

# 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: 42/20**

**Date to Members: 16/10/2020**

**Member's Deadline: 22/10/2020 (5.00pm)**

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

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

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

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

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

### **Additional guidance for Members**

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

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

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

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

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

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

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

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

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

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

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

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

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

**Date:**

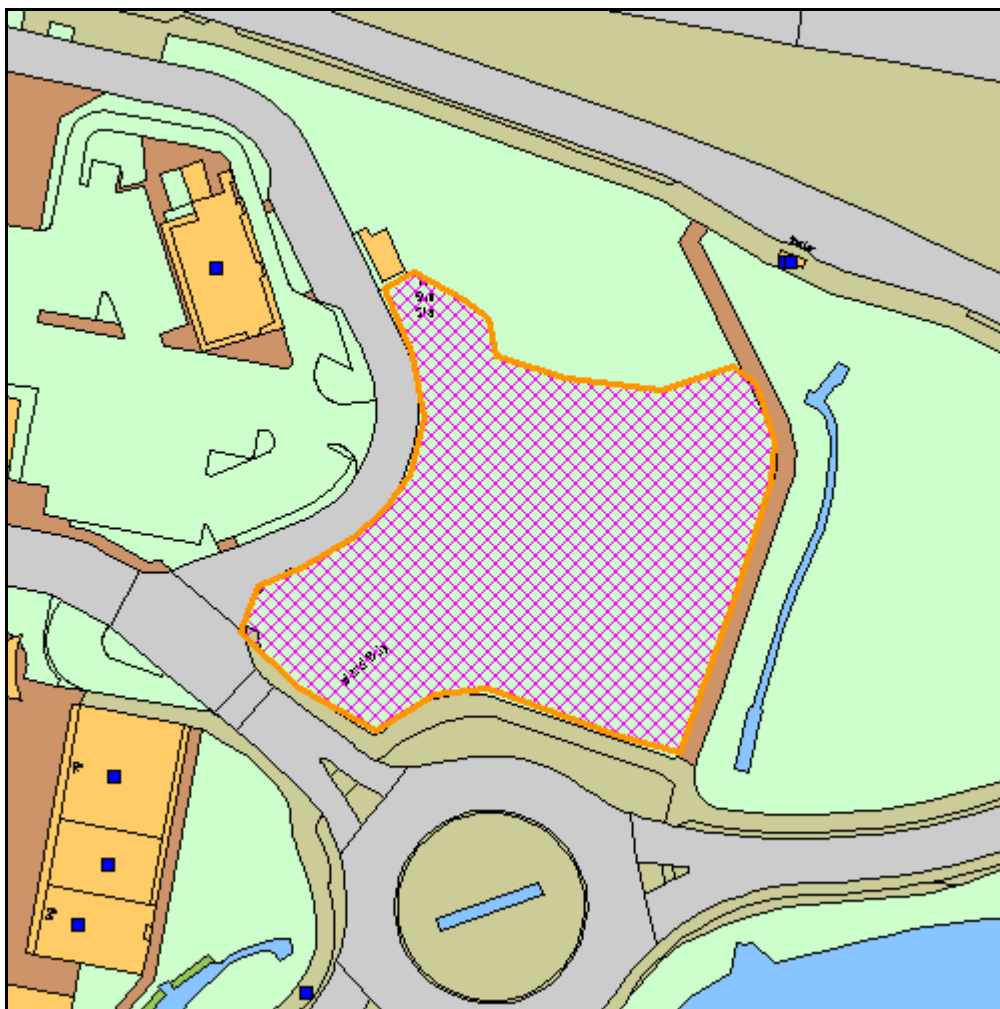
To be emailed to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk)

## CIRCULATED SCHEDULE - 16 October 2020

| ITEM NO. | APPLICATION NO | RECOMMENDATION          | LOCATION  | WARD               | PARISH                    |
|----------|----------------|-------------------------|---|--------------------|---------------------------|
| 1        | P20/08495/F    | Approve with Conditions | Abbey Wood Retail Park Station Road Filton South Gloucestershire BS34 7JL   | Filton             | Filton Town Council       |
| 2        | P20/10659/F    | Approve with Conditions | 19 Engine Common Lane Yate South Gloucestershire BS37 7PX                   | Frampton Cotterell | Iron Acton Parish Council |
| 3        | P20/12627/F    | Refusal                 | Parkside House Old Down Hill Tockington South Gloucestershire BS32 4PA      | Severn Vale        | Olveston Parish Council   |
| 4        | P20/12669/F    | Approve with Conditions | 39 Conygre Grove Filton South Gloucestershire BS34 7DN                      | Filton             | Filton Town Council       |
| 5        | P20/16186/ADV  | Approve                 | McDonald's Restaurant 38 - 40 West Walk Yate South Gloucestershire BS37 4AX | Yate Central       | Yate Town Council         |

**CIRCULATED SCHEDULE NO. 42/20 -16th October 2020**

|                              |   |                     |  |
|------------------------------|---|---------------------|--|
| <b>App No.:</b>              | P20/08495/F   | <b>Applicant:</b>   | Greenspruce GP Limited And Invesco Real Estate |
| <b>Site:</b>                 | Abbey Wood Retail Park Station Road<br>Filton South Gloucestershire BS34 7JL  | <b>Date Reg:</b>    | 26th May 2020                                  |
| <b>Proposal:</b>             | Erection of hotel (Class C1) and food and beverage retail unit (Class A1) with parking, access, landscaping and associated works. | <b>Parish:</b>      | Filton Town Council                            |
| <b>Map Ref:</b>              | 361163 178683   | <b>Ward:</b>        | Filton   |
| <b>Application Category:</b> | Major   | <b>Target Date:</b> | 20th August 2020                               |



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P20/08495/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 Referring to the Circulated Schedule**

This application has been referred to the Circulated Schedule following the receipt of 3 or more objections from local residents, the concerns raised being contrary to the officer recommendation.

## **1. THE PROPOSAL**

- 1.1 The application site is approximately 0.4 ha in area and is located within the Bristol North Fringe, to the east of the Abbey Wood Shopping Park and to the south of the A4174 Station Road. The application site is located within the designated Stoke Gifford District Centre and is currently a landscaped area of public open space.
- 1.2 The site adjoins a small parcel of grassland to the north, which is then enclosed by the A4174 Station Road and a bus stop. The site is bordered by a pedestrian and cycle path along the eastern and southern boundaries, which is an identified Active Travel Route in the adopted Development Plan. A three-arm roundabout providing access to the Shopping Park and the Ministry of Defence South campus is situated beyond the path to the south. The site is enclosed by trees and hedgerows along the western boundary. A McDonald's restaurant and its main access road are situated beyond the hedgerow, directly next to the site. The access road into the main retail park runs along the southern site boundary, with the access road serving the McDonalds unit and the retail units running to west of the site. The site can also be accessed via the pedestrian and cycle path along the eastern boundary.
- 1.3 The site is located within the defined boundary of the Stoke Gifford District Centre, which extends across the Abbey Wood roundabout to the Filton Retail Park, which includes two supermarkets (Sainsbury's and Lidl), discount stores and a gym. These uses are contained within the Primary Shopping Area of the District Centre. The District Centre also includes an undeveloped parcel of land to the north of Sainsbury's.
- 1.4 The application site falls within Flood Zone 2, which means that it has a 'medium' risk of flooding (between a 1 in 100 and 1 in 1,000 annual probability of river flooding).
- 1.5 The application seeks a full planning permission for the erection of a new 4-storey, 85-bedroom hotel (Use Class C1) and a single-storey, food and beverage retail unit (Use Class A1), along with parking, access, landscaping and associated works. It is envisaged that the Hotel will be a Travelodge Plus and the A1 unit a Greggs with drive-through facilities.
- 1.6 The hotel would be located on the northern half of the site with the retail unit to the south, bisected by a two-way access road which separates the two proposed uses.

1.7 The application is supported by the following documents:

- Design and Access Statement;
- Topographical Survey;
- Air Quality Assessment;
- Ecological Appraisal;
- Energy and Sustainability Statement;
- Economic Benefits Assessment;
- Flood Risk Assessment;
- Drainage Strategy;
- Geo-technical Survey;
- Townscape and Visual Impact Assessment;
- Lighting Impact Assessment;
- Noise Impact Assessment;
- Transport Assessment;
- Tree Survey;
- Arboricultural Method Statement;
- Foul and Surface Water Drainage Strategy;
- Framework Travel Plan;
- Infographic;
- Landscape Material Sheet;
- Planning Statement;
- Soft Landscape Specification;
- Townscape and Visual Appraisal;

## 2. **RELEVANT PLANNING HISTORY**

2.1 There is an extensive planning history which relates to the Shopping Park in its entirety or parts thereof. The most significant, albeit of some age now, is planning permission P95/0056/38 which was granted in 1995 for the erection of six retail warehouse units (on the area that is now the Shopping Park) and petrol filling station (PFS, on the application site – not implemented). This was followed by planning permission P96/2332 relating to the western half of the application site which was for a PFS with associated kiosk/convenience store (not implemented). There have been numerous subsequent changes of use within the shopping park and more recently café and restaurant developments including McDonalds, Costa and Nandos.

## 3. **CONSULTATION RESPONSES**

3.1 Filton Town Council  
No response

3.2 Other Consultees

Transportation D.M.

No objection to revised scheme subject to conditions.

Wessex Water

No response



Highway Structures

No comment

Avon Fire & Rescue

No response

Police Community Safety Officer

No objection - the application was subject to a BREEAM Security Needs Assessment and appropriate advice has been included in the design. Having viewed the information as submitted I can confirm the design to be in order and complies appropriately with the crime prevention through environmental design principles.

Arts and Development

In line with previous development at the Abbeywood Retail Park, if the application is approved, the Council should apply a planning condition for a public art programme that is relevant and specific to the development and its locality. The programme should be integrated into the site and its phasing plan.

Lead Local Flood Authority

No objection subject to a condition to secure a SUDS drainage scheme.

Environmental Policy and Climate Change Team

No objection subject to conditions.

NHS

No response

Landscape Officer

No objection to revised scheme subject to conditions..

Ecology Officer

No objection subject to conditions.

Avon Wildlife Trust

No response

Public Health and Wellbeing

No response

The Tree Officer

Provided that all works are in accordance with the submitted arboricultural documents and BS:5837:2012 there are no objections to this proposal.

Environmental Protection

No objection subject to conditions relating to possible contamination of the site.

Economic Development

No response

Urban Design Officer

No objection subject to a condition to secure materials.

Archaeology Officer

The proposed development site lies close to areas which have been heavily developed in the 1970s-1990s. Whilst there was no construction on the site itself, the historic OS mapping indicates that there were multiple phases of access roads crossing the proposed development area from the 1970s onwards.

Given the level of former disturbance on the site it is not considered that an archaeological condition will be required as part of any permission granted.

MOD Safeguarding

No objection

The Environment Agency

Providing the Local Planning Authority (LPA) is satisfied the requirements of the Sequential Test under the National Planning Policy Framework (NPPF) are met the Environment Agency would have no objection in principle, to the proposed development, subject to the inclusion of a condition to ensure that the development is carried out in accordance with the flood mitigation measures outlined within the submitted Flood Risk Assessment (FRA).

**Other Representations**3.3 Local Residents

Representations have been received from 13no. local residents all of whom object to the scheme. The concerns raised can be summarised as follows:

- Increased traffic in an already congested area.
- No need – already 2 Holiday Inns, a Travel Lodge and a Village Hotel within 2 miles of the site.
- Encroachment into Green Space.
- Adverse impact on ecology and air quality.
- Will create only low skilled jobs.
- There are empty units within the shopping area that could be used.
- Overdevelopment.
- Will add to congestion in the Retail Park.
- Will be too far from the new arena to be built in Filton.

**4. ANALYSIS OF PROPOSAL**Principle of Development

- 4.1 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.
- 4.2 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.
- 4.3 It has recently been established via the 2019 Annual Monitoring Revue (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. The relevant development policies are considered to be sufficiently up to date for the determination of this application.
- 4.4 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.
- 4.5 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'.
- 4.6 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.
- 4.7 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.
- 4.8 NPPF Paragraph 8 provides the three overarching objectives of sustainable development, which are:
- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 4.9 Chapter 6 of the NPPF promotes support for building a strong, competitive economy.
- 4.10 NPPF Para.86 states that LPA's should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. The NPPF definition of a main town centre use includes hotels C1 and retail use classes A1 such as those proposed in this application. NPPF para. 87 explains that when considering edge of centre and out of centre locations preference should be given to accessible sites that are well connected to the town centre.

#### Analysis

- 4.11 With regard to the drive-through element, Annex 2 of the NPPF defines main town centre uses as “retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities)”. In compliance with Policy PSP31, the drive-through element of the proposals therefore accord with the range of uses which are considered to be acceptable within the district centre location. The proposed uses of the development are main town centre uses as defined in the glossary to the NPPF.
- 4.12 The site is within a defined town centre. Policies CS14 and PSP31 are the most relevant. Proposals for main town centre uses in defined town centres are acceptable where they are of a scale and size appropriate for their location. These policies also identify the overall retail growth required in the district and apportion this to different town centres. The Stoke Gifford District Centre was allocated for 5000 square metres of additional retail floor space.
- 4.13 The site is located within the defined boundary of the Stoke Gifford District Centre, which extends across the Abbey Wood roundabout to the Filton Retail Park, which includes two supermarkets (Sainsbury's and Lidl), discount stores and a gym. These uses are contained within the Primary Shopping Area of the District Centre. The District Centre also includes an undeveloped parcel of land to the north of Sainsbury's.
- 4.14 For planning policy purposes, the application site is allocated in the adopted Development Plan as being suitable for retail and main town centre uses. The

site is outside the Primary Shopping Area, and is therefore an edge of centre site. This is confirmed in the South Gloucestershire Council (SGC) Policies, Sites and Places Plan (paragraph 7.63) which reads as follows:

“The existing Abbey Wood Retail Park will remain out of centre, being 300 metres from the Primary Shopping Area within the new district centre of Stoke Gifford. The area of undeveloped land, to the east of Abbey Wood retail complex is within the town centre boundary of Stoke Gifford, and designated as an edge of centre site on the Policies Map suitable for A1 retail development and main town centre uses. The role of Abbey Wood Retail Park and its relationship with Stoke Gifford District Centre will be addressed in the Joint Spatial Plan and review of the Core Strategy, scheduled for 2018.” (*still pending at time of writing*).

