

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. 03/20

Date to Members: 17/01/2020

Member's Deadline: 23/01/2020 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

a) Referring Member:

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

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

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

Date:

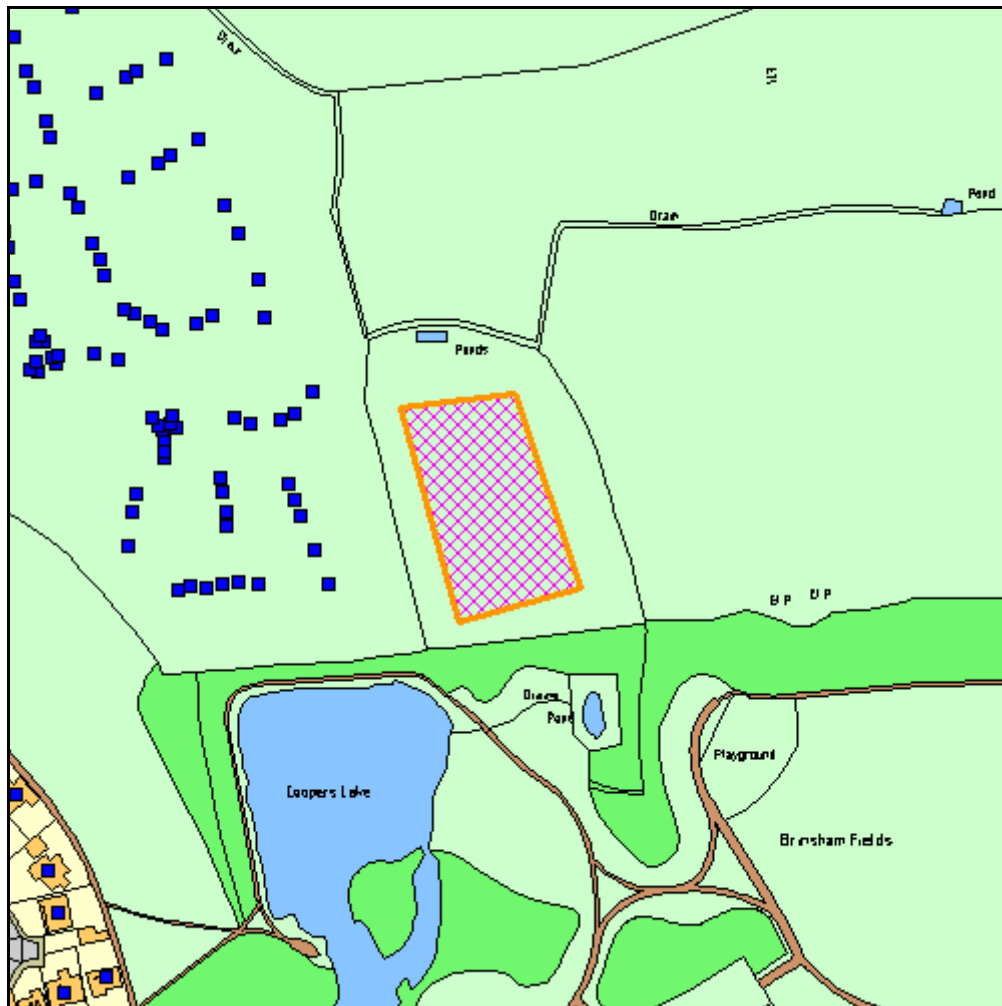
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 17 January 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/10498/RM	Approve with Conditions	Land To The East Of Parcel 23E Yate	Yate North	Yate Town Council
2	P19/11376/F	Approve with Conditions	Charfield Memorial Hall Car Park Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8SR	Charfield	Charfield Parish Council
3	P19/15701/F	Approve with Conditions	Land Adjacent To Greystones 213 Down Road Winterbourne Down South Gloucestershire BS36 1AU	Frampton Cotterell	Westerleigh Parish Council
4	P19/16121/F	Approve with Conditions	127 Parkwall Road Cadbury Heath South Gloucestershire BS30 8HA	Parkwall And Warmley	Oldland Parish Council
5	P19/16335/F	Approve with Conditions	Land South Of Quarry Barton Hambrook South Gloucestershire BS16 1SG	Winterbourne	Winterbourne Parish Council
6	P19/17077/F	Approve with Conditions	Milbury Lodge Milbury Heath Road Buckover Wotton Under Edge South Gloucestershire GL12 8QL	Thornbury	Thornbury Town Council
7	P19/18451/F	Approve with Conditions	8 Hencliffe Way Hanham South Gloucestershire BS15 3TH	Hanham	Hanham Abbots Parish Council
8	P19/18533/F	Approve with Conditions	5 Mitchell Walk Bridgegate South Gloucestershire BS30 5XY	Parkwall And Warmley	Siston Parish Council
9	P19/5999/RVC	Approve with Conditions	22 London Road Warmley South Gloucestershire BS30 5JB	Parkwall And Warmley	Siston Parish Council
10	PT17/5602/ADV	Approve	Railway Tavern 56 Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8SR	Charfield	Charfield Parish Council

