS1 of the adopted Core Strategy and Policy PSP1 of the adopted PSPP seek to ensure that development proposals are of the highest possible standards and design. Policy CS9 of the adopted Core Strategy and Policy PSP17 of the adopted PSPP seek to conserve, respect and enhance the heritage assets in an appropriate manner to their significance. In addition, as the site is situated within the Cotswold Area of Outstanding Natural Beauty, therefore Policy PSP2 of the adopted PSPP would also be relevant. As planning permission was granted for the erection of the art studio to replace the existing stable at this particular location, therefore, there is no in-principle objection to this proposal.
- 5.2 Design and Visual Impact on the Conservation Area
The proposal is to demolish the existing stable and to erect an art studio at the same location. The existing stable is a relatively modern structure, therefore, there is no objection to its demolition. The proposed building would have a dual pitched roof, measuring approximately 6.72 metres by 24.75 metres, 2.55 metres at the eaves and 5.35 at the ridge. It would be finished with cedar cladding and corrugated fibre cement roof. Roof lights are proposed on the

- northwest elevation, and an air-source heat pump would be installed at the rear southeast elevation.
- 5.3 From the heritage perspective, the Conservation Officer is concerned that the proposed building has a more industrial character compared with the existing stable and the previously approved scheme, as such, the ancillary nature or the relation to its host building would be less clear. The increase in height and massing would make this building more prominent and more visually intrusive than the existing stable and the previously approved building. With a public footpath network, the Officer concerns that the proposed building would potentially be perceived in the views back towards the conservation area.
- 5.4 Your case officer has considered the specialist's advice, and also recently visited the area and viewed the site from the nearby public footpath network. West Littleton is a very small hamlet located to the North West of Marshfield. It has many typical characteristics of Cotswold Villages with many buildings and walls built of Cotswold stone and stone tiles roof. A number of farm buildings are situated along the eastern part of West Littleton. While a part of the application site and the host building are situated within the conservation area, the buildings themselves are not statutorily or non-statutorily protected. The nearest listed building to the application site would be 'The Old Farmhouse', which is located to the southeast of Upper Farm. Given its separation and distance, it is considered that the proposed studio would not cause any harm to the setting of this listed building.
- 5.5 While the proposed building would be taller than the existing stable, the recent visit reveals the new building would not be visible from nearby public footpaths because of its discreet location and the considerable distance. As the proposed building would have a simple traditional build form finishing with timber cladding and corrugated roof, officers consider that the proposed building would not be out of keeping with the wider context of the area. Taking into consideration of all of these elements, it is considered that the proposal would have some material impact upon the character and appearance of the conservation area, however, such impact would not be significant. Officers therefore considered that the proposal would result in less than substantial harm in the lower end of the spectrum to the significance of the West Littleton Conservation Area.
- 5.6 Given the harm caused to the significance of the conservation area has been identified, the harm needs to be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use in accordance with paragraph 196 of the NPPF. The weighing exercise is therefore discussed later in this report Paragraph 5.8.
- 5.7 Landscaping Issues
The site is situated within the Cotswolds Area of Outstanding Natural Beauty. The adopted policies to conserve and enhance the natural and scenic beauty of the landscape while taking account of the biodiversity and the historic and cultural heritage. During the course of the application, the agent submitted the Assessment of Site Visibility to address the landscaping issues. After reviewed the submitted documents and visited the application site from the nearby public

footpaths, officers are satisfied that the roof design, in terms of its height and form, would not cause significant harm to the special landscape character of the area. In addition, the previously submitted soft landscaping scheme, Drawing 470/01 Rev A under DOC19/00267, would also conserve and enhance the special landscape character of the site and the area. Subject to condition securing the implementation of the approved landscaping scheme, there is no landscape objection to the proposal.

5.8 Transportation

As the studio art use has been accepted in the previous approved scheme and the use of the proposed building remain unchanged, there is no highway objection provided that the previous planning conditions are imposed to ensure that the existing access will be obtained and there would be no commercial uses or business activities associated these facilities.

5.9 Ecological Issues

The applicant previously submitted a Preliminary Ecological Appraisal with the application and the Ecology Officer was satisfied with the submitted details. There are no designated sites that will be affected by the proposal. In terms of the existing wildlife habitat, the report indicated that the existing stable block is a well-maintained modern structure with no obvious features suitable for roosting bats. The stable block is open to birds, such as swallow or barn owl, but no evidence was recorded during the survey. Also, no evidence of badger or reptiles were recorded during the survey. Hence, there is no ecological objection subject to planning conditions securing the implementation of the Mitigation Measures provided in the submitted ecological report. In addition, a condition is imposed to make sure that prior to any external lighting to be installed, a lighting design strategy need to be submitted and approved in writing by the local planning authority.

5.10 Paragraph 196 of NPPF - Weighing-up exercise

As discussed above, Officers have identified the magnitude of harm caused by this proposal and it is considered that the harm which would be caused to the significance of the conservation area should be less than substantial, with NPPF paragraph 196 explaining that in such circumstances the harm needs to be weighed against the public benefits of the proposal, including, however appropriate, securing its optimum viable use.

5.11 The NPPP clearly set out three overarching objectives of sustainable development, economic, social and environmental. The Officers note that the proposed development would give rise to some economic benefits during the construction phases and these benefits would be relatively modest. In terms of social benefits, the proposal studio would be used by the applicant for her hobby activity. The building has been designed with good level of fenestration, the occupants would be access to daylight and sunlight. The building would also be well-connected to the nature environment. As such, the proposal would provide some positive impacts on the occupants' quality of life, and therefore a limited weight would be given to the social benefits of this proposal. In environmental terms, the proposal would replace the existing underused stables with a proposed built art studio to the proximity of the applicant own home. Officers generally support the approach of utilising the footprint of the

existing building and the proposal would also the need of travelling. In this instance, the officers would give these benefits modest weight.

5.12 Drawing all the above points together, with regards to the less than substantial harm to the significance to the Conservation Area, officers have found some in the way of clear public benefits which would arise from this proposal. Accordingly, it is considered that this heritage harm would be outweighed by public benefits.

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.

5.14 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 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 development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 8 of the Preliminary Ecological Appraisal (Chalkhill Environmental Consultants, March 2019).