The proposed hotel and retail uses are therefore acceptable in principle in this location.

#### Prejudice to the Function of the Defined District Centre

- 4.15 Whilst the proposed uses are appropriate, the application must demonstrate that the scheme will not prejudice the function and purpose of the Stoke Gifford District Centre in terms of its ability to serve the needs of the growing residential community in the vicinity of the centre.
- 4.16 Whilst Policy PSP31 acknowledges that the proposed uses are acceptable in principle, there is a policy aspiration to deliver 5,000 square metres of additional retail floor-space across the District Centre, and the application site’s allocation for retail use reflects this requirement. The proposal would to some extent make a positive contribution to this aim.
- 4.17 The evidence supporting Policy PSP31 comprises the SGC Town Centres and Retail Study (2010), followed by an updated report in 2011 and a further Retail Capacity Study published in 2014. Officers acknowledge that the evidence underpinning the Council’s assessment of retail need and the allocations that follow that is therefore now very dated and is unlikely to be an accurate reflection of today’s retail need, which has been diminished by online shopping and the market demand from occupiers for retail floor-space. The latter having declined considerably in recent years and is also likely to be exacerbated by the Covid-19 lockdown and difficulties retailers will face in coming out of that. Officers noted during their site visit that some units within the Centre are currently vacant.
- 4.18. Officers concur with the applicant’s view that the retail market is undergoing significant change, and general market demand towards new retail floor-space has declined. As part of the formulation of a suitable development proposal which is responsive to market demand the applicants, have identified that other short and long-term commercial uses – including comparison retail, student accommodation, offices and light industrial uses – are not viable or appropriate in this location at this time. In justifying the proposed mix of uses on the land north of Sainsbury’s, similar conclusions were identified by the applicants for the proposals on that site (see P20/05916/F).

- 4.19 In terms of the impact of the proposed uses on the Stoke Gifford District Centre, the scheme would result in a substantial improvement to the economic prosperity of the area, contributing towards the delivery of a diverse commercial offer providing for the needs of the local population.
- 4.20 An Economic Benefits Assessment has been submitted in support of the application. This has identified that the proposal is expected to generate numerous economic advantages to the Council and surrounding area. This includes approximately £500,000 of GVA per annum; with approximately £135,000 of business rates income per annum; and a discounted public sector income of £2 million over 20 years.
- 4.21. With regard to job creation, the study identifies that over the next one and a half years, the proposed development will create 20 net construction jobs and a further 25 full time equivalent (FTE) jobs during operation.
- 4.22 The proposed development should also be viewed in the context of the wider economic growth of the Bristol North Fringe. With a capacity of 17,000 seats, the proposed YTL Arena at the Brabazon will be the third largest arena in the country and will create a significant level of demand for hotel accommodation across North Bristol Fringe. The forthcoming arena proposal will give prominence to Bristol and its north fringe and the hotel would play a part in fulfilling the economic demands created by the arena.
- 4.23 Officers conclude that the proposed development would result in significant enhancements to the local economy: delivering a number of socio-economic benefits whilst creating a greater diversity of uses across both the Stoke Gifford District Centre and the Abbey Wood Shopping Park. All of these factors would contribute towards a more resilient and diverse district centre that would serve the needs of its local residents and contribute to the economy of the North Fringe.

#### Flood Risk and the Sequential Test

- 4.24 The NPPF emphasises that the aim of the Sequential Test is to steer new development to areas with the lowest risk of flooding and that development should not be allocated or permitted if there are “reasonably available” sites elsewhere with a lower risk of flooding. This is corroborated by Policy PSP20, which states that all development proposals should apply a sequential approach to flood risk.
- 4.25 The National Planning Policy Guidance states that the flood zones as set out within the Environment Agency’s online flood mapping are the basis for assessing this sequential approach. These flood zones refer to the probability of river and sea flooding only, ignoring the presence of defences.
- 4.26 The site is within flood zone 2 and therefore is at a medium risk of flooding. In terms of the proposed uses, the hotel would be ‘more vulnerable’ to the risks of flooding whereas the Greggs A1 drive thru unit would be ‘less vulnerable’. Table 3 of the PPG2 analyses the flood zone compatibility of such uses in relation to the flood zone, and, notwithstanding the outcome of the sequential

test, does show that developments of this nature are appropriate in Flood Zone 2 without the need for an exception test.

- 4.27 South Gloucestershire Council is strict on its application of the sequential test and considers that the whole district should be reviewed for alternative sites regardless of whether a site is within a defined settlement or not. However, the proposed development is clearly most suited to town centre locations. The site is within the District Centre for Stoke Gifford and is allocated for retail growth. The Stoke Gifford District Centre extends beyond the A4174 Avon Ring Road to the northeast and encompasses the Sainsbury's supermarket and Filton Retail Park formed out of the former DIY retail warehouse.
- 4.28 While the sequential test may not be applied district wide on this occasion, it should certainly be applied across the town centre designation itself. Evidence is therefore required to demonstrate that there are no reasonably available alternative sites at a lower risk of flooding within the town centre. The allocation for growth of the District Centre also includes an area of undeveloped land between Great Stoke Way and Fox Den Road, north of Sainsbury's; this area is within flood zone 1. In terms of the sites to be considered within the sequential assessment, this site also forms part of the A1 retail designation (under Policy PSP31) and is the only other undeveloped land parcel within the Stoke Gifford District Centre.
- 4.29 For purposes of the sequential assessment, the land to the north of Sainsbury's is a site which is not currently available to the applicants. The site is under a different ownership and, at the time of writing, a planning application (P20/05916/F) for a mixed-use development is being considered by the Council.
- 4.30 In addition, the application site's allocation for additional retail floor-space in the adopted Policies, Sites and Places Plan represents a commitment from the Council, in the adopted plan, to bring the site forward for new development. In providing further justification to Policy PSP31, paragraph 7.63 states that the application site is "suitable for A1 retail development and main town centre uses": the Council therefore expects the site to deliver new commercial uses. The Council would have taken into account the flood zone status of the site before allocating the site for development.
- 4.31 Following detailed flood risk analysis, the flood risk assessment and drainage strategy identify that the application site is situated outside of all modelled floodplains and is therefore at a low risk of fluvial flooding. The application also proposes to set finished floor levels of the proposed hotel and retail unit above the ground level for Flood Zone 2. The increase in the height of the finished floor levels, along with the provision of SUDs within the proposals would safeguard the proposal from any residual flood risk.
- 4.32 Officers are therefore satisfied that overall, there are presently no available, sequentially preferable sites within the Stoke Gifford District Centre which can provide the quantum of development being proposed on the application site, and therefore the sequential test is passed.

Transportation Issues

- 4.33 The site's location within the designated Stoke Gifford District Centre and adjacent to the Abbey Wood Shopping Park means that it is situated within a highly accessible location via a range of sustainable transport modes including by bus, bicycle and on foot. There are also two railway stations within 1.6km of the site, including Filton Abbey Wood (650m to the west) and Bristol Parkway (1.6km to the north). The site is also located adjacent to a designated Active Travel Route which runs along the eastern and southern boundaries, providing onward pedestrian and cycle access to a range of employment, leisure, transport and educational destinations.
- 4.34 A Transport Assessment and Framework Travel Plan have been submitted in support of the application. The Council's Transportation Officer has assessed these documents; his comments are summarised as follows:

Trip Generation

- 4.35 The Transport Assessment includes an estimate of the travel demand generated by the proposed developments. This is derived from the TRICS database and uses a sample based on data extracted from the Hotel and Fast Food Retail categories and represents the worst case scenario.
- 4.36 This analysis indicates that the busiest time in terms of trip generation will be the PM Peak period when approximately 90 movements could be associated with these uses. The applicants correctly state that some of these movements are already on the local highway network and will be diverted into the new uses, whilst others are wholly new trips. To account for these phenomena the applicants have applied a series of adjustments to their estimate of generated trips to reduce or 'discount' them. Together these adjustments reduce the predicted number of trips to the site by about a third.
- 4.37 As a result of these calculations the applicant estimates that the proposed development will generate about 45 additional trips at its busiest times. This equates to less than one new trip per minute. Officers concur with this calculation.

Traffic Assignment and Impact

- 4.38 Concerns have been expressed about the impact of these proposals on the busy local highway network, especially the adjoining Abbey Wood roundabout from which the site is to be accessed. The applicant has carried out an examination of the potential effects on this junction.
- 4.39 The applicants have carried out a comparative analysis, in which the movements at Abbey Wood Roundabout have been compared before and after the addition of the extra traffic arising from their proposals. Given that this development will add considerably less than one vehicle a minute to the flows at this junction, the results of the applicant's analysis suggests that at all times the traffic added at this junction equates to considerably less than 1% of the overall flow of any given movement. Consequently, they do not consider that this development will create any additional congestion issues at this junction or on the surrounding highway network. Officers broadly concur with this conclusion.



#### Car Parking Provision

- 4.40 The applicant's parking accumulation exercise indicates that the maximum demand arising from the hotel would be in the order of 85 spaces; the site itself is provided with approximately 50 car parking spaces. However, the extensive car parking associated with the adjacent retail park will also be available overnight. Hence, officers do not consider this is likely to be a problem.

#### Site Layout

- 4.41 Officers had previously requested that TRACK or other swept path analysis of the service yard be carried out to demonstrate that large goods vehicles can successfully turn around on site. This analysis has also been provided in the TA and indicates that although this manoeuvre is rather tightly constrained, it can successfully be accomplished. Hence, officers agree with the applicant's conclusion that this analysis adequately demonstrates that this manoeuvre is possible. However, some of the surface arrow markings shown on the original site layout were considered to be confusing; revised plans have been submitted accordingly and to officer satisfaction.

#### Travel Plan

- 4.42 Officers have reviewed the content of the Framework Travel Plan for this development and concluded that it is satisfactory. In the event of planning permission being granted, a condition would ensure that the development is occupied from the outset in accordance with the Travel Plan.

#### Cycle Parking

- 4.43 A range of covered and uncovered cycle parking provision would be provided throughout the scheme, including secure covered cycle parking provided for hotel staff, overnight guests and short term visitors, which would be provided to the rear and west of the hotel. Sheffield stands are to be located outside the entrance of the retail unit with good natural surveillance. The amount of cycle parking spaces on the site are to be delivered in accordance with the Council's requirements set out in Schedule A of the Policies, Sites and Places Plan.

#### Electric Charging Bays

- 4.44 In accordance with the Council's pre-application advice, four electric vehicle charging spaces would be provided within the development.

- 4.45 Having regard to all of the above, the cumulative impacts of the development on highway safety would not be 'severe' and as such there is no Transportation objection.

#### Scale and Design

- 4.46 The town centre summaries in Appendix 3 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan, identifies some of the challenges facing and aspirations for the town centre. Some of the key design objectives contained therein include: greater active frontages along Filton Road and Station Road to encourage connectivity, legibility and vitality, and breaking down the dominance of blank facades and surface car parking; vertical and horizontal mix of uses including higher density development; emphasis on high quality design and providing an urban development form with landmark

buildings; provision of high quality public realm, landscaping and new street trees. The key element of the town centre summary reads as follows –  
*“However, the undeveloped area east of the existing McDonalds is within the proposed town centre boundary of Stoke Gifford and would be suitable for a range of main town centre uses and form an edge of centre site for an element of A1 retail growth. Central to any development of this area would be enhancing this edge of centre location’s connections and connectivity across to the Primary Shopping Area.”*

Much of the northern urban fringe of Bristol has, over time, become ‘zoned’ into different and sometimes quite extensive areas of the same use. Much of this is exclusively car based and the traffic problems in this part of the city are well known. In terms of design, this has resulted in wide and strong linear barriers between development sites and a poor environment for pedestrians and cyclists. There is a current push within these areas by the planning authority to encourage a more urban style of living with higher density development enabling a greater mix of uses providing sustainable places for people to live and work.