CIRCULATED SCHEDULE NO. 03/20 – 17 JANUARY 2020

App No.:	P19/10498/RM	Applicant:	BDW Trading Ltd
Site:	Land To The East Of Parcel 23E Yate	Date Reg:	8th August 2019
Proposal:	Proposed erection of the play area to the East of Parcel 23E to with appearance, Landscaping, Layout and Scale to be determined (Approval of Reserved Matters to be read in conjunction with outline permission PK12/1913/O as amended by P19/6296/RVC).	Parish:	Yate Town Council
Map Ref:	371560 183998	Ward:	Yate North
Application Category:	Minor	Target Date:	30th September 2019



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

INTRODUCTION

This application appears on the circulated schedule because an objection has been received from Yate Town Council, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of a play area to the east of parcel 23E. The proposal, consisting of appearance, layout, scale and landscaping, should be read in conjunction with outline planning permission PK12/1913/O superseded by application P19/6296/RVC.
- 1.2 The application site is located adjacent to the southern boundary of the North Yate New Neighbourhood, just north of Brinsham Park and east of Parcel 23E (PK18/0527/RM). The site is rectangular in shape and is currently secured by herras fencing. The site contains three oak trees, one of which will be removed and the other two will be retained. Trees and vegetation and associated ditches are located along the east, south and western boundaries. Houses associated with Parcel 23E are under construction beyond to the west. A spine road leading to Peg Hill, Randolph Avenue and Leechpool Way is located adjacent to the northern boundary of the site.
- 1.3 As a result of negotiation between the applicant and Council Officers, the following improvements have been made to the scheme: alteration to the fence line to provide a larger and more spacious layout, more tree and native shrub planting; alterations to the surfacing and equipment so that the play area is more inclusive for less able bodied children.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework February 2019
National Planning Practice Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS2 Green Infrastructure
CS4A Presumption in Favour of Sustainable Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS24 Green Infrastructure, Sports and Recreation Standards
CS30 Yate and Chipping Sodbury
CS31 North Yate New Neighbourhood

South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017)
PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP21 Environmental Pollution and Impacts

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P19/6296/RVC, Variation of condition 19 attached to outline planning permission PK12/1913/O (as amended under applications PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA and PK17/4826/RVC) to amend the wording of the condition (19) to "There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. Construction use and residential use are deemed operational." Approved on 13th September 2019.
- 3.2 PK17/4260/RM, Laying out of landscape and infrastructure (Phase 0) including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping. (Approval of reserved matters including appearance, landscaping, layout and scale to be read in conjunction with Outline Planning Permission PK12/1913/O superseded by PK16/2449/RVC). Approved on 21st May 2018.
- 3.3 PK18/0529/RM, Phase 1 Play Area - Reserved matters for appearance, layout, scale and landscaping attached to outline planning permission PK12/1913/O Installation of local play area and associated works. This application is still under consideration.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Objection. This proposed play area is too close to existing play area and will lead to separation rather than integration of the two communities. The existing play area is visible from the proposed site.
- 4.2 Drainage Officer
No objection
- 4.3 POS Officer
Amended plans received have addressed concerns made by the POS Officer

- 4.4 Landscape Officer
Amended plans received have addressed concerns made by the Landscape Officer
- 4.5 Transportation Officer
No objection
- 4.6 Highway Structures Officer
The Highway Structures Team has no comment