Reason

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

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

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

Reason

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

4. The access to the proposed development hereby approved shall only be obtained from the existing site access of Upper Farm West Littleton Road.

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

5. There shall be strictly no commercial uses or business activities associated with these facilities hereby approved.

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

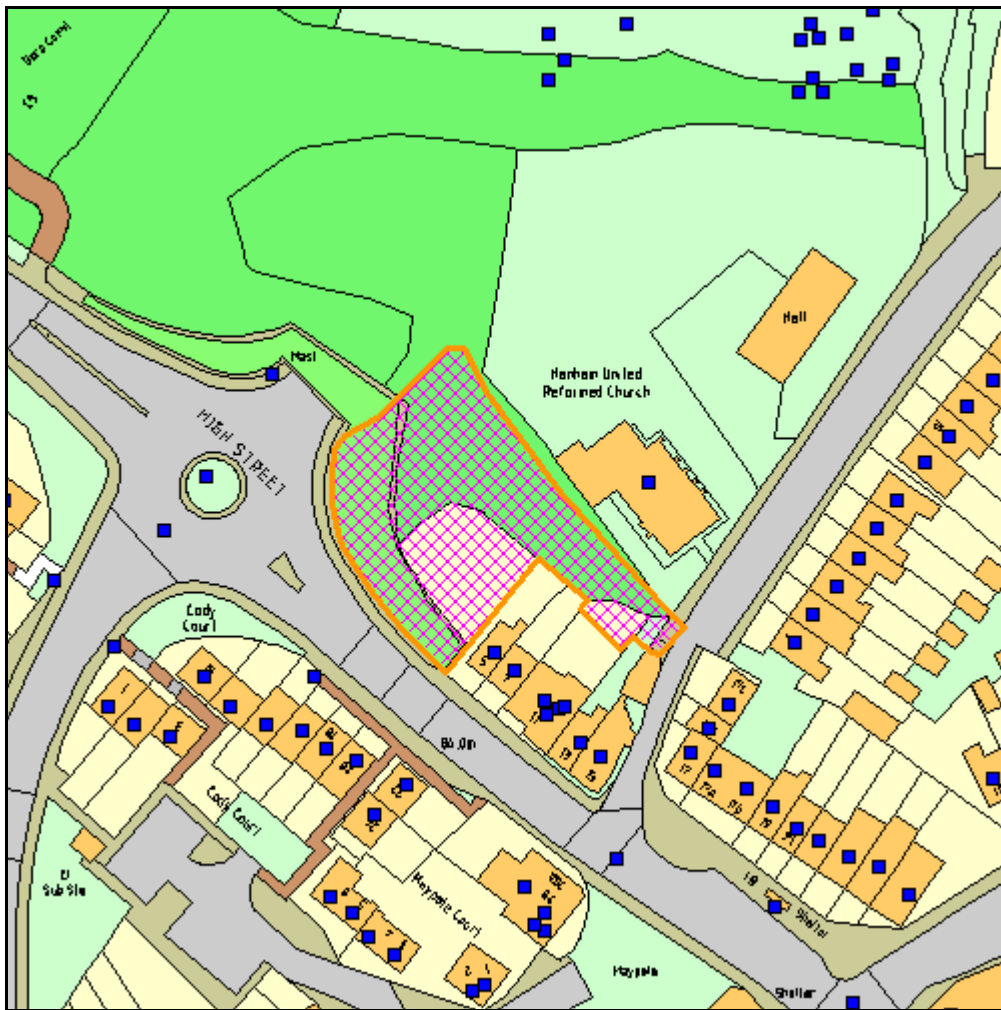
6. The proposed tree and shrubs planting indicated on the Drawing No. 470/01/Rev A shall be carried out within the first planting season following the construction of the approved art studio building. The proposed development hereby approved shall be carried out in accordance with the approved landscaping proposal, Drawing No. 470/01 Rev A.

Reason

To protect the landscape character of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 33/20 - 14th August 2020

App No.:	P20/06621/F	Applicant:	Kildare Homes CDC Ltd
Site:	Land Off Tabernacle Road Hanham South Gloucestershire BS15 8DU	Date Reg:	20th April 2020
Proposal:	Erection of 5no. dwellings with associated access, parking and landscaping.	Parish:	Hanham Parish Council
Map Ref:	364059 172517	Ward:	Hanham
Application Category:	Minor	Target Date:	11th June 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.

REASONS FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of concerns from Hanham Parish Council and 3 or more representations from the general public that are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application site is a 0.15ha plot of land which lies on the northern side of Hanham High Street, just to the east of the roundabout connecting Hanham High Street, Bryants Hill and Memorial Road. The site lies within the Urban Area and Bristol East Fringe but has no special designations, being an elevated area of scrubland. Immediately east of the site is a row of residential dwellings; to the north-west a 54no. unit care home (Magpie Court) has recently been constructed. To the north-east, adjacent to the site, is the Locally Listed, Hanham United Reformed Church. There is an existing access into the site off Tabernacle Road to the east, which is a one-way street.
- 1.2 The scheme proposed is to erect 5no. dwellings with associated access, parking and landscaping. There would be 2no. pairs of semi-detached dwellings and 1no. detached dwelling at the south-western corner of the site. The dwellings would be 2-storeys in height, each with 3 bedrooms. It is proposed to utilise the existing access off Tabernacle Road.
- 1.3 The application is supported by the following documents:
 - Design & Access Statement
 - Access & Parking Report
 - Coal Mining Risk Assessment
 - Ecological Appraisal
 - Environmental Noise Assessment
 - Heritage Statement
 - Suds Water Management Strategy
 - Soakaway Design
 - Sustainable Energy Statement
 - Wessex Water Plan

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework Feb. 2019
National Planning Practice Guidance 2014
- 2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013
CS1 - High Quality Design

- CS2 - Green Infrastructure
- CS4A - Presumption in Favour of Sustainable Development
- CS5 - Location of Development
- CS6 - Infrastructure and Developer Contributions
- CS7 - Strategic Transport Infrastructure
- CS8 - Improving Accessibility
- CS9 - Managing the Environment and Heritage
- CS15 - Housing Distribution
- CS16 - Housing Density
- CS17 - Housing Diversity
- CS18 - Affordable Housing
- CS25 - Communities of the North Fringe of Bristol Urban Area