- 4.47 Development proposals must respond to the challenges that the north fringe faces. There is currently a drive to promote ‘urban living’ styles of development in sustainable locations by optimising density and combining compatible land uses (such as residential, office accommodation, retail, and hotels). The application should demonstrate that a mixed use has been considered and justify why it is not being advanced.
- 4.48 At four-storeys, the scale of the hotel starts to set an appropriate built form which can inform more urban styles of development. That said, the space around the proposed Greggs unit and the existing McDonalds unit is overwhelmed by larger and more dominant structures and appears dominated by surface level car parking.
- 4.49 The application was the subject of pre-application advice. At that time officers advised that: *“...a greater design focus should be placed on the public realm. Definition to the development along Station Road is important in achieving high quality urban design. Overlooking of the retained open space must also be secured. Within the site, a greater emphasis is required in high quality landscaping to balance out the negative impacts of the current car orientated built form. The proposed development should first and foremost concentrate on creating good pedestrian and cycle links which are safe and desirable and which promote moving around different sites sustainably.”*
- 4.50 The application as initially submitted under this current application has to some extent taken on board the pre-application advice. The scheme has however, during the life of the application, been the subject of a good deal of negotiation between the applicants and the Council’s Landscape & Urban Design Officers, the result of which, the scheme has been refined and revised plans and D&A Statement submitted.
- 4.51 Within the South Gloucestershire Development Plan, Policies CS1 (High Quality Design) and CS2 (Green Infrastructure) are two policies concerning

- landscape, townscape and visual amenity. Of particular relevance to landscape and townscape, these policies include:
- Demonstrating that siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context.
  - Density and overall layout is well integrated with existing adjacent development and connected to the wider network of foot, cycle and public transport links.
- 4.52 In addition, Policy PSP31 sets out 'general assessment criteria' in respect to new development in town and district centres, including a requirement for the proposal to be in proportion to the role and function of the location and ensure shopfronts and signage are appropriate to the character of the host building and wider street scene.
- 4.53 With regard to the existing character of the area, the submitted Townscape and Visual Appraisal identifies that the site is located within an area of low sensitivity and low susceptibility to change: being situated in an area of large scale commercial and retail 'sheds' surrounded by car parking, managed landscape grounds and wide areas of highway infrastructure.
- 4.54 In accordance with Core Strategy Policies CS1 and CS2 and Policy PSP31 of the Policies Sites and Places Plan, the proposals would complement the wider land uses and built form in the area, notably the retail and restaurant uses at Abbey Wood Shopping Park to the west and the Stoke Gifford District Centre to the north east. The massing of the new buildings and associated parking and car park would therefore be typical of this area.
- 4.55 The new hotel would also visually complement the wide highways to the north and east, including the A4174 Bristol Ring Road, Great Stoke Way, the roundabout to the east and access roads to the Shopping Park and MoD campus to the south. The height of the building would provide visual enclosure to these roads as well as natural surveillance to the A4174 and the segregated Active Travel Route to the immediate east of the site.
- 4.56 In assessing the scheme as now proposed, the Council's Urban Design Officer has highlighted the clean and modern approach taken to the style of the hotel, including the tone range of the lighter metal cladding panels and the change of depth (and material) across part of the long elevations. That depth and material change add a sense of robustness, contrast and interest, but within a modern style. The way the lighter clad parapet feature encircles the whole form of the hotel is very positive and helps to add extra height and would obscure any plant on the roof. The parapet also helps to define and contrast with, the darker and heavier construction materials.
- 4.57 The height would be appropriate to the location and the applicant has left a potential access to enable future adjacent development. The proposed landscaping is positive, with planting proposed through and around the development. There is some variety in the type and application of public realm materials (to be agreed under condition), which would help to add visual interest to the scheme. There is a defined walkway north to south which

connects the access point to the hotel. The bike store is now positioned to the front of the hotel in a location which offers activity and overlooking from the hotel and car park. Green roofs are provided which should have real biodiversity benefits. Also, given the average to poor quality of other recent modern developments in the area, officers consider that this proposal is clearly designed to a better standard.

- 4.58 There are certain fixed constraints which have driven the design rationale, such as the site position itself, which is away from the side of the main road, which therefore means the hotel cannot define the main road directly. The off-site planting is another less than ideal solution, but again, one that would provide the necessary landscape quality.
- 4.59 Whilst not entirely policy compliant, on balance the scheme is not considered to be objectionable in terms of design quality.

#### Sustainability Issues

- 4.60 The NPPF places great emphasis on the delivery of sustainable development. As part of SGC's declaration of a Climate Emergency, the Council has stated that "addressing the Climate Emergency locally will involve increasing action to reduce greenhouse gas emissions from transport, housing, industry and land use and working with a wide range of stakeholders including residents, businesses, community and voluntary groups, health providers, landowners and strategic organisations".
- 4.61 Whilst this is not founded in planning policy, the declaration is a material consideration and as such, the planning application should be accompanied by a statement demonstrating how the proposal responds to its declaration of a climate emergency.
- 4.62 As part of the full planning submission, an Energy and Sustainability Report has been submitted to officer satisfaction. The report details the energy strategy and how it responds to the climate emergency.
- 4.63 In essence, the site lies in a highly sustainable Town Centre location with access to a number of sustainable transport links including the bus stops to the north along Station Road and two railway stations (Filton Abbey Wood and Bristol Parkway) within 1.6km of the site; furthermore all essential services can be accessed on foot within the immediate vicinity of the site. The site is well placed to take advantage of the existing Active Travel Route and cycle infrastructure.
- 4.64 Given the specific allocation for retail and main town centre uses, the application proposals represent the right uses in the right location and is consistent with what the Council is looking to promote for future development as part of the growth of the Stoke Gifford District Centre.
- 4.65 In terms of energy and reducing carbon emissions within building design, the proposal would incorporate BREEAM 'Very Good' building standards, in accordance with Policy CS1. The integration of durable materials into the buildings also assists in minimising environmental impacts.

- 4.66 In accordance with Policy CS3 (Renewable and Low Carbon Energy Generation), the proposal incorporates high standards of energy efficiency, comprising low/zero carbon technologies including a high efficiency air source heat pump and PV array.
- 4.67 Space heating and cooling would be provided by efficient air source heat pumps in the form of a Variable Refrigerant Flow (VRF) system. Domestic hot water would be provided by a highly efficient boiler and an on-site photovoltaic array which would be provided to further contribute to the energy demand.
- 4.68 Facilities would be provided to encourage sustainable transport modes such as cycle storage and changing facilities, as well as provision of electric vehicle (EV) charging points to reduce emissions and the impact on air quality as a result of travel to and from the site.
- 4.69 Officers are satisfied that the application proposals would deliver significant benefits within the three dimensions of sustainable development set out within Paragraph 7 of the NPPF. The planning application also responds positively to the Council's sustainability objectives contained within planning policy and the updated Climate Change Strategy. The application also supports the transition of the Abbey Wood Shopping Park and Stoke Gifford District Centre towards more sustainable uses by incorporating the use of renewable energy, sustainable technologies and associated infrastructure, in accordance with national planning policy.

#### Landscape & Tree Issues

- 4.70 In terms of landscape design, Policy PSP2 sets out that hard and soft landscape works will be required to be of a high standard of design, appropriate to the use and character of the development and its location, designed as an integral part of the development. Policy PSP31 requires that, within district centre locations, new development will be expected to demonstrate a positive contribution towards the public realm and non-car circulation.
- 4.71 The site comprises 0.4ha of amenity grassland with a linear group of semi-mature trees around its western and southern margins, underplanted by a wide bed of low shrubs. The site forms part of the green landscape corridor that extends along either side of the A4174, and also, visually links with the landscaped setting of MOD Abbey Wood.
- 4.72 The submitted arboricultural method statement states that, of the 27 individual trees and tree groups assessed, there were no trees of high quality and value (Category A); eight trees fall within Category B – of moderate quality; 17 trees are of low quality (Category C) and two items are categorised as 'U' and are unsuitable for retention.
- 4.73 The Design and Access Statement identifies two key views towards the site; the first from the A4174 across the NE part of the site, and the second from the edge of the MOD towards the SE site margin. The site is generally flat, averaging 57m AOD.

- 4.74 Following negotiations between the applicants and the Council's Landscape Architect, revised plans have been submitted which now overcome the officer's initial concerns. The design positives achieved include:
- Green roof on energy centre.
  - Introduction of feature paving and block delineation of parking ways to help define E-W and N-S permeability/desire routes across the site, and to break up the expanse of tarmacadam.
  - Additional tree planting along E-W route/vista.
  - Strengthening of planting in SW corner through appropriate inter-planting.
  - By providing sufficient space for an enhanced public realm character/place making/visual amenity, retention of an appropriately strong green landscape framework including retention of a green corridor along the route of the cycle/pedestrian link to the east.
  - Planting to soften views of the eastern elevation of the Hotel.
  - Removal of bike storage and access to the north of the hotel, freeing up space for hedge/shrub planting.
  - New trees on land to the east of the Cycle Route.
- 4.75 Across the site, the soft landscaping measures within the proposal include tree retention, new shrub planting and wildflower seeding in accordance with Policy PSP3. Whilst the proposal seeks the removal of some trees of moderate quality, replacement planting within the scheme includes the provision of more prominent trees including the planting of a series of trees along the eastern boundary and beyond: resulting in an enhancement to the local landscape.
- 4.76 The tree planting strategy serves multiple roles: including the contribution towards providing an attractive active frontage for pedestrians and cyclists and an overall enhancement to the public realm across the site, alongside a suitable 'rounding off' of the Abbey Wood Shopping Park.

#### Ecology Issues

- 4.77 The ecological surveys undertaken on the application site include a desk study, Extended Phase 1 survey and preliminary ground level assessment of trees for roosting bats and surveys for badger, otter and water vole. All surveys are provided within the submitted Ecological Appraisal.
- 4.78 The habitats on site are of low nature conservation value and only have the ability to support a small number of protected/notable species (foraging/commuting bats, breeding birds). The study recommends additional mitigation measures including avoidance and habitat retention measures; construction measures to reduce ecology impact and detailed design measures through the creation and enhancement of new and existing habitats.
- 4.79 Policy PSP19: 'Wider Biodiversity' within the adopted Local Plan states: "Where appropriate, biodiversity gain will be sought from development proposals.....This will include sites of low nature conservation interest where new semi-natural habitat (green infrastructure) would provide opportunities and gains for local wildlife."

- 4.80 Following negotiation and the submission of revised landscape plans, the Council's Ecologist is now satisfied that appropriate mitigation is now in place and in line with planning policy and biodiversity enhancements have been sought to enable biodiversity gain.
- 4.81 Subject to conditions to secure the mitigation measures outlined, bat and bird boxes and a lighting strategy, there are no Ecological objections.

#### Environmental Issues

- 4.82 The site does not lie within a Coal Referral Area and neither is it prone to excessive levels of noise and dust. Whilst lying in Flood Zone 2 the development would not be at high risk of flooding. Some disturbance during the construction phase is inevitable but this would be on a short term basis only; an appropriate condition to control the hours of working can be imposed, furthermore a condition to secure a CEMP (Construction Environment Management Plan) has been recommended by the Transportation Officer.

#### Impact on Residential Amenity

- 4.83 The site lies within a Town Centre location and the proposed uses are Town Centre uses. The site itself is set well back from the main road, perhaps due to the sloping ground to the north of the site. This has the effect of separating the frontage of the larger northern block from Station Road and the nearest residential properties beyond. The northern elevation would be more than 30m from the edge of the pavement alongside Station Road. A row of young trees already grow along the northern edge of the green space adjacent to Station Rd and these help to screen the site from the residential properties. There would be no significant adverse impact on residential amenity in terms of overbearing impact, overshadowing or loss of privacy.

#### Consideration of likely impact on Equalities

- 4.84 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.

#### Community Infrastructure Levy (CIL)

- 4.85 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 be liable to CIL charging.

### Planning Balance

- 4.86 The proposal is considered to accord with the Council's adopted development plan in that the site is allocated for development. The proposed units are appropriate Town Centre uses within both the Retail Park and Town Centre. Although in Flood Zone 2, having regard to the sequential test, officers are satisfied that there are no reasonably available sites elsewhere across the District Centre.
- 4.87 The NPPF places great emphasis on the delivery of sustainable development and there are a number of reasons why the application proposals are considered to be demonstrably sustainable. The benefits of the scheme – set out below – significantly and demonstrably outweigh any harm that might result from the proposals.
- Delivery of retail and hotel uses which, as town centre uses, are entirely consistent with the policy aspirations for the District Centre;
  - Provision of uses to both the district centre and Abbey Wood Shopping Park which contribute towards the delivery of a diverse commercial offer providing for the needs of the local population;
  - Development within a highly sustainable location, which is accessible via sustainable transport modes including by bus, railway, bicycle and on foot;
  - In terms of energy and reducing carbon emissions within building design, the proposal will incorporate BREEAM 'Very Good' building standards, in accordance with Policy CS1;
  - In accordance with Policy CS3 (Renewable and Low Carbon Energy Generation), the proposal incorporates high standards of energy efficiency, comprising low/zero carbon technologies including a high efficiency air source heat pump and PV array;
  - Space heating and cooling will be provided by efficient air source heat pumps in the form of a Variable Refrigerant Flow (VRF) system. Hot water will be provided by a highly efficient boiler and an on-site photovoltaic array;
  - Facilities will be provided to encourage sustainable transport modes such as cycle storage and changing facilities, as well as provision of electric vehicle (EV) charging points to reduce emissions and the impact on air quality as a result of travel to and from the site;
  - Sustainable accessibility to a range of commercial and institutional uses in the Stoke Gifford District Centre, including the Ministry of Defence, UWE, Bristol Business Park and two retail parks;
  - In view of the wider growth of the Bristol North Fringe and in light of the forthcoming proposal for a new arena at the Brabazon Hangars (comprising the third largest arena in the country), the hotel will contribute towards fulfilling the economic demands created by this proposal;
  - Generation of approximately £500,000 of GVA per annum; plus £135,000 of business rates income per annum; and a discounted public sector income of £2 million over 20 years. The application will create 20 net construction jobs and a further 25 full-time equivalent (FTE) jobs during operation;



- Significant enhancements to the local landscape and the public realm through high quality materials, tree and shrub planting and prioritising the movements of pedestrians and cyclists;
- Safe and legible pedestrian links and a connectivity strategy to enable pedestrian and cycle connectivity to the services and facilities in the wider area;
- Landscape improvements and tree planting in the east, resulting in suitable 'rounding off' of the Abbey Wood Shopping Park;
- Flood risk mitigation measures including SUDs and an increase in the finished floor levels;
- Ecological improvements include the provision of new habitats, enhancement of existing habitats and erection of bird and bat boxes to improve breeding/roosting opportunities.