Other Representations

- 4.7 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
North Yate New Neighbourhood is a major development site allocated by policy CS31 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 for a major mixed use development of up to 3000 dwellings. Outline consent was subsequently granted on 17th July 2015 for a mixed use development across 100.76 hectares of land comprising up to 2450 new dwellings, including 4.63 hectares of employment land, a local centre, two primary schools and supporting infrastructure. This approval covers a substantial area of the NYNN allocation. A masterplan and design code for the North Yate New Neighbourhood were subsequently approved by the Local Planning Authority on 20th January 2017 and 12th May 2017 respectively. The principle of the development is therefore, acceptable.
- 5.2 Compliance with Parameter Plans
The concerns of Yate Town Council are noted; however, the approved Land Use Framework plan requires a LAP and a NEAP to be provided at the application site. The application plans are considered to be in accordance with this parameter plan as a LAP and a NEAP is provided for. The approved Access and Movement Framework plan requires a footway or shared surface path to be provided along the eastern edge of the play area. This path must connect the spine road and Brinsham Park through the southern boundary. The plans submitted show a tarmac footpath to the east of the play area which extends from the spine road and connects to the southern boundary of Brinsham Park. The proposal is therefore, considered to comply with the approved parameter plans. Although the path would not connect to the existing footpath network within Brinsham Park, this land is outside the control of the applicant and no mechanism was secured under the outline permission accordingly. Consideration has been given to the possibility of a Grampian condition to secure a connection; however, it is not considered to be in the public interest to impose such a constraint, which may impact on the provision of the play area.

5.3 Design/Layout

The proposed play area was initially confined to an area which was fenced to all sides with the fencing set back some distance from the south and western boundaries. The fencing to the south and west edges of the play area were considered by the LPA to be unnecessary as existing trees/vegetation and a drainage ditch would provide an acceptable barrier to prevent dogs accessing the park. The fence line to the north and east has been extended to meet the drainage ditch and tree line accordingly. The removal of the fencing has resulted in better use of space, with a more spacious layout of the play area and significantly more tree and native shrub planting. The play area has also been made more inclusive through the addition of a tarmac path that extends through the play area linking the equipment, as well as a hard surface games court which has replaced the grass court previously proposed. The equipment within the play area has also been amended to be more inclusive for less able bodied children.

5.4 Residential Amenity

The only residential occupiers within close proximity to the play area are those that will occupy the recently constructed or proposed houses that form part of the North Yate New Neighbourhood. The plans do not show the residential context; however, based on the plans submitted for residential developments to the west and east, there will be a separation distance of approximately 30 metres between the hard surface court and properties to the west, and 28 metres from the eastern edge of the play area and proposed properties to the east. These separation distances are in accordance with the masterplan, which has already been approved and are therefore, considered to be acceptable. Accordingly, given the level of separation, it is not considered that there would be an adverse effect on the residential amenity of neighbouring occupiers through noise and disturbance, loss of privacy or natural light.

5.5 Transportation

The location of the play area immediately to the south of the spine road has been approved by virtue of the North Yate New Neighbourhood Masterplan. The proposed play area will not interfere with visibility or affect pedestrian/vehicular movements on the highway. The proposal provides for pedestrian paths to cater for movements and desire lines through the site. Accordingly, a path is provided to the east of the play area which connects the spine road to the boundary of Brinsham Park. Consideration has been given for extending the path south to connect to the existing footpath network within Brinsham Park. This would involve land outside the application site and ownership of the applicant, and no mechanism was secured at outline stage to secure provision of the path. Consideration has been given to a Grampian condition to secure the path link through Brinsham Park; however, it is not considered to be in the public interest to impose such a constraint on the development in this instance as it could affect the provision of the play area. The proposal is a local play area located within walking distance to a large number of properties; therefore, it is not considered that it would result in an increase in vehicular traffic or on street parking, given that no car parking is proposed, to a level that would be detrimental in terms of highway safety and the amenities of the area.

5.6 Drainage

The Council's Drainage Officer has no objections to the development provided that it is constructed in accordance with the plan submitted and Phase 0 Landscape and Infrastructure Specification and Maintenance Schedule Rev C. Reference to this plan will be made on the decision notice.