The South Gloucestershire Local Plan : Policies, Sites and Places Plan
(Adopted) Nov. 2017

- PSP1 - Local Distinctiveness
- PSP2 - Landscape
- PSP3 - Trees and Woodland
- PSP6 - On Site Renewable and Low Carbon Energy
- PSP8 - Residential Amenity
- PSP11 - Transport Impact Management
- PSP16 - Parking Standards
- PSP17 - Heritage Assets and the Historic Environment
- PSP19 - Wider Biodiversity
- PSP20 - Flood Risk, Surface Water and Watercourse Management
- PSP21 - Environmental Pollution and Impacts
- PSP43 - Private Amenity Space Standards

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Check List (SPD)
- Trees on Development Sites SPG (Adopted) Nov. 2005
- South Gloucestershire Council Residential Parking Standards (SPD) Adopted
- Waste Collection : guidance for new developments (SPD) Adopted Jan. 2015
- Affordable Housing and extra care SPD (Adopted) May 2014
- Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide.

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/0304/F Erection of 4no. dwellings with access, car parking and associated works. (Re-submission of application PK05/2846/F) Approved 9th June 2006 but now expired.
- 3.2 PK05/2846/F Erection of 4 no. Dwellings with access, car port, car parking and associated works. Withdrawn November 1995
- 3.3 PK05/2840/F Erection of 1 no. Dwelling with detached garage, access and associated works. Withdrawn November 1995

- 3.4 PK02/2148/F Erection of 3 No. terraced dwellings.
Refused October 2003
- 3.5 P97/4249 Residential Development (Outline)
Refused August 2000

Also of relevance:

PK15/3950/F - Erection of 54no. bed extra care accommodation (Class C2) with communal facilities, landscaping, car parking, access and associated works.
Approved 10th November 2016

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council

All relevant documents including the comments/objections from neighbours have been carefully considered. No objections to the layout of the proposed properties, provision for parking, landscaping etc which appear to be satisfactory.

However concerns were raised over the ingress and egress to the site both during construction and indeed when it is complete. The entrance to the site is at the start of an extremely narrow, one way section of Tabernacle Road leading to a junction onto the main A341 through Hanham. It is felt that this will have significant disruption to local residents.

Other Consultees

Highways England

No objection

Highways Structures

No comment

Lead Local Flood Authority

No objection subject to a SUDS condition.

Sustainable Transport

No objection subject to conditions to secure:

- CEMP
- Access road and pedestrian paths completion.
- Car & cycle parking and electrical charging point provision.

And a S106 Agreement to secure £7,000 towards a TRO.

Archaeology Officer

No objection subject to a condition to secure a programme of archaeological work to be undertaken.

Children & Young People

No response

Ecology Officer

No objection subject to conditions to secure:

- Mitigation measures as per Ecological Appraisal
- Details of external lighting.
- Installation of ecological enhancement features.

And a S106 Agreement to secure £7,000 towards a TRO.

Environmental Protection

No objections providing the mitigation measures as detailed in the Environmental Noise Assessment dated December 2019 by Acoustic Consultants Ltd are implemented.

Landscape Officer

No objection.

The Listed Buildings & Conservation Officer

No objection to the development in respect of the impact on the locally listed building

The Coal Authority

No objection subject to standard condition.

Other Representations

4.2 Local Residents

4no. letters of objection have been received from local residents; the concerns raised are summarised as follows:

- Proposed access too narrow.
- Insufficient turning space for HGV's.
- Insufficient landscaping.
- Noise disturbance during construction phase.
- Noise from extra houses.
- Overlooking and loss of privacy 16 High St.
- Loss of light to nos. 7 & 16 High St.
- Extra traffic on Tabernacle Rd.
- Increased on-street parking.
- Loss of views from nos. 6 Tabernacle Rd. and 7 High St.
- Bin collection area close to no. 7 High St.
- Bin collection area unsightly.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 5.2 The South Gloucestershire Local Plan: Core Strategy was adopted by the Council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2012 (NPPF). The Policies, Sites & Places Plan was adopted in Nov. 2017 and also now forms part of the Development Plan.
- 5.3 It has recently been established via the 2019 Annual Monitoring Review (AMR) March 2020 Addendum that, using the Standard Method, South Gloucestershire can now demonstrate a 5.21 years housing land supply. The revised NPPF (para. 11) reiterates that; at the heart of the Framework is the presumption in favour of sustainable development. At para. 11 c) the NPPF states that development proposals that accord with an up-to-date development plan should be approved without delay.
- 5.4 Furthermore, The South Gloucestershire Local Plan Core Strategy adopted (Dec 2013) Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. In accordance with the NPPF para. 38, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible. Policy CS17 of the Core Strategy sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities.
- 5.5 The locational strategy for the District is set out in policy CS5. Under this policy, new residential development is directed to the strategic housing allocations, existing urban areas, and defined rural settlements as shown on the proposals maps, with most new development being on the North and East Fringes of Bristol. This application proposes development within the designated Urban Area on the East Fringe and as such is acceptable in principle.
- 5.6 It is considered likely that the proposed development would begin to contribute towards housing supply in the district within a period of 5 years.
- 5.7 Chapter 9 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.8 It is noted that the NPPF puts considerable emphasis on delivering sustainable development and not acting as an impediment to sustainable growth, whilst also seeking to ensure a high quality of design and good standard of amenity for all existing and future occupants of land and buildings. The NPPF encourages efficient use of land and requires (para.59) the need to boost significantly the supply of homes.