4.88 The above benefits demonstrate why the proposal represents 'sustainable development' in accordance with the economic, social and environmental objectives set out at paragraph 8 of the NPPF and SGC's adopted Development Plan Policies. Officers conclude that the scheme represents sustainable development that should be approved without delay.

## **5. CONCLUSION**

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

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

## **6. RECOMMENDATION**

6.1 That planning permission be GRANTED subject to the conditions listed below:

### **CONDITIONS**

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

Reason

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

2. The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan Drawing No. 152435-STL-X-X-DR-A-PL\_00.01 Rev PL07 received 07th Oct. 2020

Existing Site Plan (250) Drawing No. 152435-STL-X-X-DR-A-X-PL\_00.02 Rev PL03 received 15th May 2020  
Greggs Elevations Drawing No. 152435-STL-X-X-DR-A-X-PL\_02.51 Rev PL03 received 15th May 2020  
Hotel Sections Drawing No. 152435-STL-X-X-DR-A-X-PL\_03.01 Rev PL09 received 12th Oct. 2020  
Greggs Sections Drawing No. 152435-STL-X-X-DR-A-X-PL\_03.51 received 15th May 2020  
Site Section Drawing No. 152435-STL-X-X-DR-A-X-PL\_03.71 Rev PL09 received 12th Oct. 2020

Hotel Typical Strip Facade Detail Drawing No. 152435-STL-X-X-DR-A-X-PL\_04.01 Rev PL09 received 12th Oct. 2020  
Greggs Typical Strip Facade Detail Drawing No. 152435-STL-X-X-DR-A-X-PL\_04.51 Rev PL09 received 12th Oct. 2020  
GIA Hotel Drawing No. 152435-STL-X-X-DR-A-X-PL\_07.01 Rev PL03 received 15th May 2020  
GEA Hotel Drawing No. 152435-STL-X-X-DR-A-X-PL\_07.02 Rev PL03 received 15th May 2020  
GIA Greggs Drawing No. 152435-STL-X-X-DR-A-X-PL\_07.51 Rev PL03 received 15th May 2020  
GEA Greggs Drawing No. 152435-STL-X-X-DR-A-X-PL\_07.52 Rev PL03 received 15th May 2020

Topographical and Utilities Survey Drawing No. 21462-200-01 Rev B received 15th May 2020  
3D Views of Guest Room Types Drawing No. 152435-STL-X-X-DR-A-X-PL\_06.02 Rev PL09 received 12th Oct. 2020

Hotel - Ground Floor Arrangement and Section Drawing No. 152435-STL-X-X-DR-A-X-PL\_01.01 Rev PL09 received 12th Oct. 2020  
Hotel- Typical Floors Drawing No. 152435-STL-X-X-DR-A-X-PL\_01.02 Rev PL04 received 21st May 2020  
Bin Store, Energy Centre and Substation Drawing No. 152435-STL-X-X-DR-A-X-PL\_01.20 Rev PL09 received 12th Oct. 2020  
Hotel - Proposed North and East Elevations Drawing No. 152435-STL-X-X-DR-A-X-PL\_02.01 Rev PL09 received 12th Oct. 2020  
Hotel - Proposed South and West Elevations Drawing No. 152435-STL-X-X-DR-A-X-PL\_02.02 Rev PL09 received 12th Oct. 2020  
Hotel Roof Plan Drawing No. 152435-STL-X-X-DR-A-X-PL\_01.03 Rev PL04 received 21st May 2020  
Greggs Plans Drawing No. 152435-STL-X-X-DR-A-X-PL\_01.51 Rev PL09 received 12th Oct. 2020  
Greggs Plans Drawing No. 152435-STL-X-X-DR-A-PL\_01.52 Rev PL09 received 12th Oct. 2020

3D Views Hotel Drawing No. 152435-STL-X-X-DR-A-PL\_06.01 Rev PL09 received 12th Oct. 2020  
3D Views Drive Through Drawing No. 152435-STL-X-X-DR-A-PL\_06.51 Rev PL09 received 12th Oct. 2020

Proposed Site Plan Drawing No. 152435-STL-X-X-DR-A-PL\_00.03 Rev PL09 received 12th Oct. 2020

Greggs Plans Drawing No. 152435-STL-X-X-DR-A-PL\_01.51 Rev PL05 received 8th June 2020

Tree Pit in Hard Surface Drawing No. 152435-STL-XX-XX-DR-L-09405 Rev PL07 received 07th Sept. 2020

Access and Communications Strategy Drawing No. 152435-STL-XX-XX-DR-L-09010 Rev PL09 received 09th Oct. 2020

Tree Protection, Retention and Removal Drawing No. 152435-STL-XX-XX-DR-L-09101 Rev PL07 received 07th Sept. 2020

Excavation and Filling Plan Drawing No. 152435-STL-XX-XX-DR-L-09120 Rev PL09 received 09th Oct. 2020

Soft Landscape Plan Drawing No. 152435-STL-XX-XX-DR-L-09140 Rev PL09 received 09th Oct. 2020

Tree Pit in Soft Landscape Detail Drawing No. 152435-STL-XX-XX-DR-L-09401 Rev PL07 received 07th Sept. 2020

Steps and Retaining Wall Detail Drawing No. 152435-STL-XX-XX-DR-L-09402 Rev PL07 received 07th Sept. 2020

Paving Details Drawing No. 152435-STL-XX-XX-DR-L-09403 Rev PL07 received 07th Sept. 2020

Cycle Stand Details Drawing No. 152435-STL-XX-XX-DR-L-09404 Rev PL07 received 07th Sept. 2020

Landscape Material Sheet Drawing No. 152435-STL-XX-00-DR-L-SP001 Rev PL07 received 10th Sept. 2020

Hard Landscape Plan Drawing No. 152435-STL-XX-XX-DR-L-09160 Rev PL09 received 09th Oct. 2020

Landscape General Arrangement Plan Drawing No. 152435-STL-XX-XX-DR-L-09001 Rev PL09 received 09th Oct. 2020

Informative Offsite Soft Landscape Plan Drawing No. 152435-STL-XX-XX-DR-L-09141 Rev PL09 received 09th Oct. 2020

#### Reason

For the avoidance of doubt.

3. The hours of working on site during the period of 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

4. No development shall commence until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions

are satisfactory), for flood prevention; pollution control and environmental protection have been submitted to and approved in writing by the Local Planning Authority. A detailed development layout showing surface water and SUDS proposals is required as part of this submission.

#### Reason

To comply with Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 ; Policy CS1 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 ; and National Planning Policy Framework Feb 2019. This is a pre-commencement condition to ensure that the site can be adequately drained.

5. A full Construction Management Plan shall be submitted to and approved in writing by the Council before work commences. Thereafter the development shall be carried out in accordance with the approved plan. The construction management plan must cover the following highways and transportation matters:
- In the interests of highway safety, it must contain full details of the regime to be implemented to access the site during construction particularly for large construction related vehicles. This must be submitted to and approved in writing by South Gloucestershire Council before the access is brought into use and construction commences.
  - These details must also include, not only the intended access route, but also the proposed construction period, its hours of operation, the number of vehicles (delivery and workers transport) associated with this process, the measures to be implemented to ensure that mud is not carried onto the adjoining road network, provision for on-site worker parking and any other information which will help ensure road safety is maintained for all users.
  - Moreover, if access by large indivisible units is required, this should include computer track plotting to ensure that this is possible.
  - The submitted Construction Traffic Management Plan must be implemented and adhered to throughout the construction phase of the development.
  - No development shall commence until a highway condition survey (including photographs) of the adjoining road network (area to be agreed) is submitted to and approved in writing by South Gloucestershire Council.
  - Pursuant with Section 59 of the 1980 Highway Act, South Gloucestershire Council will wish to recover the cost of any damage caused to the highway by construction traffic. To this end, on completion of the site's construction work, a second highway condition survey shall be submitted to and approved in writing by the Council. This will enable the extent of any repairs will be assessed at a meeting with the Developer on completion of the construction work.

#### 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.

6. Prior to the first use of the development for the purposes hereby approved, the car parking facilities (including ducting for electrical vehicle charging points) cycle parking, service areas and vehicle 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 vehicles using the site and to 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.

7. Prior to the first occupation of the buildings for the purposes hereby approved, a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority so that it can be implemented immediately this takes place. The Travel Plan must be based upon the framework Travel Plan submitted in support of the planning application.

Reason

To encourage non car modes of transport and in the interest of highway safety and the amenity of the area, and to accord with Policy PSP11 of the The South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) 8th Nov. 2017 and Policies CS7 and CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013 and the requirements of the NPPF Feb. 2019.

8. The development shall proceed in accordance with the recommendations made in Section 4 of the Ecological Appraisal by The Environmental Dimension Partnership Ltd (May, 2020). This refers to the need for a wildlife sensitive lighting scheme, avoiding disturbance/ harm to nesting birds and badgers, habitat creation/enhancement to increase foraging opportunities for birds and bats (ref Landscape General Arrangement Plan 152435-STL-XX-XX-DR-L-09001 Rev PL09 received 09th Oct. 2020 and Informative Offsite Soft Landscape Plan 152435-STL-XX-XX-DR-L-09141 Rev PL09 received 09th Oct. 2020) and providing new roosting and nesting opportunities for bats and birds.

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.

9. Prior to the first occupation of the development hereby approved, a "wildlife sensitive lighting scheme" for the boundary vegetation, new offsite native planting and new bat roosting opportunities shall be submitted to and approved in writing by the local planning authority. The Scheme should show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications). Prior to the first occupation of the buildings hereby approved, 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

Reason

To ensure there isn't excessive light spill onto adjacent habitats; 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.

10. Prior to the first occupation of the development hereby approved, a plan showing the location of two swift nesting boxes, one 1B Schwegler Nest Box and two bat tubes or boxes, shall be submitted to the local planning authority for approval in writing. Once this plan has been agreed, photographic evidence of their installation shall be submitted to the local planning authority for approval in writing

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.

11. Prior to the commencement of above ground works for the development hereby approved, a commissioning plan for a unique site specific integrated scheme of Public Art (including but not limited to artist/s brief/s, longlist of artists, timescales and budget) to be implemented within the development site, shall be submitted to the Local Planning Authority for approval in writing. For the avoidance of doubt, the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note. Thereafter, detailed designs by the commissioned artist shall be agreed in writing prior to installation and the Artwork shall be installed in accordance with the details and timescales so agreed.

Reason:

To protect the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policy Policy CS23 - Community Infrastructure and Cultural Activity and Policy CS1 - High Quality Design Point 7 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013).

Such plans to be produced prior to commencement to ensure that public art is considered at the outset of design to develop a scheme which is fully integrated into the site.

12. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) ref 14389-HYD-XX-XX-RP-FR-0001 dated 7 May 2020 and the following mitigation measures it details:
- Section 5.2.1 of the FRA - Finished floor levels shall be set no lower than 56.75 metres above Ordnance Datum (AOD)
  - The model demonstrates the development site is outside the need for fluvial flood storage compensation
  - A comprehensive surface water mitigation proposal has been submitted to the LPA.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing and phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

In addition, the applicant should ensure that any sensitive infrastructure such as gas and water pipes or electrical cabling are located and designed to withstand the potential impacts of floating or displaced vehicles.

#### Reason

To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding by ensuring the satisfactory storage of/ disposal of surface water from the site. To comply with Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 ; Policy CS1 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 ; and National Planning Policy Framework Feb 2019.

13. Prior to the commencement of the development hereby approved, a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, shall be submitted to, and approved in writing by, the LPA. This strategy will include the following components:
1. A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those offsite.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the LPA. The scheme shall be implemented as approved.

#### Reason

To prevent pollution of the water environment. To comply with Policies PSP20 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 ; Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 ; and National Planning Policy Framework Feb 2019. This is a prior to commencement condition to ensure that the

entire development is covered by a remediation strategy should contamination of the site be found or occur.

14. If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

Reason

To prevent pollution of the water environment. To comply with Policies PSP20 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 ; Policies CS1 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 ; and National Planning Policy Framework Feb 2019.

15. Prior to the commencement of the development hereby approved, a scheme for prevention of pollution during the construction phase shall be submitted to and approved in writing by, the Local Planning Authority. The scheme should include details of the following:
1. Site security.
  2. Fuel oil storage, bunding, delivery and use.
  3. How both minor and major spillage will be dealt with.
  4. Containment of silt/soil contaminated run-off.
  5. Disposal of contaminated drainage, including water pumped from excavations.
  6. Site induction for workforce highlighting pollution prevention and awareness.
- Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

Reason

To prevent pollution of the water environment. To comply with Policies PSP20 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 ; Policies CS1 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 ; and National Planning Policy Framework Feb 2019. This is a prior to commencement condition to ensure that the scheme covers the entire period of construction.

16. Prior to the commencement of the development hereby approved, a revised energy statement shall be submitted to and approved in writing by the local planning authority. The revised energy statement shall set out the final energy strategy for all elements of the scheme including (but not limited to) the reduction in emissions of carbon dioxide to be achieved, details of the provision of domestic hot water in the Travelodge; the number, location and specification of electric vehicle charge points. The scheme shall be constructed in accordance with the final energy statement.