5.5 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Reserved matters consent is GRANTED subject to the following condition.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

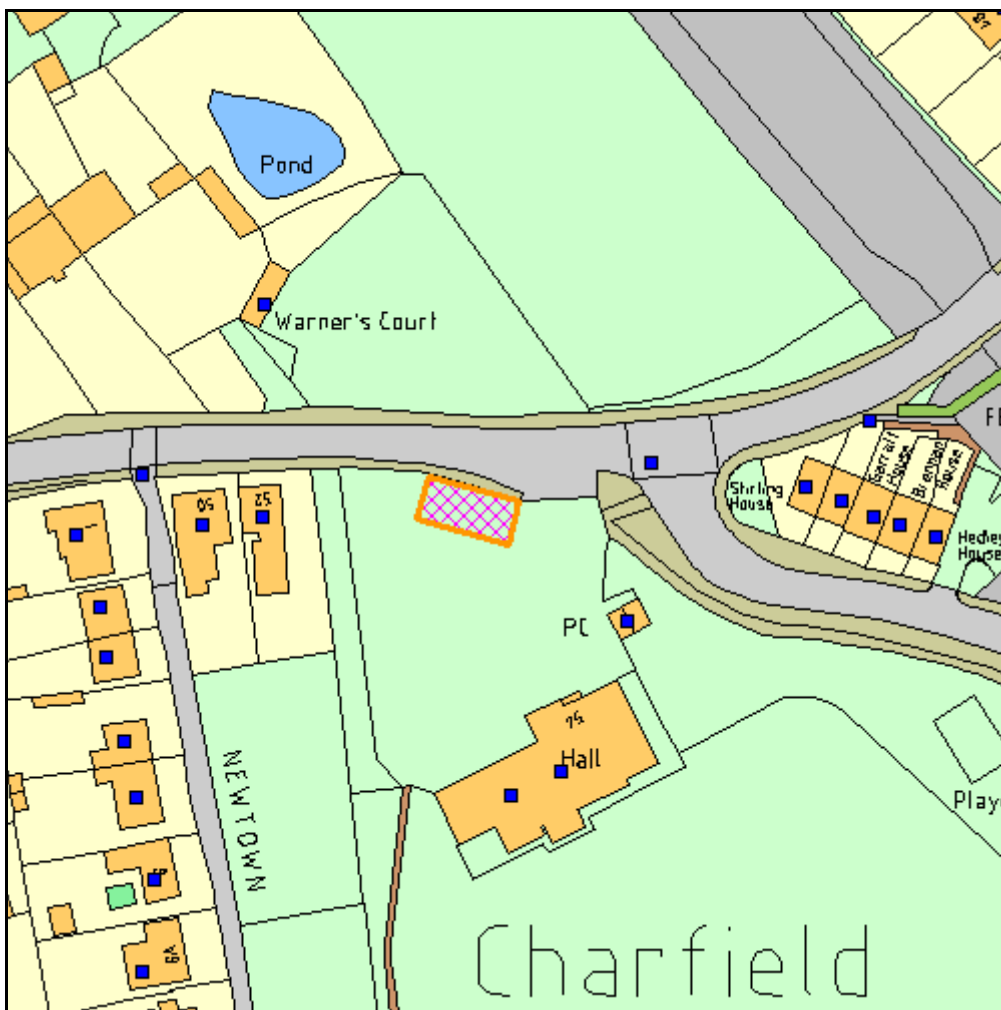
Reason

In the interests of the character and visual amenity of the area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted)

December 2013; and policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017.

CIRCULATED SCHEDULE NO. 03/20 – 17 JANUARY 2020

App No.:	P19/11376/F	Applicant:	Barratt Homes (Bristol Division)
Site:	Charfield Memorial Hall Car Park Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8SR	Date Reg:	6th September 2019
Proposal:	Siting of 1 no. portacabin (Class B1a) for use as a temporary sales office and installation of 1 no. electric generator for 6 months.	Parish:	Charfield Parish Council
Map Ref:	372286 192222	Ward:	Charfield
Application Category:	Minor	Target Date:	31st October 2019



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the circulated schedule because an objection has been received from Charfield Parish Council contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the siting of 1no. portacabin (Class B1a) for use as a temporary sales office and installation of 1no. electric generator for 6 months.
- 1.2 The proposed portacabin and electric generator would be located within the car park of the Charfield Memorial Hall, just south of Wotton Road.
- 1.3 The proposal is required in relation to the residential development site that has outline planning permission under PT16/6924/O on the opposite side of Wotton Road.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure and Cultural Activity
CS34 Rural Areas

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

PSP8 Residential Amenity
PSP16 Parking Standards
PSP21 Environmental Pollution and Impacts

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/6924/O, Erection of up to 121no. dwellings, retail unit (Class A1), open space, ecological mitigation land and associated works with access from Wotton Road. Outline application with access to be considered (all other matters reserved). Appeal allowed on 23rd July 2018.
- 3.2 PT18/6493/RM, Erection of 115 no. residential dwellings to include details of layout, scale, appearance of buildings and landscaping (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT16/6924/O). This application has not yet been determined.
- 3.3 PT17/4841/F, Change of use of land for the siting of 1no. portacabin (Class B1a) for use as a temporary sales office until Spring 2018, and installation of electric generator (retrospective). Approved on 7th March 2018.