- 5.9 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.
- 5.10 Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 seeks to secure good quality designs that are compatible with the character of the site and locality.
- 5.11 The remainder of this report will conduct the exercise of applying national guidance and policies in the Development Plan to the proposed development

Analysis

- 5.12 South Gloucestershire Council can currently demonstrate that it has a 5.21 year supply of deliverable housing land. In this instance, the NPPF makes a presumption in favour of approving sustainable development. Notwithstanding this position, the site is located within the Urban Area where new residential development is acceptable in principle.
- 5.13 The site lies in a sustainable location close to public transport routes, shops and leisure facilities and has for most part lain dormant as a vegetated bank.
- 5.14 There do not appear to be any designations on this site that preclude its development for housing and the NPPF is clear that there is a presumption in favour of sustainable development, indeed the acceptance of residential development in the form of the erection of 4no. dwellings on this site, has already been established with the approval of PK06/0304/F. On this basis, there is a presumption in favour of the proposed scheme. However, it is necessary to consider the benefit of this proposal against any adverse impact and weigh these factors in the planning balance. The issues for consideration are discussed as follows:

Scale and Design

- 5.15 Core Strategy Policy CS1 only permits new development where “the highest possible standards of site planning and design are achieved”. The 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; this policy is fully compliant with the design guidance in the NPPF.
- 5.16 With reference to the submitted DAS Rev. P4 (March 2020) and site and elevation plans, in order to accommodate the change in level across the site the new dwellings would comprise a split, two-storey design, contemporary in appearance with asymmetrical roofs finished with grey tiles and white render to connecting flat roof sections; walls would be buff brickwork with accents of white render and vertical timber cladding. Private garden spaces would be accessed from the lower ground floor, with the upper ground floor levels relating to the height of Tabernacle Road. Car parking would be internalised within the development, with an access off this road. The houses lying adjacent

to the A431 frontage would be set back behind a retaining wall with fence above, with hedge and embankment planting, and trees located at intervals.

- 5.16 The proposal is considered to make efficient use of a site within the settlement boundary and Urban Area. The location has no special architectural character or vernacular that needs to be adhered to within the scheme. Indeed, there are a variety of building styles and types within the locality which, nevertheless set the context for any proposed new development in the locality. The locality is clearly one of mixed architectural character. The scale and form of the buildings however does need to respect the street scene. The proposal shows 2-storey dwellings set back into the site and subservient to the existing buildings to the east. Given the elevated position of the site, this approach is appropriate.
- 5.17 In terms of design and use of materials, this site, due to its elevated position overlooking the roundabout, is an unofficial gateway site into the historic core of Hanham and as such, care should be taken over the selection and use of materials in order to respect and enhance the street scene. Section 4.5 of the Design and Access Statement points out that local stone, render and brick all feature heavily in surrounding buildings yet then proceeds to propose a palette of buff brickwork, white render and timber cladding, which could appear as incongruous to the historic character of Hanham characterised by the red-brick buildings to the south. Officers consider that notwithstanding the materials shown on the submitted plans, there is scope for the use of an enhanced palette using natural pennant stone and render; this can be secured by condition.

Landscape

- 5.18 Policy PSP2 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) Nov 2017 seeks to conserve and where appropriate, enhance the quality, amenity, and distinctiveness of the landscape. Policy CS9 of the South Gloucestershire Local Plan Core Strategy expects new development to conserve and enhance the character, quality, distinctiveness and amenity of the landscape.
- 5.19 The site is currently an area of scrubland raised approximately 2 metres up above the roundabout and road level to the front. The site consists of a grassed bank running up from pavement level to the flatter top where there are a mix of self-seeded trees and bushes. The site has no special landscape designation and there are no protected (TPO'd) trees on the site. Any landscaping shown on the submitted plans is, at this stage, indicative only. The site is not a designated open space but is a prominent site within the street scene that contributes significantly to the character of the area. The loss of vegetation from this site is regrettable as it serves to screen the Extra Care facility to the north.
- 5.20 A revised landscape plan has been submitted that for most part meets the original concerns made by the Council's Landscape Architect. The landscape strategy proposed is that a softened public landscape sits in front of and is reinforced by a softened private landscape behind. This gives over to lowered private gardens that are protected by this green screen filter with the living accommodation behind. For most part the landscape proposals respond to all the issues raised by creating a positive landscape improvement to the site and

its context that would create an enhanced landscape character and setting to the site.

- 5.21 Detailed hard and soft landscape items, can be adequately dealt with by Condition. The applicant will need to ensure that the design of the retaining wall foundations together with any embankment stabilisation measures do not preclude the planting and successful establishment of trees adjacent to the highway frontage of the site. Subject to a landscape condition there are no in principle objections in landscape terms.

Transportation Issues

- 5.22 The application includes an Access & Parking Report. In location terms, the transportation officer agrees that the site can be considered sustainable from a transport perspective: there are facilities and services within a walkable distance, and there are travel choices with high frequency bus services on the A431 / High Street, and cycle routes in the area though not immediate. Officers are aware that there are limited bus priority measures on the A431 corridor and that buses can be caught up in general traffic congestion.
- 5.23 The vehicular access is to be from the narrow Tabernacle Road, which is one-way southbound (towards the A431) at the point of access, and is particularly narrow. The existing access onto Tabernacle Road is proposed to be widened to enable vehicles to access and egress from both directions including delivery vehicles. It is not proposed that waste collection vehicles will enter the site. A waste and recycling collection area is shown close to the entrance. The widened access will require relocation of the one way sign, removal of the sign opposite and an alteration to the one way Traffic Regulation Order (TRO). The cost of this is £7,000 which will need to be secured in a Unilateral Undertaking.
- 5.24 The pedestrian access would also be via Tabernacle Road with a footway on the opposite (east side) of Tabernacle Road.
- 5.25 In parking terms, Hanham is a parking sensitive area with many surrounding streets appearing to have more demand than supply, so this matter has been carefully considered. In accordance with the Council's Parking Standards the 5 x 3 bed dwellings would be provided with two parking spaces each plus one visitor space for the site. Each dwelling would also have a cycle store for two cycles.
- 5.26 Although the car parking spaces are not on plot or adjacent to the dwellings, provision for future electric charging points would be made by providing ducting for each space – this would be secured by condition.
- 5.27 In the original submission, the parking spaces to the front of plot 1 directly abutted a boundary fence / wall and as such were requested to be 5.5m long. It was noted that the landscape area to the front of plot 4 could be reduced to accommodate this design standard. Furthermore it was requested that a walk through space at least 0.8m wide either next to parking space 9 or in front of plot 4, to provide suitable pedestrian access to unit 5 in particular, should be provided. A revised landscape plan 012 Rev 5 was subsequently submitted to show all of the above revisions.