Reason

To reduce energy demand and emissions of carbon dioxide in accordance with Policy CS8 of the South Gloucestershire Local Plan : Core Strategy (Adopted) Dec. 2013 and Policy PSP6 of the South Gloucestershire Local Plan : Policies, Sites and Places



Plan (Adopted) Nov. 2017. This is a prior to commencement condition to ensure that the Energy Statement covers all aspects of the development.

17. Within three months of the first occupation of the development hereby approved, a copy of the BREEAM certificate showing the overall rating achieved under the BREEAM certification scheme shall be provided. Details shall also be provided of the credits awarded, and measures implemented for the following BREEAM credits:
- \* Tra 02
  - \* Hea 04 and,
  - \* Pol 01

Reason

To ensure delivery of a high quality, low environmental impact scheme in accordance with Policy CS8 of the South Gloucestershire Local Plan : Core Strategy (Adopted) Dec. 2013 and Policy PSP6 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017.

18. Prior to the first occupation of the development hereby approved, the following information shall be provided:
- o Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.
  - o A calculation showing the projected annual yield of the installed system, and the contribution it will make to the annual reduction in residual CO2 emissions.

Reason

To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions in accordance with Policy CS8 of the South Gloucestershire Local Plan : Core Strategy (Adopted) Dec. 2013 and Policy PSP6 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 .

19. A) Intrusive Investigation/Remediation Strategy - The Hydrock Desk Study dated March 2020 has identified a potential for contamination which could pose unacceptable risks to the proposed development. Prior to the commencement of the development hereby approved, site investigations as recommended in Chapter 6 of the Hydrock Desk Study Report shall be carried out. 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.

B) Verification Strategy - Prior to first occupation, where works have been required to mitigate contaminants (under condition A) 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.

C) 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

To ensure that adequate measures have been taken to mitigate against possible ground contamination and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and Policy PSP21 of The South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) 8th Nov. 2017. This is required prior to commencement in the interest of public health.

20. Prior to the commencement of above ground development, details/samples of the public realm materials; 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/samples.

#### 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 (Feb) 2019.

21. The hard and soft landscape design shall be implemented in accordance with the following plans: Landscape General Arrangement Plan Drawing No.152435-STL-XX-XX-DR-L-09001 Rev PL09, Soft Landscape Plan Drawing No. 152435-STL-XX-XX-DR-L-09140 Rev PL09, Tree Pit in Hard Surface Drawing No. 152435-STL-XX-XX-DR-L-09405 Rev PL07, Tree Pit in Soft Landscape Detail Drawing No. 152435-STL-XX-XX-DR-L-09401 Rev PL07, Hard Landscape Plan Drawing No. 152435-STL-XX-XX-DR-L-09160 Rev PL09, Steps and Retaining Wall Detail Drawing No. 152435-STL-XX-XX-DR-L-09402 Rev PL07, Paving Details Drawing No. 152435-STL-XX-XX-DR-L-09403 Rev PL07, Cycle Stand Details Drawing No. 152435-STL-XX-XX-DR-L-09404 Rev PL07, Landscape Material Sheet Drawing No. 152435-STL-XX-00-DR-L-SP001, Access and Communication Strategy 152435-STL-XX-XX-DR-L-09010 Rev PL09 Access and Communication Strategy, and Excavation and Filling Plan 152435-STL-XX-XX-DR-L-09120 Rev PL09.

#### Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP2 of The South Gloucestershire Local Plan : Policies, Sites and

Places Plan (Adopted) Nov. 2017 and the National Planning Policy Framework (Feb) 2019.

22. In accordance with Landscape General Arrangement Plan Drawing No.152435-STL-XX-XX-DR-L-09001 Rev PL09 and Informative Off-site Soft Landscape Plan 152435-STL-XX-XX-DR-L-09141 Rev PL09, details off-site tree and hedge planting lying to the east of the cycle path in the area outlined in blue on the Location Plan Drawing No. 52435-STL-X-X-DR-A-PL-00.01 Rev PL07, shall be submitted to and approved in writing by, the Local Planning Authority; the details should specify species, stock size, planting centres and quantities of all proposed planting. This off-site tree and hedge planting should be undertaken in the first horticultural planting season after completion of the hotel construction works.

**Reason**

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP2 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and the National Planning Policy Framework (Feb) 2019.

23. A landscape and ecological management plan (LEMP) covering the enabling works operations/construction period and a subsequent 20 year management period shall be submitted to and approved in writing by, the Local Planning Authority; the LEMP should identify all existing and proposed landscape and ecology related site assets, associated management objectives, schedules of annual maintenance works together with longer term management operations.

**Reason**

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP2 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and the National Planning Policy Framework Feb) 2019.

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

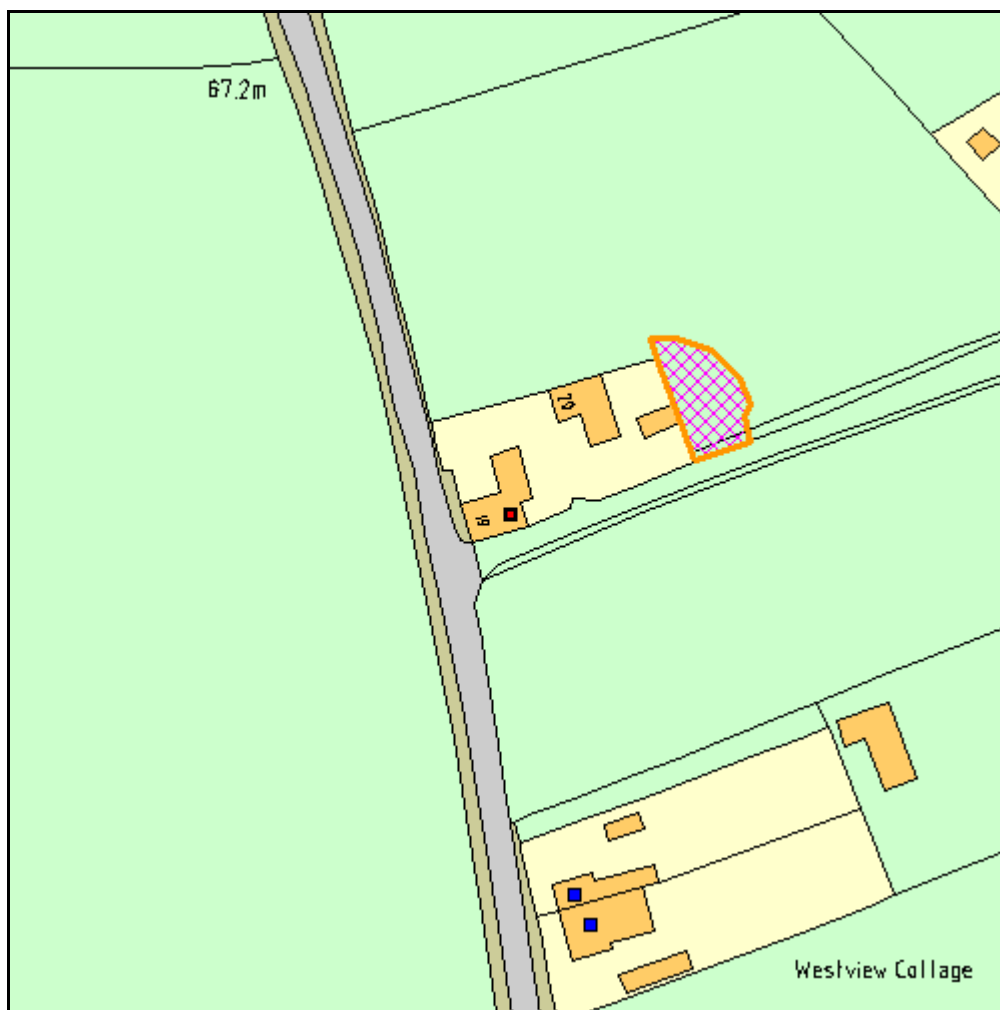
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways:

By providing pre-application advice and negotiating revisions to the scheme in order to overcome officer concerns.

**Case Officer: Roger Hemming  
Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 42/20 -16th October 2020**

|                              |  |                     |                           |
|------------------------------|--|---------------------|---------------------------|
| <b>App No.:</b>              | P20/10659/F  | <b>Applicant:</b>   | Mr Andrew Bateman         |
| <b>Site:</b>                 | 19 Engine Common Lane Yate South Gloucestershire BS37 7PX    | <b>Date Reg:</b>    | 2nd July 2020             |
| <b>Proposal:</b>             | Erection of dog kennels (Sui Generis) with associated works. | <b>Parish:</b>      | Iron Acton Parish Council |
| <b>Map Ref:</b>              | 370138 184763  | <b>Ward:</b>        | Frampton Cotterell        |
| <b>Application Category:</b> | Minor  | <b>Target Date:</b> | 25th August 2020          |



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P20/10659/F

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

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The application is for the erection of dog kennels (Sui Generis) with associated works.
- 1.2 The application site is off Engine Common Lane, Yate. The site is outside of the settlement boundary. The site is located on the side of the residential lane, from where access to the site can be gained. The land of which the application site forms a relatively small part benefits from previous consent for change of use from agriculture to the keeping of horses (see history section below).

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS4a Presumption in Favour of Sustainable Development  
CS34 Rural Areas

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017  
PSP8 Residential Amenity  
PSP28 Rural Economy

- 2.3 Supplementary Planning Guidance  
South Glos. Green Belt SPD

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

- 3.1 PK08/1937/F - Change of use of land from agricultural to land for the keeping of horses. Construction of horse riding surface and temporary access from Engine Common Lane. Approved 8/9/2008

### **4. CONSULTATION RESPONSES**

- 4.1 Iron Acton Parish Council

Object - On the basis that this could be run as a business, concerns over H&S and noise issues

#### 4.2 Other Consultees

##### Sustainable Transportation

It was felt that further information was required in the following areas

- 1) The numbers of dogs to be kept on site at any given time?
- 2) Details and location of any off street parking on site.
- 3) Information about the site access and visibility splays from this onto the public highway.

Additional information was subsequently received, illustrating parking and access. The application would be for a maximum of 4 dogs.

This was reconsulted and the information is considered acceptable. There are no highways objections to the proposals.

##### Environmental Protection

It is recommended that the applicant provides an acoustic report detailing how noise from barking dogs will affect the local neighbouring residential premises

##### Lead Local Flood Authority

No objection

#### **Other Representations**

##### 4.3 Local Residents

No comments received

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

#### 5.1 Principle of Development

Policy CS4a states a presumption in favour of sustainable development whereby the Council will take a positive approach. It will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible. PSP28 (Rural Economy), states that sustainable new development which promotes a strong rural economy will be acceptable in rural areas. Proposals for business development outside the defined urban areas will be acceptable where the proposed building is reasonably necessary and designed for the proposed use, there are no suitable existing buildings, the proposals relate well to existing buildings and makes efficient use of land, and the scale is consistent with its function, use and rural location. The principle of the proposal is considered acceptable, subject to detailed development control considerations, in particular local amenity, highways and design.

#### 5.2 Local Amenity

The comments above are noted. The properties here are relatively isolated and spaced out. The proposals themselves as submitted would be smallscale, with a maximum of 4 dogs. It is proposed that the kennels would be of thermally

insulated construction, which would help mitigate potential sound. This can be conditioned as can the number of units/dogs. It is considered that, given the scale and location of the proposals this would be satisfactory mitigation, in this instance. The day to day running of the kennels themselves, health and safety and animal welfare will be subject to the appropriate legislative licenses and required insurances. The change of use is proposed as submitted, subject to satisfactory assessment, the running of the site as a small business would not in its own right be contrary to planning policy or a reason for refusal.

### 5.3 Design/Visual Amenity

The kennel proposals would be relatively small scale. They would also replace an existing shed building on gravel surface, and would be on an existing developed site, permitted for horse related use. It is not considered that the proposals would give rise to any additional visual amenity issues.

### 5.4 Highways/Transportation

The proposals would not be a significant trip generator in terms of vehicles on the local highway network. It is considered that existing access and parking availability is acceptable to serve the proposals and there are no highways objections to the proposals.

### 5.5 Consideration of likely impact on Equalities

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

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

## 6. CONCLUSION

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

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

## **7. RECOMMENDATION**

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

### **CONDITIONS**

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

Reason

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

2. A maximum of 4 dogs will be kept on the site at any time.

Reason:

In the interests of local amenity and in accordance with Policy PS8 of the South Gloucester Local Plan: Policies Sites and Places Plan (adopted) November 2017.

3. The kennels hereby approved, shall at all times be of thermal insulated construction.

Reason:

In the interests of local amenity and in accordance with Policy PS8 of the South Gloucester Local Plan: Policies Sites and Places Plan (adopted) November 2017.