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
Objection. Likely to be a large advertising hoarding at a hazardous transport location due to complex junction and impaired visibility of traffic at railway bridge;
Concerns regarding noise and pollution from the diesel generator;
Counter to the climate and ecological emergency declared by this Council that a diesel engine should be left running all day long;
There should be robust conditions on how effluent waste is stored, how and when it is emptied and flushing water tanks topped off and how release of foul air is prevented.
- 4.2 Environmental Health Officer
No objections based on the additional information provided.
- 4.3 Drainage Officer
No objection in principle subject to an informative note being included on any decision notice.
- 4.4 Transportation Officer
No objection

Other Representations

- 4.5 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The proposal is located within the established residential area of Charfield. It would function as ancillary to residential development that has been approved in principle on the opposite side of Wotton Road. The principle of the development is therefore, considered to be acceptable. The main issues to

consider are considered to be appearance, highway safety, and residential amenity.

5.2 Appearance

The sales office is a galvanised steel frame modular building. It is a rectangular building with a flat roof and measures approximately 10 metres in width, 3.6 metres in length and 3 metres in height. The generator is located adjacent to the sales office and will be within a secure enclosure measuring approximately 3 metres in length, 2 metres in width and 2.6 metres in height. The proposal will stand adjacent to a low stone wall and will be prominent from views from Wotton Road. Given the temporary nature of the proposal there is no objection on the basis of appearance or visual amenity. This is however, on the basis that the proposal is temporary for a period of 6 months coinciding with the development of the site opposite for residential development. A condition will therefore, be attached requiring the proposal to be removed after 6 months.

5.3 Transportation

The proposal will be accessed off Wotton Road and will occupy around 5 car parking spaces in the Memorial Hall car park. It is not considered that this loss of parking, along with the proposal would result in a significant level of on-street parking to the detriment of highway safety. The comment made from Charfield Parish Council regarding the potential impact of advertisement signs on the sales office on highway safety, particularly given the proximity of a complex junction and reduced visibility at the railway bridge, are noted. However, any advertisements will require separate consent under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Public safety would be considered under the advertisement regulations. The buildings would not project out beyond the curtilage of the Memorial Hall and would not materially affect visibility from the site access, junction or railway bridge on Wotton Road.

5.4 Residential Amenity

The closest neighbouring occupier to the site is approximately 18 metres to the west. The main impact of the proposal is the impact of noise on occupiers. The Council's Environmental Health Officer has stated that during the day the generator is unlikely to cause any issues; however, it is likely to cause a disturbance at night when background noise levels drop. The applicant has subsequently clarified that the generator will run from 9:30am to 6:00pm. As noise mitigation will be required to operate the generator outside of these hours, a condition is attached to limit the operation of the generator to 9:30am to 6:00pm.

5.5 Drainage

The concerns raised by Charfield Parish Council are noted; however, the Council's Drainage Officer has raised no objections to the proposal. Storing waste water and removing via a tanker is considered to be acceptable given the scale and temporary nature of the proposal.

5.6 Pollution

The concerns raised by Charfield Parish Council regarding pollution from the diesel generator are noted; however, the generator is relatively small and low

powered and it is required for a temporary period for purposes ancillary to residential development on the opposite side of Wotton Road. Risk of contamination from fuel spillage will be minimised by the secure enclosure containing the generator. Weight is given to the fact that if the generator were positioned on the residential development site (approximately 13 metres to the north of the application site) it would not require planning permission by virtue of permitted development regulations that relate to construction sites, and yet it would emit the same amount of pollution. An objection on the basis of pollution is therefore, considered to be unreasonable.

5.7 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 Planning permission is GRANTED subject to the conditions on the decision notice.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. The generator and sales office hereby approved shall be removed and the land restored to its former condition on or before 6 months from the date of this consent.