- 5.28 The proposed development also accords with South Gloucestershire Council's Waste Collection: guidance for new developments SPD (adopted January 2015), and given the width constraint of Tabernacle Road a communal waste and recycling storage point near the entrance has been provided within the scheme.
- 5.29 The Transportation Officer has considered the request of the Parish Council regarding the routing of vehicles. Given the existing and proposed use of the site, the officer does not consider that the routing suggested is justified; furthermore such a condition would be difficult to enforce. An informative can however be added to any consent granted, advising that traffic take the route suggested.
- 5.30 Subject to conditions to secure:
- CEMP
 - Access road and pedestrian paths completion.
 - Car & cycle parking and electrical charging point provision.

And a S106 Agreement to secure £7,000 towards a TRO.

There are no transportation objections.

Residential Amenity

- 5.31 The nearest residential properties lie immediately to the east of the site and to the south, on the opposite side of High Street. The scale of the proposed buildings is not excessive and the buildings would not be any closer to the residential properties than in the previously approved scheme PK06/0304/F. Given the location, scale and orientation of the proposed buildings, it is not considered that the scheme would result in a level of overbearing impact, loss of privacy from overlooking or significant overshadowing for local residents' that would justify refusal on this issue.
- 5.32 Notwithstanding the local facilities available to the future occupants of the dwellings, the future occupants would have access to private rear gardens all of which exceed the space standards (60 sq.m.) required in PSP43 for 3 bedroom dwellings. The gardens would be well enclosed by high boundary treatments.
- 5.33 There should be no significant adverse impact on the residential amenity of future or neighbouring occupiers. The scheme is therefore considered to accord with policy CS1 of the Core Strategy (Adopted) December 2013, Policy PSP43 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov 2017 and the NPPF.

Environmental and Drainage Issues

- 5.34 Whilst there would inevitably be some disturbance for neighbours during the development phase, this can be adequately addressed by imposing a condition to restrict the hours of working. For future occupiers, the site does lie adjacent to the High Street with potential for noise disturbance. A Noise Report has been submitted to the Environmental Health Officer's satisfaction, the recommendations of which would be secured by condition. In terms of

drainage, the site lies in Flood Zone 1 but the Council's Drainage Engineer still requires a condition to secure the prior submission and approval of a SUDS scheme of drainage.

- 5.35 The site is known to lie in an area of former coal mining. A Coal Mining risk assessment has been submitted to the Coal Authorities satisfaction. In the event of a consent being granted, a standard condition would be imposed to secure an intrusive investigation of the site and mitigation procedures should shallow coal workings be encountered.

Heritage Issues

- 5.36 The Locally Listed Hanham United Reformed Church is located immediately to the north of the site and is a constraint on development. A Heritage Statement has been submitted and the Council's Listed Buildings & Conservation Area Officer agrees with the observations and statements made in respect of the significance of the locally listed Tabernacle, and the subsequent assessment of the contribution that this application site makes to its significance. The site may be close to the asset, but this in itself does not always equate to a positive contribution to significance.

- 5.37 With the application site containing buildings since at least the mid-19th century, the present Tabernacle was clearly designed and oriented to face Tabernacle Road, with later additions built with largely blank elevations facing the site. The views from the roundabout are a 20th century product of the demolition and clearance of the application site and the views that have been opened up make a neutral rather than positive contribution to significance. The development of the site as proposed, when viewed from Tabernacle Road will be of a scale that does not visually compete with the Tabernacle nor would it detract from any important views of the building from its primary elevations. There is, therefore, no objection to the development in respect of the impact on the locally listed building.

Archaeology

- 5.38 A condition would ensure that the site would be assessed for any potential archaeological remains.

Affordable Housing

- 5.39 The National Planning Policy Guidance states that 'provision of Affordable Housing should only be sought for residential developments for major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or lower).' Major development being defined as - 'For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.
- 5.40 As the site size is stated as 0.15ha there is no requirement for Affordable Housing on this scheme under Policy CS18 of the Council's adopted Core Strategy Development Plan Document.

Community Services

- 5.41 As this proposal falls below the POS threshold of 10 dwellings or more and/or is below 0.5ha and there appears to be no POS on site, it would not trigger a policy CS24 requirement.

Community Infrastructure Levy (CIL)

- 5.42 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. The introduction of CIL charging commenced on 1st August 2015. In the event that a decision to approve this proposal is issued the scheme would most likely be liable to CIL charging.

5.43 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.

Other Matters

- 5.44 Of the concerns raised by local residents that have not been addressed above:
- Should future occupants of the dwellings make excessive noise, this is controlled by other legislation than the Planning Act and would be a matter for the appropriate enforcement agencies.
 - Loss of view is not a material consideration in the determination of planning applications. There is no right to a view.
 - Each property is provided with a designated bin store. A bin collection area would be provided near the access, thus avoiding the need for bin collection lorries to enter the site. It is intended that the bin collection area is only used on waste collection days and kept clear at all other times; this can be secured by condition.

Planning Balance

- 5.45 The acceptance in principle of the development of this site for residential purposes, has been previously established through application PK06/0304/F that received full planning permission; that has now lapsed. This current proposal seeks to provide one extra dwelling to this previous proposal, thus making more efficient use of space and making a positive contribution to the provision of open market housing stock, for which there is an acknowledged need, in a highly sustainable location.

- 5.46 Employment opportunities for local craftsmen is a positive aspect of the scheme. With the mitigation measures proposed the transportation and parking issue is considered to be neutral.
- 5.47 The proposal would provide suitable living conditions for future occupiers especially given the highly sustainable location of the site. The proposal would not be harmful to the character and appearance of the area and neither would it harm the significance of the non-designated heritage asset.
- 5.48 The scheme is on balance considered to be sustainable development that is acceptable and should be approved.

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

(i) A financial contribution of £7,000 to the Council toward its cost to promote a revised TRO outside the application site on Tabernacle Road in order to revise signage opposite the site access.

The reasons for this Agreement are:

(i) To mitigate the increased numbers of dwellings and ensure the satisfactory provision of car parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

- 7.2 It is recommended that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.
- 7.3 It is recommended that should the Agreement not be completed within 6 months of the date of any consent being granted; that delegated authority be given to the Director or Environment and Community Services to refuse the application.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

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 hours of working on site during the period of demolition and construction shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat. and no working shall take place on Sundays or Bank 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 the site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017

3. Prior to the commencement of the development hereby approved, surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection shall be submitted to and approved in writing by the Local Planning Authority.