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

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

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

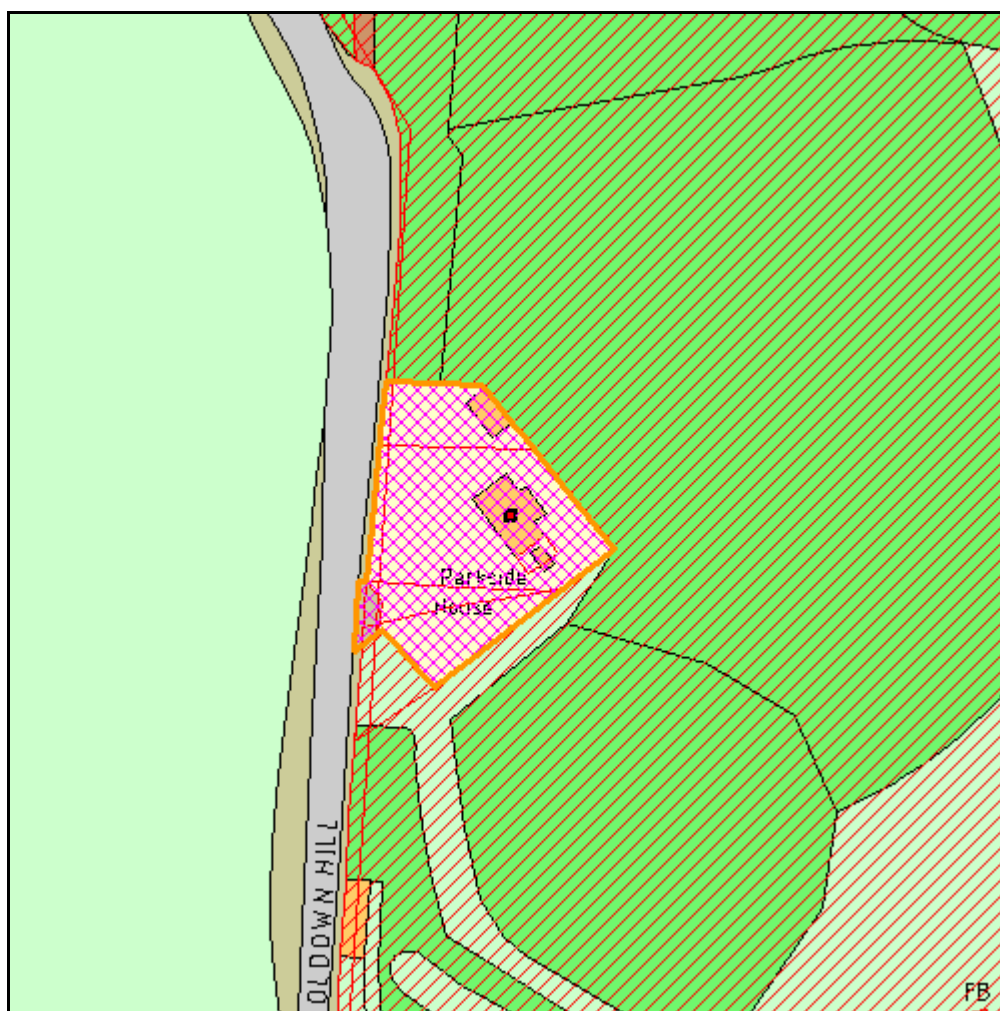
**Case Officer: Simon Ford**

**Authorising Officer: David Stockdale**



**CIRCULATED SCHEDULE NO. 42/20 -16th October 2020**

|                                  |  |                         |                            |
|----------------------------------|--|-------------------------|----------------------------|
| <b>App No.:</b>                  | P20/12627/F  | <b>Applicant:</b>       | Mr and Mrs<br>Grocott      |
| <b>Site:</b>                     | Parkside House Old Down Hill<br>Tockington South Gloucestershire<br>BS32 4PA   | <b>Date Reg:</b>        | 13th August 2020           |
| <b>Proposal:</b>                 | Erection of a first floor side extension<br>and two storey front extension to form<br>porch and additional living<br>accommodation (resubmission of<br>P19/17101/F). | <b>Parish:</b>          | Olveston Parish<br>Council |
| <b>Map Ref:</b>                  | 361025 186760  | <b>Ward:</b>            | Severn Vale                |
| <b>Application<br/>Category:</b> | Householder  | <b>Target<br/>Date:</b> | 6th October 2020           |



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

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

The application appears on circulated schedule because in excess of 3no. comments in support of the application have been received, whereas the findings of this report are to the contrary.

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

- 1.1 The application seeks full planning permission for the erection of a first floor side extension and two storey front extension. The application is a re-submission of P19/17101/F, of which was refused. This application is identical, however additional material has been provided to demonstrate that it should be approved.
- 1.2 The application site is a detached and previously extended dwelling located North but outside of the Tockington settlement boundary. The site is within the Bristol/Bath greenbelt and can be considered to be within the setting of Tockington Manor School and the Tockington conservation area.

#### **2. RELEVANT PLANNING HISTORY**

- 2.1 P19/17101/F – Refused 03/02/2020:  
Erection of a two storey front and a first floor side extension to form porch and additional living accommodation.

*The current application for which this report is based on is materially the same as this previously refused scheme.*

- 2.2 PT04/1236/F – Approved with conditions 18/05/2004:  
Erection of two storey front extension to form porch with bedroom over and two storey rear extension to form living room with bedroom over. Erection of single storey side and rear extension to form breakfast area, kitchen and garden room.
- 2.3 PT03/3663/F – Refused 05/02/2004:  
Erection of two storey side and rear extension to form shower room, breakfast area, kitchen, garden room and extended living room with 3 no. bedrooms over. (Resubmission of PT03/1375/F).
- 2.4 PT03/1375/F – Refused 16/06/2003:  
Erection of two storey side and rear extension to form shower room, breakfast area, kitchen, garden room and extended living room with 3 no. bedrooms and ensuite facilities over.
- 2.5 P99/2083 – Approved 07/02/2000:  
Erection of first floor and single storey extension together with conservatory

### 3. **CONSULTATION RESPONSES**

- 3.1 Olveston Parish Council  
No comment has been received
- 3.2 Sustainable Transport  
No objection
- 3.3 Archaeology Officer  
No comment
- 3.4 Conservation  
As previous: No objection subject to conditions
- 3.5 Ecology  
As previous: No objection subject to conditions
- 3.6 Lower Severn Drainage Board  
No comment has been received
- 3.4 Local Residents  
4no. comments in support have been received from local residents;
- Positive design which will enhance building and setting
  - Common sense for the proposal to be approved
  - Adds balance to visual appearance
  - Will enhance setting of grade II listed Tockington Manor School
  - Cannot see any potential harm to the greenbelt
  - In keeping with the area
  - Previous works have added to positive appearance of the house – latest application will complete this positive development
  - Would make sense to approve the application.

### 4. **ANALYSIS OF PROPOSAL**

- 4.1 The proposal seeks to erect a first floor side extension and a two storey front extension.
- 4.2 Principle Of Development  
PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site

and its context. The development is acceptable in principle, subject to the following detailed consideration.

#### 4.3 Greenbelt

The site is located in the Bristol/Bath greenbelt. Development within greenbelts is strictly controlled by both national policy and local plan policy, with a general presumption against (inappropriate) development. This is in order to preserve their fundamental aim, which is to *prevent urban sprawl by keeping land permanently open*, as set out in para. 133 of the NPPF, with the five key purposes of greenbelts being set out in para. 134. These are;

- a) To check the unrestricted sprawl of large built up areas;
- b) To prevent neighbouring towns merging in to 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 urban regeneration, by encouraging the recycling of derelict and other urban land.

4.4 Inappropriate development is by definition, harmful to the greenbelt and should be resisted, with the NPPF setting out that great weight should be given to any harm caused to the greenbelt. Accordingly, development that is inappropriate should be refused, unless there are 'very special circumstances' that can outweigh the harm identified. A case for very special circumstances has been put forward in this case, of which will be examined in more detail further on in this report.

4.5 There are limited categories of development that are considered appropriate in the greenbelt. These are set out in para. 145 of the NPPF, with one such exception being the *extension or alteration of a building provided that it is proportionate*. As an extension and alteration to an existing building, the development does fall in to one of the exception categories, subject to proportionality.

4.6 The key issue, therefore, is whether the proposal is proportionate. Whilst the NPPF does not define proportionality, local plan policy PSP7 sets out parameters that aim to determine what is and is not proportionate. PSP7 clearly sets out that additions in volume over and above the original volume of the original building (as it stood on 1<sup>st</sup> July 1948 or as it was built after) of up to 30% will be considered acceptable. Additions between 30% and 50% stand to be carefully assessed and additions over 50% will be likely to be considered unacceptable by way of not being proportionate. Additions should not be considered in isolation, with any additions and alterations beyond original being counted towards this allowance.

4.7 A previous scheme refused in 2004 (PT03/3663/F) which displayed similar characteristics was refused on the basis that it would be inappropriate in the greenbelt by virtue of its volume increase (c. 80% over and above original). The greenbelt refusal set out in the officer report at the time also identified a visual element to this disproportionality too. A subsequent scheme that was smaller (PT04/1236/F) was submitted and approved, which was broadly similar to a scheme approved in 2000 (P99/2083), albeit this would suggest that the P99

scheme was not built out. The approved PT04 scheme was built out, save for the two storey front extension, which the LPA accepts could be added at any time as the permission is extant.

- 4.8 The most recent refused scheme (P19/17101/F) was in fact the same as what is currently proposed, and was refused on the basis that it would be inappropriate in the greenbelt and as identified, was similar to the previously refused 2004 scheme. The officer report then did not set out any volumetric detail, and it appears none was provided with the application.
- 4.9 Volumetric detail has been provided this time, of which outlines that the existing extensions that have been built out add 338 cu m to the original 556 cu m. This is already a 60% increase and does not appear to take in to account the not implemented front extension, or so it appears from the volume drawings. What is proposed with this application would add a further 264 cu m. This would result in a total increase in volume of 602 cu m, which is a 108% total increase over and above original. PSP7 is very clear that 50% is the threshold for when additions become disproportionate. Given that this proposal would result in an increase of over 100% of the original volume, it can only be concluded that this proposal should be refused on the basis of being disproportionate and therefore, inappropriate in the greenbelt. It should be noted that the 2004 greenbelt refusal was based on a lesser 80% increase.
- 4.10 Very Special Circumstances  
A demonstration has been made outlining the case for very special circumstances in order to overcome the harm caused to the greenbelt by the disproportionality of the proposal. In effect, it is proposed that more built form could be added at the site under householder permitted development (PD) than if this permission is granted and the rights removed by condition. A demonstration has been put forward suggesting that an 8 metre deep rear ground extension (depth inclusive of existing extension), roof alterations (inc. a front and rear dormer), a single storey side extension and outbuildings could be implemented under PD.
- 4.11 Whilst accepted that some roof alterations could be made, a small side extension (single storey) added to the NW elevation and outbuildings could also be erected, The suggested 8 metre deep rear extension could not be added as it adjoins an existing two storey extension and would be subject to (ja) of Class A or Part 1 of the GPDO. Crucially, the available PD rights would not allow for any works similar to the proposed first floor extension. Alterations to the existing roof (subject to the 50 cu m volume restriction) would be less harmful than the proposed first floor extension in terms of openness, should they be implemented.
- 4.12 Given that the proposal is to ultimately add additional sleeping accommodation within the main dwelling, the erection of outbuildings to allow this would appear as far less desirable and so officers would question whether or not outbuildings would actually be implemented to provide the required additional accommodation. A small side extension, whilst officers accept would be PD, would also be unlikely to provide the required additional bedroom accommodation.

- 4.13 Whilst officers do not dispute that there is scope to add more built form under PD, there is no clear evidence that this would happen in terms of outbuildings, and works to the existing roof (subject to the limits of Class B) would not have the same effect on openness as the proposed first floor extension.
- 4.14 It is also noted that reference is made to the lack of public visibility of the proposal. Officers also do not dispute that there is limited visibility from the public realm and the extension would, for the most part be experienced from the private garden of the host dwelling and neighbouring land. However, inspectors have noted that this lack of visibility does not mean there will not be impacts on the openness, which is after all a principle issue. An example of this would be APP/J1915/W/17/3188031 (dismissed 22<sup>nd</sup> March 2018), in which the inspector noted;
- “The concept of openness is not related to visual appearance or the extent to which development can be seen but is an intrinsic quality which along with its permanence is an essential characteristic of the greenbelt”*
- 4.15 Following the above, it is found that by reason of its increase in volume that would amount to over 100% that of the volume of the original dwelling, the proposed extension would be considered disproportionate and therefore inappropriate in the greenbelt. This means the presumption against granting permission applies unless ‘very special circumstances’ exist to override the harm cause to the greenbelt. In this case, officers would consider the case for ‘very special circumstances’ based on permitted development would not, for the above reasoning, amount to ‘very special circumstances’ sufficient to outweigh the harm and as such, the development should be refused on the basis of being inappropriate development in the greenbelt.
- 4.16 Design and Visual Amenity  
The host dwelling has rough rendered elevations with brick detailing and the roof is clad with clay pantiles. The roof structure is hipped with some gabled elements and there is in places the use of timber cladding.
- 4.17 Starting with the first floor side extension, it is clear from the plans and supporting material that the rationale with the design approach is to ‘even out’ the rear (South West) elevation by creating a second gable. However, it is also clear that there would be some differentiation in terms of pitch, ridge height and eaves height, with the new gable having the same eaves as the original dwelling, which the existing extension does not. The first floor extension would also sit c.600mm back from the existing rear extension on the other side, by virtue of the proposed being within the footprint of the existing GF extension. Overall, whilst the attempt to ‘even out’ is evident, there are unresolved issues such as the differing eaves heights, different widths and roof pitches that result in the extension appearing somewhat discordant in comparison to the host dwelling.
- 4.18 Turning to the front extension, this would have a depth of c.1.7 metres and would essentially be an elongation of the existing front gabled projection, materially, this is markedly similar to that approved in PT04/1236/F, for which

this part of that permission was not built out. Given this and the fact it could still be built out, officers raise no objections to the front extension this time round.