Reason

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

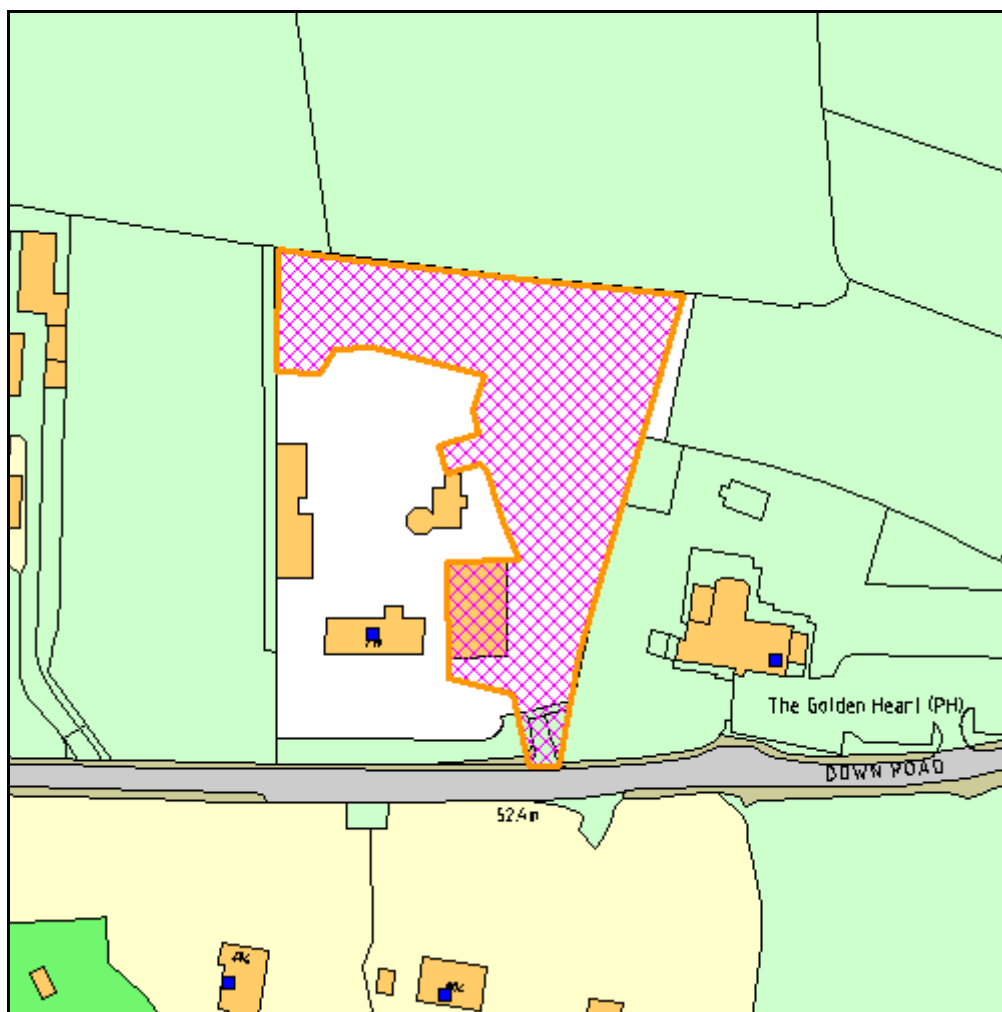
2. The generator hereby approved shall not operate outside of the following time:
9:30am to 6:00pm.

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

CIRCULATED SCHEDULE NO. 03/20 – 17 JANUARY 2020

App No.:	P19/15701/F	Applicant:	Horsted Developments Ltd
Site:	Land Adjacent To Greystones 213 Down Road Winterbourne Down Bristol South Gloucestershire BS36 1AU	Date Reg:	31st October 2019
Proposal:	Conversion of existing outbuildings to form 6no. dwellings with landscaping, access, parking and associated works.	Parish:	Westerleigh Parish Council
Map Ref:	366024 179457	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	23rd December 2019



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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.

This application is referred to the Circulation Schedule in accordance with the Scheme of Delegation given an objection has been raised by the Parish Council contrary to the Officer Recommendation.

1. THE PROPOSAL

1.1 This application seeks full planning permission for the conversion of 6 no. outbuildings that currently are located within the residential curtilage of 213 Down Road. The site is located within the Green Belt, within the open countryside.