A detailed development layout showing the location of surface water proposals is required along with results of percolation tests and infiltration calculations to demonstrate that the proposal is suitable for this site.

No public surface water sewer is available.

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

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

Reason

In the interests of flood risk to accord with Policies CS1 and CS5 of The South Gloucestershire Local Plan Core Strategy (Adopted), Policy PSP20 of The South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF. This is a pre commencement condition to ensure that the site can be adequately drained.

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

Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework and to accord with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and Policy PSP22 of The South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) Nov. 2017. This is a pre-commencement condition as investigation works and appropriate mitigation are required to ensure the future safety of the occupiers of the development and prevent the need for retrospective mitigation after the development is commenced/completed and to take account of the past mining activities within the area.

5. Notwithstanding the details shown on the submitted plans; prior to the commencement of the relevant phase of development, representative samples of all roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out strictly in accordance with the approved samples.

Reason

To ensure the satisfactory appearance of the development to accord with Policies CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013; Policy PSP1 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the provisions of the NPPF.

6. The development hereby approved shall not be occupied until the noise mitigation measures as detailed in the submitted of the submitted Environmental Noise Assessment Acoustic Report Ref. 8128/DO by Acoustic Consultants dated Dec. 2019 have been implemented in full.

Reason

To protect residential amenity and the environment in accordance with Policy PSP8 and PSP21 of The South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) Nov. 2017.

7. Prior to the commencement of the development hereby approved, a site specific Construction Environmental Management Plan (CEMP), shall be submitted to and agreed in writing by the Local Planning Authority. 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 on-site for contractor parking.
- (vi) Access arrangements for construction traffic including a lorry routing schedule.
- (vii) Details of how neighbouring residents will be kept informed of the construction works as they progress and details of the Contractors complaints procedures.
- (viii) Contact details for the Site manager.

Reason

In the interests of highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017. This is a pre-commencement condition to ensure that the entire development from its outset can be carried out in a satisfactory manner.

8. Prior to the first occupation of the dwellings hereby approved, the off street car parking (including ducting for electrical vehicle charging points)) as well as manoeuvring areas on site, shall be provided in accordance with the approved details and subsequently maintained thereafter for that purpose.

Reason

To promote sustainable forms of travel and to mitigate the increased numbers of dwellings and ensure the satisfactory provision of car parking facilities and tuning areas; in the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

9. Prior to the first occupation of the dwellings hereby approved, the on site cycle parking facilities shall be provided in accordance with submitted and approved plans and subsequently maintained as such thereafter.

Reason

To promote sustainable forms of travel and to mitigate the increased numbers of dwellings and ensure the satisfactory provision of cycle parking facilities; in the interest of highway safety and the amenity of the area, and to accord with Policy PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

10. The dwellings hereby approved shall not be occupied until the access road and pedestrian paths including surfacing and surface water drainage have been completed in accordance with the submitted details.

Reason

In the interests of highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017.

11. The development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 4 of the submitted Ecological Appraisal Rev 1 (Clarke Webb Ecology Ltd) dated 19th November 2019

Reason

In the interests of protected species and the bio-diversity of the location, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

12. Prior to the first occupation of the dwellings hereby approved, details of external lighting are to be submitted to and approved in writing by the local authority. (The details are to include the specifications and the locations, including security lighting). Thereafter the external lighting shall be implemented with the agreed details and maintained as such.

Reason

To ensure there isn't excessive light spill onto adjacent habitats such as the scrub in the northern corner of the site; in the interests of protected species and the bio-diversity of the location, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

13. Prior to the first occupation of the dwellings hereby approved, evidence of the installation of ecological enhancement features shall be submitted to the local planning authority and approved in writing. (This shall include, but is not limited to permeable fencing and a hedgehog house).

Reason

In the interests of protected species and the bio-diversity of the location, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

14. Prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, a programme of archaeological investigation (comprising geophysical survey and evaluation) and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy (or where the results of the evaluation are negative, a final evaluation report), shall be submitted to and approved in writing by the local planning authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

Reason

In the interests of archaeological evaluation to accord with Policy PSP17 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013. This is a prior to commencement condition to ensure that archaeological remains are not sterilised.

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

Reason

To protect the character and appearance of the area to accord with Policy PSP2 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a pre-commencement condition to ensure that the site can be appropriately landscaped given its prominent position on the High Street.