- 4.19 The rear extension was noted to be somewhat bulky and concerns were raised with the design in the previous refusal, particularly within the open countryside setting. Whilst officers appreciate the rationale behind designing the extension as such, they would maintain the previous concerns with regards to design and accordingly, maintain that the proposed rear extension would be contrary to the provisions of CS1 and PSP38 by reason of its form, scale, massing and overall visual appearance.
- 4.20 Heritage  
The site falls within the setting of a grade II listed building (Tockington Manor School) and is near to, but outside of the Tockington Conservation Area. Whilst the proposed development if permitted would result in an increase in massing of the existing building, this change would be marginal in the context of the heritage assets and would not be detrimental to the setting or appreciation of the listed building. Accordingly, there are no objections from the conservation officer.
- 4.21 However, given its presence within this setting, it would be necessary to ensure that the external materials and finishes are acceptable within this setting, including large scale details of new windows and glazed screens, eaves, ridges and verges and reveals. Details of the roofing material would also be required to ensure the tiles assimilate successfully with the existing. Subject to this, officers would consider there to be no heritage grounds to resist the proposed development.
- 4.22 Residential Amenity  
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 4.23 The host dwelling is sited within a generous curtilage that has no immediate residential neighbours. Given the lack of neighbouring residences, officers consider the proposal to be acceptable in terms of residential amenity.
- 4.24 Parking Standards  
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off street parking can be provided to accommodate increase in demand.
- 4.25 As a 6 bed dwelling (if permission were granted), the site would be required under PSP16 to provide at least 3no. off street parking spaces in order to comply with PSP16. This level of parking already exists on site and would continue to do so if permission were granted. Accordingly, officers consider the proposal to be acceptable in terms of parking.

#### 4.26 Private Amenity Space

PSP43 requires 4+ bed dwellings to provide at least 70 sq m of private amenity space. This would be readily available in the event of the proposal being implemented. Accordingly, officers do not consider the proposal to be unacceptable in this regard.

### **Impact on Equalities**

4.27 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.

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

## **5. CONCLUSION**

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

5.2 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.

## **6. RECOMMENDATION**

6.1 It is recommended that permission is **REFUSED** for the following reason;

The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt as the extension is considered to be disproportionate. In addition, the applicant has not satisfactorily demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. Furthermore, the increase in volume and resultant mass, form, scale and proportions would negatively impact the overall character of the building and its visual appearance. The proposal is therefore contrary to the provisions of Policy CS1, CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy



(Adopted) December 2013; PSP38 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017; the advice set out in the adopted Development in the Green Belt SPD (2007); and the National Planning Policy Framework.

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt as the extension is considered to be disproportionate. In addition, the applicant has not satisfactorily demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. Furthermore, the increase in volume and resultant mass, form, scale and proportions would negatively impact the overall character of the building and its visual appearance. The proposal is therefore contrary to the provisions of Policy CS1, CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP38 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017; the advice set out in the adopted Development in the Green Belt SPD (2007); and the National Planning Policy Framework.

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

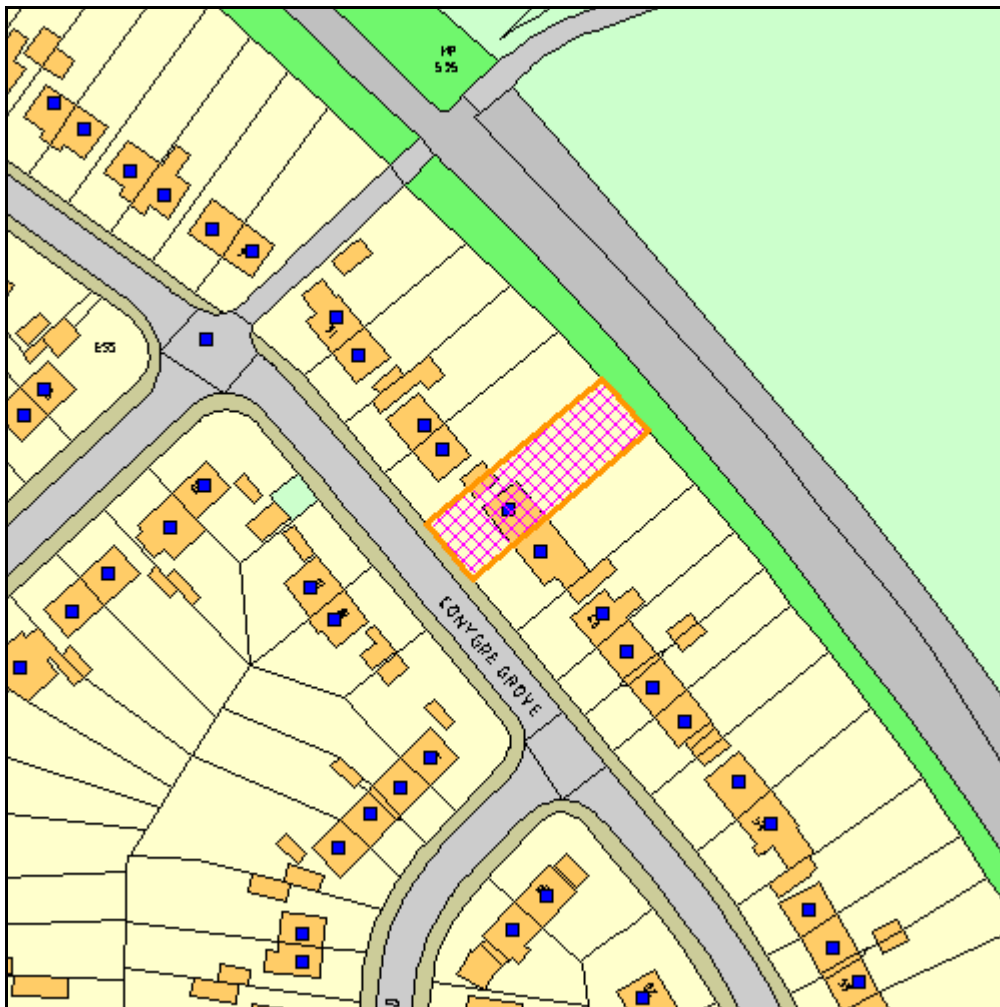
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways:

The applicant's agent was made aware of officer concerns and an opportunity provided to submit further detail to substantiate the case for very special circumstances. An extension of time has then been agreed to determine the application under the circulated schedule procedure, with clear reasons for refusal given.

**Case Officer: Alex Hemming**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 42/20 -16th October 2020**

|                              |  |                     |                     |
|------------------------------|--|---------------------|---------------------|
| <b>App No.:</b>              | P20/12669/F  | <b>Applicant:</b>   | Mr Steve Sutton     |
| <b>Site:</b>                 | 39 Conygre Grove Filton South<br>Gloucestershire BS34 7DN  | <b>Date Reg:</b>    | 14th August 2020    |
| <b>Proposal:</b>             | Erection of a two storey side extension to facilitate change of use from dwelling (Class C3) to 7 person, 7 bedroom HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). | <b>Parish:</b>      | Filton Town Council |
| <b>Map Ref:</b>              | 360949 179643  | <b>Ward:</b>        | Filton              |
| <b>Application Category:</b> | Minor  | <b>Target Date:</b> | 7th October 2020    |



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 100023410, 2008. N.T.S. P20/12669/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 a number of objections from local residents and a local councillor contrary to Officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the Erection of a two storey side extension to facilitate change of use from dwelling (Class C3) to 7 person, 7 bedroom HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application site relates to 39 Conygre Road, Filton.
- 1.3 An HMO (house in multiple occupation) is a residential property where 'common areas' exist and are shared by more than one household. Planning permission is **not** required when converting a residential property into an HMO that would be shared by up to 6 unrelated individuals.
- 1.4 During the course of the application additional plans were submitted to show the proposed parking, cycle storage and refuse arrangements for the property.
- 1.5 It has been confirmed that the property would **accommodate 7 persons**.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

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

|      |  |
|------|--|
| CS1  | High Quality Design                              |
| CS4A | Presumption in Favour of Sustainable Development |
| CS5  | Location of Development                          |
| CS8  | Improving Accessibility                          |
| CS9  | Managing the Environment and Heritage            |
| CS15 | Distribution of Housing                          |
| CS16 | Housing Density                                  |
| CS17 | Housing Diversity                                |
| CS25 | Communities of the North Fringe of Bristol       |
| CS29 | Communities of the East Fringe of Bristol        |

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

|      |                       |
|------|-----------------------|
| PSP1 | Local Distinctiveness |
|------|-----------------------|

|       |  |
|-------|--|
| PSP8  | Residential Amenity                            |
| PSP11 | Transport Impact Management                    |
| PSP16 | Parking Standards                              |
| PSP39 | Residential Conversions, Subdivision, and HMOs |
| PSP43 | Private Amenity Space Standards                |

- 2.3 Supplementary Planning Guidance  
 South Gloucestershire Design Checklist (Adopted) 2007)  
 South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013  
 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 None

### 4. **CONSULTATION RESPONSES**

- 4.1 Filton Town Council  
 No comment

#### **Internal Consultees**

- 4.2 Archaeology  
 No comment

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

- 4.3 Sustainable Transport  
 Cycle parking is required for all the bedrooms and an electric vehicle charging  
 point is required for the parking with a minimum rating of 7.2Kw32amp.

Revised plans are needed.

*Updated comments:*

*Revised plans show three parking spaces plus appropriate cycle and refuse  
 storage. These are acceptable and a condition to be attached to the decision  
 notice.*

#### **Other Representations**

- 4.4 Local Residents  
 8 comments of objection have been received. The points raised are  
 summarised as follows:

##### Drainage

Wessex Water have had to deal with blocked drains. Adding bathrooms to this  
 property will add to problem.

Parking

Only 3 allocated spaces for potentially 7 vehicles

Double yellow lines recently painted in the area for safety reasons have impacted on parking for residents

Existing parking arrangement inadequate

Highway safety

School in the area

Concern for recycling trucks and emergency vehicles

Safety implications for children playing in the street

Increase in rubbish

Will add to existing fox and rodent problem.

Where would bins go?

Noise

Will cause disruption and disturbance to local residents

Design

Two-storey side extension will alter the street scene and character of the neighbourhood

Proposed two-storey side extension would be very close to the boundary fence

Proximity of side extension to existing windows

Residential amenity

Impact on sunlight to my property due to the side extension and also the rear

Impact on views

Drawings show windows looking into gardens of both neighbours

Other matters

Work has already begun

Filton has enough HMOs

No HMOs on the quiet back streets of this area

Developers making a profit at the expense of local residents

Internal work has begun

Foundations have been dug and filled with concrete

A house for 7 is excessive

Burning of waste onsite has impacted on amenity and use of garden

Trying to move into the area but been outbid by developer demand

4.5 Councillor Wood

1) Insufficient parking provided

2) Increased traffic generation

3) Reduction in highway safety

4) Increased noise and disturbance resulting from use as an HMO

5) Unacceptable increase in building density

6) Existing extension not listed in plans.

## 5. ANALYSIS OF PROPOSAL

- 5.1 The applicant seeks full planning permission for the Erection of a two storey side extension to facilitate change of use from dwelling (Class C3) to 7 person, 7 bedroom HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 5.2 Principle of Development  
The application stands to be assessed against the above listed policies and all material considerations. Both local and national planning policy are supportive of development within existing settlement boundaries provided the resulting impact would not have a negative effect on residential amenity, transport or highway safety.
- 5.3 Change of use:  
Policy PSP39 deals with residential conversions, sub-divisions and houses in multiple occupation. Such development is acceptable provided it would not have a negative impact on the character and amenities of the area; and not prejudice the amenity of neighbours; and provide adequate amenity space; and refuse storage and servicing; and provide parking in accordance with the Council's parking standards.
- 5.4 Policy CS17 relates to Housing Diversity and states that the mix of housing should contribute to providing choice in tenure and type, having regard to the existing mix of dwellings in the locality and the character and relative accessibility of the location. Policy PSP39 also declares that the sub-division of existing dwellings and non-residential properties to form flats or HMOs can make a valuable contribution suitable for smaller households and single people. In addition it states that the conversion of existing buildings for flats, subdivision into two or more properties, will generally be welcome where parking is provided on site, in accordance with the standards set out in PSP16.
- 5.5 Permitted development  
The existing property benefits from permitted development rights. Officers understand that a single storey rear extension is proposed to the rear of the main dwellinghouse. Provided it follows the limits set out in the regulations, this can be erected under the current permitted development regulations and does not need to be shown on the submitted plans. The permitted development rights are separate from the application being assessed here. It is understood that a footings trench has been dug and filled with concrete. That work has now stopped, but could continue at any time. The rear extension is not dependent on the determination of the whether the change of use and the two-storey side extension is approved, refused or indeed goes ahead at some time in the future.
- 5.6 It is noted that comments received have stated damage has occurred during works on the site, in particular when a garage attached to its neighbour was removed. This planning application is not the forum for this discussion and must be between the relevant parties.
- 5.7 Policy PSP39 requirements:

5.8 Character of the area and design:

The proposal is for a two-storey side extension to facilitate the change of use into an HMO. Comments have been received regarding internal works but this is not a matter for a planning application. Planning permission is not required for internal alterations.

5.9 With regards to the external changes, the two storey side extension would retain the hipped roof pattern and the distinctive external appearance of the Cornish-roof styled properties present along this part of Conygre Grove. In this way the character of the area would be preserved. Plans would be conditioned to ensure this important design feature is retained and that materials would match.

5.10 Openings would be to the front and rear elevations with the single small landing window being obscurely glazed. Comments received have mentioned that two-storey side extensions are not typical of the area, and would result in unacceptable housing density. However, a very similar extension to the property directly opposite at No. 18 was approved in 2018. Providing such development respects its surroundings in terms of design, blending in with materials used then there can be no justification for a refusal.