1.2 The site is just under half a hectare in size. The remainder of the site will be retained under the current ownership (blue line site). The application site will share the same access as that area with a spur it. Pavement is to be provided either side of the entrance. Landscaping is to be provided with fencing along with ecological mitigation. The site comprises three separate buildings and these are to be converted to 2 no. detached units (identified as Unit 1 and 6) and a terraced block of 4no. units (Units 2, 3, 4,5).

1.3 The buildings to be converted are single storey and are constructed of facing brick and stone. A narrow fascia strip gives the impression that the buildings have a tiled roof however they are in fact largely flat roofed.

1.4 In detail the units are as follows:

Unit 1 – A detached unit at the north-western corner of the site. This is a four-bedroomed property with fenced garden. Light is provided to part of the building by a large light reflector in the roof. Two parking spaces are provided and a large garden comprising 657.5sq.m not all of this private but a significant portion fenced to fulfil this function.

Units 2,3,4,5 – A terraced unit of four properties on the eastern/central side of the site. The first four units have four bedrooms with the latter having 3. Two parking spaces for each unit is provided. Amenity space is provided to the front and rear for each unit ranging from 337.5sq.m to 434 sq.m.

Unit 6 – Is a large detached unit at the southern edge of the site to the left of the entrance. The building has a basement (as it was used as a games room/gym previously). The building has two parking spaces with 569 sq.m of amenity space including large areas of courtyard. The building is being reduced in size to provide a courtyard and avoid windows right up against the boundary of the retained existing house to the west.

- 1.5 In support of the application in addition to the design and access statement and plans the applicant has provided an Ecological Appraisal, Transport Statement and Structural Survey.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-safeguarded Economic Development Sites
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) May 2007
Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Waste Collection SPD (Adopted) January 2015
CIL and S106 SPD (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

PT04/2948/F Demolition of existing house and erection of replacement dwelling on 1.42 hectares of land (Approved 11th Nov 2004)

PT09/5515/F Construction of vehicular access. Erection of 2.4m timber entrance gates (Refused 12th November 2009)

PT10/0731/F Retention of part of games room use incidental to the enjoyment of the dwelling house (Approved May 2010)

4. CONSULTATION RESPONSES

4.1 Westerleigh Parish Council

The Parish Council OBJECTS and considers this to be an unsuitable location in Green Belt. The location will create ACCESS issues on Down Road. The Parish Council asks SGC to ensure that all actions required as a result of numerous Enforcement issues have been completed prior to this application being considered. The Parish Council also asks SGC to ascertain the exact status of existing buildings which then remain and the change of use that then applies.

4.2 OTHER CONSULTEES

Sustainable Transport

Initial Comments Received

Site is within reasonable walking distance of facilities in Winterbourne. Nearby bus stops on Badminton Road with frequent services give access to higher level facilities. The access has adequate visibility splays. The gradients are acceptable. On-site parking provision is acceptable.

A demarcation strip needs to be shown at the crossover from Down Road. Two covered and secure cycle spaces should be provided for each dwelling. An electric charging point needs to be shown for Unit 6 in or on the garage.

Subsequently amended details have been submitted which address the above issue. Request that a Construction Environmental Management Plan is attached to the decision notice.

Housing Enabling

This application is for **6** homes at land adjacent to Greystones, 213 Down Road, Winterbourne, South Gloucestershire, BS36 1AU. The National Planning Policy Guidance states that *'provision of Affordable Housing should only be sought for residential developments for **major developments**, other than in designated rural areas (where policies may set out a lower threshold of 5 units or lower).'* **Major development** being defined as *'For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more*

Ecologist

Though the report does not recommend bat box installation this will increase the biodiversity net gain and is important due to the site being connected to the wider more valuable habitat, one box should be installed (e.g. Schwegler 1FF bat box) on to the new property, as a minimum 3m above the ground, preferably facing a south-east to south-west elevation and must be away from illumination.

There is no ecological objection to this application

Lead Local Flood Authority

Initial Comments

We request the submission of a drainage layout plan showing the location of the existing soakaways on-site which are proposed to be utilised for the surface water discharge for each property and require clarity and confirmation on this matter before we may comment further.

Following the submission of further details, the following comment has been received:

No objection subject to a condition requiring the submission of a full sustainable drainage (Suds) scheme prior to the commencement of development.