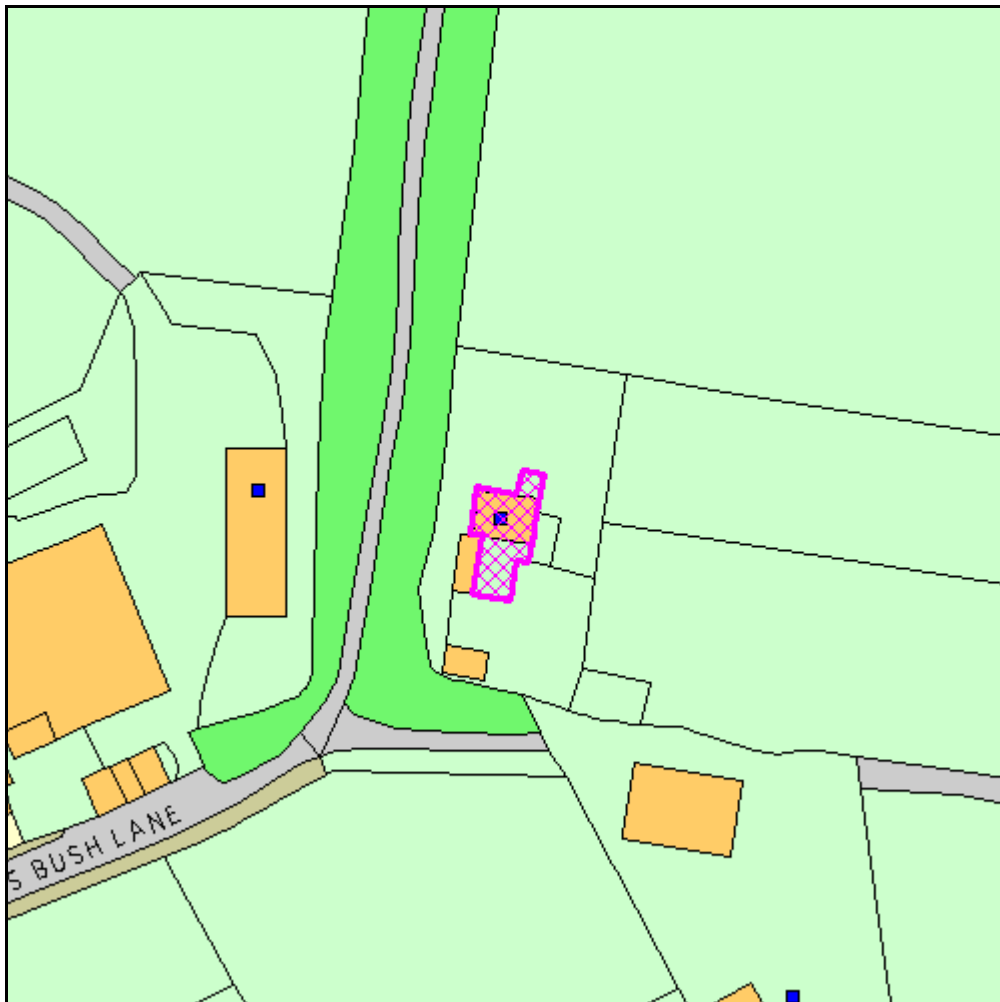
16. The bin collection area, shown on the plans hereby approved, shall be used for the purposes intended on bin collection days only and shall otherwise be kept clear at all times.

Reason

To protect the visual amenity of the location and to protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017.

CIRCULATED SCHEDULE NO. 33/20 - 14th August 2020

App No.:	P20/08749/F	Applicant:	Mr Matthew Caldecott
Site:	Little Birdbush Wickwar Road Yate South Gloucestershire BS37 6PA	Date Reg:	2nd June 2020
Proposal:	Change of use of land from agricultural to residential (C3) to facilitate the erection of a single storey side extension to form additional living accommodation.	Parish:	Wickwar Parish Council
Map Ref:	372856 186168	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Householder	Target Date:	24th July 2020



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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the change of use of land from agricultural to residential (C3) to facilitate the erection of a single storey side extension to form additional living accommodation at Little Birdbush, Yate.
- 1.2 The application site consists of a residential barn conversion which is located outside of the development boundary and in open countryside.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPS (Adopted) 2013
Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

- 3.1 **PK11/1138/F** – *Approved, 22/7/2011*
Proposal: Change of use of land from agricultural to equestrian (Class D2) (as defined in the Town & Country Planning (Use Classes) Order

- 1987 (as amended 2005). Erection of barn and stables and construction of hardstanding and entrance gates (retrospective).
- 3.2 **PK16/6115/PNGR** – *Refused, 22/12/2016*
Proposal: Prior notification of a change of use from 1no. agricultural building to 1no. residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 3.3 **PK17/1918/PNGR** – *Approved, 13/6/2017*
Proposal: Prior notification of a change of use from Agricultural Building to 1no. residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 3.4 **PK17/4071/PNGR** - *Approved, 25/10/2017*
Proposal: Prior notification of a change of use from Agricultural Building to single residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 3.5 **PK16/3521/PNGR** – *Refused, 2/8/2016*
Proposal: Prior notification of a change of use from Agricultural Building to single residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 3.6 **PK16/4706/PNGR** – *Withdrawn, 3/10/2016*
Proposal: Prior notification of a change of use from Agricultural Building to single residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

4. **CONSULTATION RESPONSES**

4.1 Parish/Town Council

Wickwar Parish Council – Objection.

“Wickwar Parish Council objects to this application the grounds that the building was originally converted from agricultural buildings under Class Q permitted development rights (PNGR), meeting the condition that the residential development would not result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point. The Parish Council objects to any extension of the building.”

- 4.2 Officer Comment: The GPDO 2015 (as amended) grants permitted development rights for dwellinghouses. However these rights do not apply where buildings have become dwellinghouses under class Q, such as the application site. Express planning permission will, therefore, be required for development.

4.3 Internal Consultees
No comment received.

4.4 Local Residents
No comment received.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application seeks permission for the change of use of land from agricultural to residential (C3) extension of a residential unit. Extension and alterations to existing properties is managed through policy PSP38 of the Policies, Sites and Places Plan. This policy is generally supportive subject to an assessment of design, amenity and transport. Policy PSP40 is also supportive of residential development in the open countryside, outside of development boundaries provided it does not have a harmful effect on the character or amenities of the surrounding area.

5.2 Land Use

An application permitting the existing residential use of was granted under permission ref. PK17/4071/PNGR, albeit this did not include the area of land for the proposed extension or the narrow strip of land (to form a pathway) to the east of the existing property. With regards to the small scale and sitting of the land tight against the host property to be changed into residential use, it would not result in a harmful effect on the agricultural character or amenity of area. The proposed development would therefore comply with policy PSP40.

5.3 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 and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.4 The proposed single storey side extension would be located to the north east corner of the existing dwelling. It would measure 4 x 4m, matching the existing eaves height and roof angle. Materials and details would also match that of the host dwelling, with the extension featuring vertical timber (Cedar) cladding and aluminium windows. Overall the proposed extension would appear as a subservient addition when viewed in relation to the host dwelling, and the character of the existing building and the surrounding area would be retained. The proposed extension would therefore comply with policies CS1, PSP38 and PSP40.

Residential Amenity

5.5 Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on

residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration. PSP43 recommends the minimum amount of private amenity space.

5.6 Due to the sitting, scale, size and design, the proposed development would not result in any unacceptable amenity impacts as describe above. Furthermore, the proposed extension would not prejudice the retention of any private amenity space. As such, the proposed extension would comply with Policies PSP38 and PSP43.

5.7 Parking and accessibility

The proposed development would not increase the vehicular parking requirements for the dwelling. The existing parking available is adequate for the size of the proposed dwelling. The proposed development would therefore comply with Policy PSP16.