5.11 Residential amenity:

The proposed change of use would be for up to 7 persons to use the property as an HMO. Adopted policy have no set standards with regards to the amount of residential amenity space that should be provided for HMOs. Using Policy PSP43 as a reference and appropriate comparison, this adopted policy states that a 1 bed flat should have 5 square metres of residential amenity space. By means of this calculation, 7 x 1 bed flats would require 35 square metres of amenity space. Given the size of the rear garden, even when taking into account an additional single storey extension, the remaining garden would be sufficient to serve the property.

5.12 Comments have expressed concern about the use of the garden area and general potential for noise from occupants. The property would be in residential use. A judgement cannot be made as to whether future occupants would be excessively noisy over and above what is expected in a domestic situation. However, any resulting excessive noise or disturbance should be referred to the correct authority, which would be the Police Authority.

5.13 Moving on to the comments received regarding loss of light and privacy. Officers have assessed the development and conclude that although there would be changes to the neighbours resulting from the proposed two-storey extension, it would not result in an adverse impact sufficient to warrant the refusal of the application. Windows are to be in the rear elevation and that on the side is to be obscure glazing. Any such refusal on these grounds could not be substantiated in an appeal situation.

5.14 The single storey extension which is not being considered under this application but being erected under permitted development should comply with

the appropriate regulations and therefore would not have an adverse impact on residential amenity.

5.15 Loss of views is not a planning matter.

5.16 Transport  
Parking

Comments regarding the existing parking situation are noted. However, submitted plans show that 3 parking spaces are to be provided for the property. Covered cycle parking is also shown but appropriate conditions are to be attached to the decision notice for the submission of the precise details. These provisions meet with adopted policy standards. On this basis there can be no transport objections to the scheme,

5.17 Highway safety

Comments have expressed concerns regarding the danger for children playing in the street or walking to the nearby school and the difficulty for refuse or emergency vehicles to access the neighbourhood resulting from the proposal. It is unlikely that the change of use of this property from a 3/4 bed dwellinghouse to a 7 bed, 7 person HMO and its associated two-storey side extension would alter the existing situation to such a degree as to negatively influence the safety of children playing on the road or making their way to school, given there are pavements on both side of Conygre Grove. Similarly, with regards to access for refuse and emergency services, the proposal is unlikely to significantly alter the existing situation sufficient to warrant a refusal of the application.

5.18 Refuse and waste:

Plans received during the course of the application indicate the proposed refuse area for the property. This is considered acceptable and a condition is to be attached to the decision notice to ensure its provision.

5.19 Conclusion of assessment under PSP39:

The proposal is considered to accord with the requirements of this policy and can therefore be supported.

5.20 Drainage:

The extension and change of use relate to an established property. Details have been assessed by the Flood Water and Management Team and been found acceptable in these terms. In this case foul sewage is a matter for Wessex Water and comments have indicated an existing problem which this company is aware of. The capacity of sewage pipes is therefore outside the remit of this planning application and if problems continue then Wessex Water should be contacted separately.

5.21 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.

- 5.22 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.
- 5.23 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.
- 5.24 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.
- 5.25 The price of market housing in the area is not a planning matter and cannot form part of this assessment. Similarly, the fact that this particular proposal is being undertaken as a business venture is also something that falls outside the remit of this planning appraisal.

## 6. CONCLUSION

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

## 7. RECOMMENDATION

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

### CONDITIONS

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

#### Reason

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

2. The property shall be used as a 7 person HMO (sui generis) residence.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

3. Prior to first occupation, full details of the proposed secure cycle storage, bin/refuse area and electric charging point shall be submitted to the LPA for written approval and thereafter retained for that purpose.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 and PSP16 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

4. Notwithstanding condition 3, development shall proceed in accordance with the following plans:

As received by the LPA on 20.7.20:

Existing floor plans and elevations - A01

Proposed floor plans and elevations - A02

Site location plan - A04

As received by the LPA on 8.10.20:

Existing and proposed site layout showing parking - A03 a

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 and PSP8 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

5. The off-street parking facilities (for all vehicles, including cycles) shown on the plan Site Plan A03 rev A hereby approved shall be provided before the building is first occupied as a 7 no. person HMO, and thereafter retained for that purpose.

Reason

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

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

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

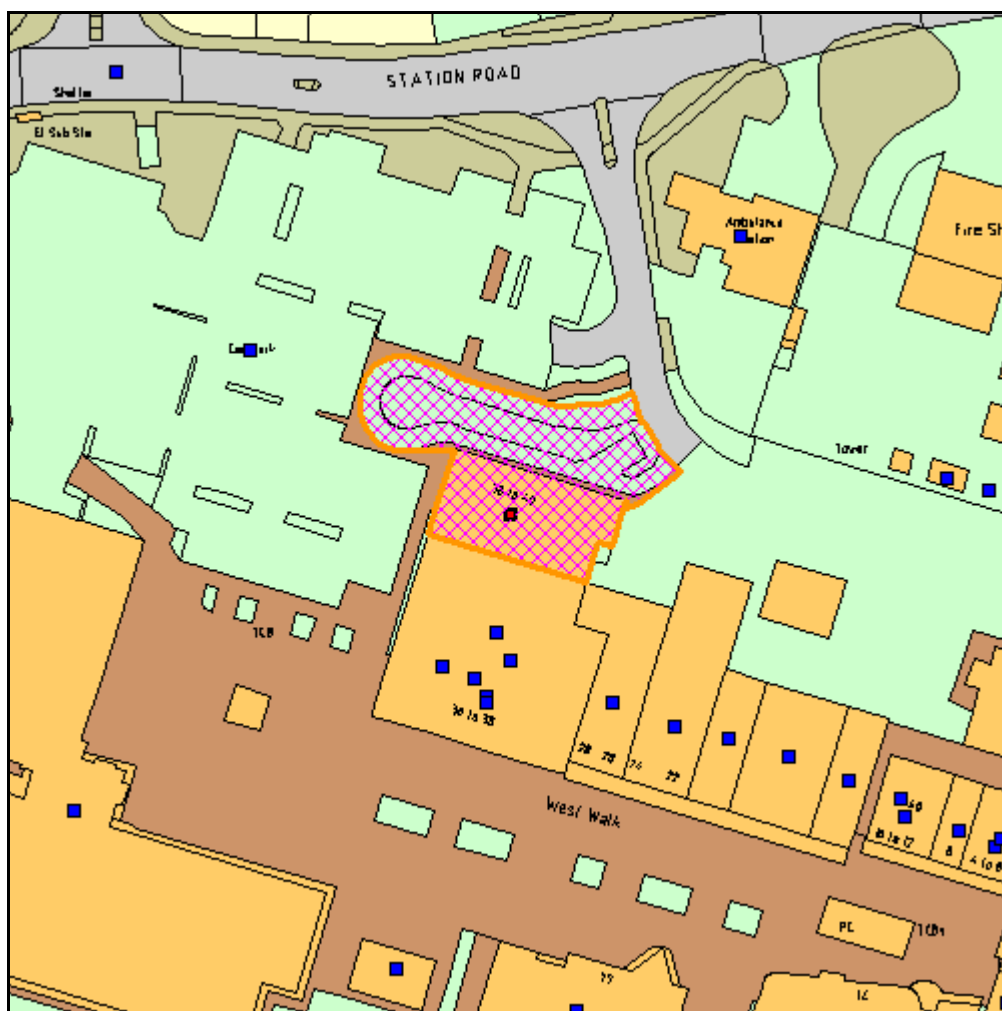
The applicant has worked with the LPA to provide an acceptable form of development.

**Case Officer: Anne Joseph**

**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 42/20 -16th October 2020**

|                                  |  |                         |                              |
|----------------------------------|--|-------------------------|------------------------------|
| <b>App No.:</b>                  | P20/16186/ADV  | <b>Applicant:</b>       | McDonalds<br>Restaurants Ltd |
| <b>Site:</b>                     | McDonald's Restaurant 38 - 40 West<br>Walk Yate South Gloucestershire BS37<br>4AX  | <b>Date Reg:</b>        | 10th September<br>2020       |
| <b>Proposal:</b>                 | Consent to display 2no internally<br>illuminated static digital menu boards,<br>1no internally illuminated static digital<br>menu board and 1no internally<br>illuminated static digital booth screen. | <b>Parish:</b>          | Yate Town Council            |
| <b>Map Ref:</b>                  | 371303 182527  | <b>Ward:</b>            | Yate Central                 |
| <b>Application<br/>Category:</b> | Minor  | <b>Target<br/>Date:</b> | 28th October 2020            |



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100023410, 2008.

N.T.S.

P20/16186/ADV

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

### **Reason for referring to Circulated Schedule**

The application appears on circulated schedule due to the comments raised by the Town Council, for which does not specifically state objection, but appears to raised a concern.

## **1. THE PROPOSAL**

- 1.1 Advertisement consent is sought to display 2no. internally illuminated static digital menu boards, 1no. internally illuminated static digital menu board and 1no. internally illuminated static digital booth screen.
- 1.2 The application site is a McDonalds restaurant at 38-40 West Walk, situated within the confines of the Yate Shopping Centre area within the Yate designated settlement boundary. The site is within a primary shopping area and a town centre boundary.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework February 2019

National Planning Practice Guidance

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Town and Country Planning Act 1990 section 220

Outdoor Advertisements and Signs: a guide for advertisers (June 2007)

### **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

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP11 Transport Impact management

### **2.3 Supplementary Planning Guidance**

Shopfronts and Advertisements SPD (Adopted) April 2012

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

Given the nature of the site, there is a long and varied planning history, much of which is neither recent nor relevant to this application for advertisement consent.

- 3.1 PK17/1445/F – Approved with conditions 24/05/2017:  
Reconfiguration of drive thru lane to provide order point including new island for signage. Minor alterations to elevations to include new cladding to existing booths. Relocation of existing Customer Order Display and installation of 1no. new unit to match existing and a Goal Post height restrictor with associated works.
- 3.2 PK17/1446/ADV - Approved 24/05/2017:  
Display/ reconfiguration of 9no. internally-illuminated freestanding signs, 2no. non-illuminated banner signs and 1no. non-illuminated directional sign.

### 4. **CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
The application is welcomed as it will help deal with the tail-back of traffic from the drive thru by giving better advanced menu notice.

This is not enough to deal with the current planning and highways issues and a recommendation is made to investigate adding additional booths and in to widening the loop so that it splits in to two ordering points. More ordering signs would be welcome by the entrance to the que area so people have more notice before reaching the ordering point.

- 4.2 Sustainable Transport  
No comments – we do not believe that the application will create any material highways or transportation issues.
- 4.3 Local Residents  
No comments have been received.

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

- 5.1 The proposal seeks to display 2no. internally illuminated static digital menu boards, 1no. internally illuminated static digital menu boards and 1no. internally illuminated digital booth screen.
- 5.2 Principle Of Development  
The NPPF states that great importance is attached to the design of the built environment, with good design cited as a key aspect of sustainable development and thereby positively contributing to making places better for people. Development should function well and add to the overall quality of the area. The NPPF specifically stipulates that poorly placed advertisements can have a negative impact on the appearance of the built environment. Adverts should therefore be controlled in the interests of amenity and public safety, tasking in to account cumulative effects. The proposal is considered acceptable subject to the consideration below.

### 5.3 Visual and Residential amenity

The advertisements for which consent is sought are as follows;

- 2no. double screen menu boards (55") at c. 2034 mm height
- 1no single screen menu board (55") at c. 1367 mm height
- 1no. order confirmation screen (15") attached externally to cash booth.

The proposed digital screens are stated to be required to rationalise the current number of advertisements at the drive-thru.

5.4 The setting for which the advertisements are proposed is within a main town centre boundary within the confines of the town's main shopping area. The proposed advertisements are such that they would not look out of place in such a setting and the advertisements would appear as nothing out of the ordinary in their context of a fast food establishment drive-thru. Whilst internally illuminated screens would appear materially different to the current illuminated analogue advertisements, the overall reduction in visual clutter within the drive-thru would be considered a positive approach and is therefore welcomed. Overall, the proposed advertisements are considered to be acceptable in their retail / fast food setting and as such officers raise no objection with regards to visual amenity, with no harm considered to arise should consent be given.

5.5 By virtue of the scale of the advertisements proposed and their location some 50+ metres away from the nearest residences across a busy (and lit) main road, officers do not consider the proposed advertisements to present any prejudicial impacts on the residential amenities of local residents.

### 5.6 Public Safety

The key issue to consider in this case is the impacts on highway safety. The advertisements are in relation to an existing drive thru facility and aim to update the advertisements and ordering mechanism associated with that drive thru.

The proposal has been assessed by the specialist highways officers who raise no concerns with the proposed advertisements in highways and transportation terms. Accordingly, no objection is raised on the grounds of public safety.

5.7 Officers note the comments of the Town Council in relation to the ordering capacity at the drive thru and its configuration. The application however must determine whether the *proposed* advertisements are acceptable or not and in light of no objection from the highway authority, are unable to mandate additional signage (and ordering capacity). Any re-configuration of the drive thru itself beyond the advertisements would require its own full/detailed planning application and would be outside the scope of an application for advertisement consent.

### **Impact on Equalities**

5.8 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 is considered to have a neutral impact on equality.

## 6. CONCLUSION

6.2 The recommendation to **grant** permission has been taken having regard to the provisions of the of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007; the NPPF and to all relevant material considerations set out in the report.

## 7. RECOMMENDATION

7.1 It is recommended that permission (advertisement consent) is **GRANTED**

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

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

The application has been determined in a timely manner.

**Case Officer: Alex Hemming  
Authorising Officer: David Stockdale**