5.8 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that planning permission is GRANTED.

Contact Officer: Thomas Smith
Tel. No. 01454 865785

CONDITIONS

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

Reason

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

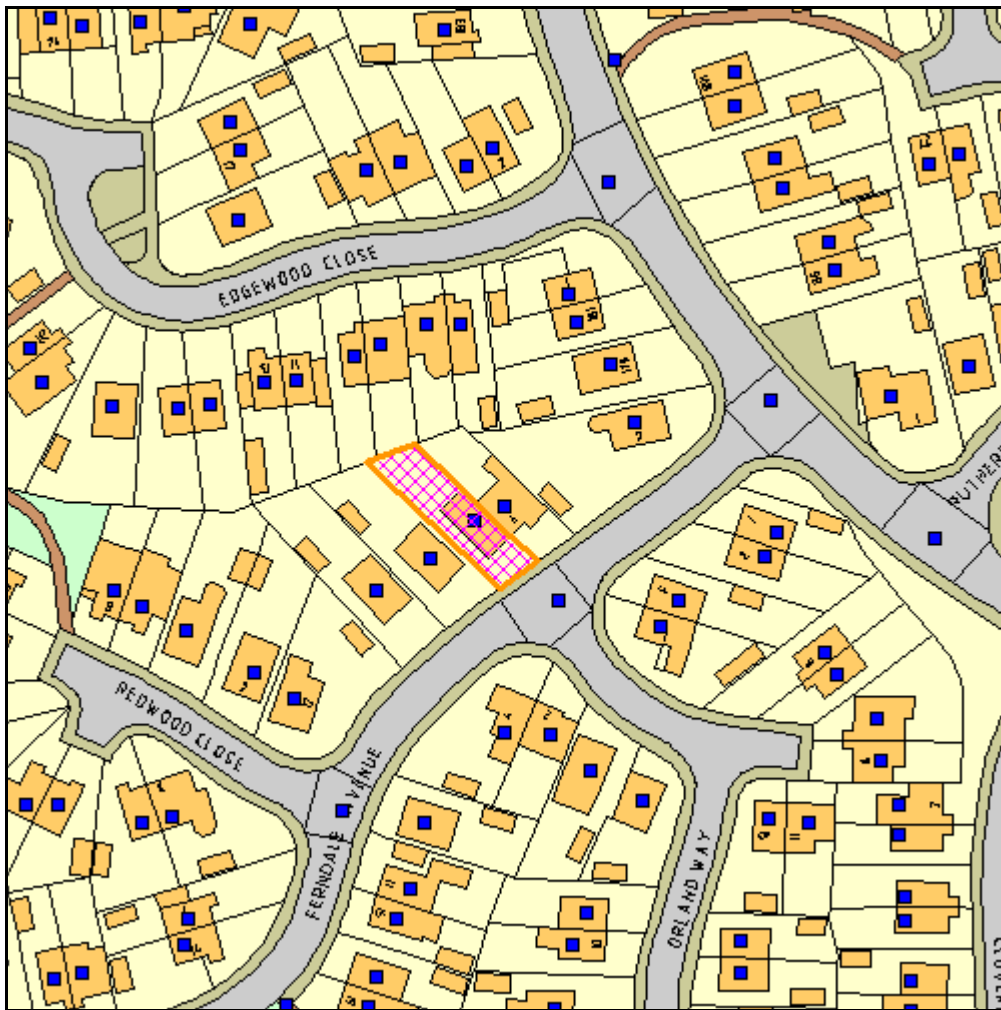
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 33/20 - 14th August 2020

App No.:	P20/09147/F	Applicant:	Mr M Brain
Site:	6 Ferndale Avenue Longwell Green South Gloucestershire BS30 9XS	Date Reg:	5th June 2020
Proposal:	Erection of two storey side and single storey rear extension to form additional living accommodation.	Parish:	Oldland Parish Council
Map Ref:	366126 171350	Ward:	Longwell Green
Application Category:	Householder	Target Date:	17th July 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 appears on the Circulated Schedule as a result of a consultation response received, from the Parish Council, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection of a two storey side and single storey rear extension to form additional living accommodation.
- 1.2 The property is a semi-detached dwelling, within the residential area of Longwell Green.

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

- CS8 Access/Transport

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

- PSP1 Parking Standards

- PSP8 Residential Amenity

- PSP38 Development within Existing Residential Curtilages

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
The Parish Council objects to this application on grounds of inadequate provision of off-street car parking.

- Sustainable Transportation

- It is stated that there is only one existing parking space that meets the Council's requirements to be counted as a viable off-street space. This being the case

that there is currently only one parking space, then the addition of one bedroom will not increase the vehicular parking requirements for the dwelling. On that basis, there would not be a transportation objection.

Other Representations

- 4.2 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Extensions to dwellings within residential curtilages are acceptable in principle subject to detailed development control considerations in respect of local amenity, design and transportation; as set out in policy PSP38. The issues for consideration in this respect therefore are whether the proposals have an adverse impact on the amenities of nearby occupiers and whether the design of the proposal is sufficiently in keeping with the site and surroundings.
- 5.2 Design
The proposals are considered to be of an acceptable standard in design and would be an acceptable addition, taking into account the main dwelling house and surrounding area. Materials would be acceptable.
- 5.3 Residential Amenity
The length, size, location and orientation of the proposals and the relationship with other properties in the area, are not considered to give rise to any additional significant or material overbearing or overlooking impacts on adjacent properties in this instance.
- 5.4 Transportation
The comments regarding parking, above, are noted. The proposals would create an additional bedroom making a total of 4. A 3 or 4 bed. property would normally have the same off-street parking requirements, and this would be for two spaces, in accordance with the Councils adopted standards. It is considered by the agent that only one parking space, that meets the Council's adopted requirements as a parking space exists. The space to the side of the property, measuring at 2.19m in width does not meet the Council's requirement as a viable space that would count towards such provision. On this basis the parking requirements would not increase for the dwelling and no parking would be lost. In addition to this if considered necessary there would be scope within the front curtilage to provide additional parking. In this instance however, and given the above, it is considered that the proposals are acceptable. There is no transportation objection on this basis.
- 5.5 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 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted, subject to the conditions recommended.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

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

Reason

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