Planning Enforcement Team

With regard to the present planning enforcement position in relation to the site subject to this planning application, I have reviewed the files and can advise as follows:

There have been two recent enforcement cases where enforcement notices were served on the land. The first related to a netting enclosure constructed around the all-weather sports pitch, and the second to a glass canopy structure erected over the pond to the rear of the existing dwelling.

Both notices were appealed, and both appeals were unsuccessful. The new owners of the site complied with the notices and removed both the glass canopy and the netting structure on their land. As far as I can see they have complied in full and there are no outstanding enforcement requirements on their land.

4.3 **Other Representations**

Local Residents

One letter of objection was received. The grounds of objection are as follows:

The site has been the subject of enforcement action with existing buildings not having planning approval

This is not appropriate to the Green Belt

The area is subject to significant traffic congestion problems, the road is narrow and dangerous. The proposal is not appropriate within this context

5. **ANALYSIS OF PROPOSAL**

- 5.1 The application seeks planning permission for the conversion of three buildings within the residential curtilage of Greystones with associated works/landscaping to create 6 no. residential properties. Pre-application advice has been given.

The development is proposed within the open countryside and Green Belt.

5.0 **Principle of Development**

5.1 Green Belt

Para 146 of the NPPF (Feb2019) and PSP7 of the Policies Sites and Places Plan firstly indicate that the re-use of buildings provided that the buildings are of permanent and substantial construction is not an inappropriate development in a green belt location. These buildings situated within an existing residential curtilage are considered to comply with this criteria.

Secondly development must preserve the openness of the Green Belt and should not conflict with the purposes of including that land within it. The development does not require any additional built form as such, in fact one building, identified as Unit 6 will be reduced in size. Clearly some work is required to separate the units with boundary treatments and some hard standing although an existing driveway and access road does not require substantial alteration. It is not considered that the proposal would adversely affect the openness of the Green Belt or conflict with the purposes of including the land within it. Given that the new units would have bestowed upon them permitted development rights (which would allow a number of additions), in the light of this Green Belt assessment, it is considered appropriate in this instance to remove relevant permitted development rights by condition.

5.2 Location

Policy CS5 of the Core Strategy establishes the spatial strategy for development in the district. Under this policy, new development is directed to the existing urban areas, market towns, and defined rural settlements. Residential development outside of these locations is strictly controlled. Furthermore, policy CS34 of the Core Strategy seeks to protect the character of the rural areas, with residential development outside of a defined settlement resisted. Policy PSP40 of the Policies, Sites and Places Plan allows only for the following specific forms of residential development in the open countryside. Policy PSP40 (4) *the conversion and re-use of existing buildings for residential purposes where:*

- i) *The building is of permanent and substantial construction; and*
- ii) *It would not adversely affect the operation of a rural business or working farm, and*

- iii) *Any extension as part of the conversion or subsequently is not disproportionate to the original building; and*
- iv) *If the building is redundant or disused; the proposal would also need to lead to an enhancement of its immediate setting.*

Regarding the structure of the existing buildings, a structural report for the existing buildings has been submitted. A site visit also reveals that the buildings are structurally sound and are capable for conversions. Therefore, the proposal would meet the criteria (i).

The existing buildings are not part of a rural business or a working farm (ii)
The buildings are not being extended, in fact one is being reduced in size (iii)

The buildings could not be described as redundant as such, although in the long term their active use would ensure their upkeep (iv)

As stated in Policy CS5 (5e) of the adopted Core Strategy, new development will be strictly limited in the open countryside. In terms of the relationship with the nearby defined settlement, the site is located at a distance of approximately 300 metres from the settlement boundary of Winterbourne. The site is within a reasonable distance from bus stops on Badminton Road and thus access to a higher level of services. In addition it should be noted that the proposal would fall within one of the few cases where could be supported as the proposal is to convert the existing buildings instead of new build, and Policy PSP40 would also support proposal for conversion of existing building to residential use within open countryside.

5.3 Housing Land Supply

Paragraph 11a of the NPPF (February 2019) states plans and decisions should apply a presumption in favour of sustainable development. In December 2019 the Council published the extract of the Annual Monitoring Report along with the associated explanatory documents. The Report confirms that South Gloucestershire currently does have over a 5 year housing land supply. Nevertheless the provision of 6 no. additional residential units is a material consideration and weighs in favour of the scheme.

The proposed development is therefore considered acceptable in principle subject to consideration of the following matters.

5.4 **Affordable Housing**

As the number of proposed dwellings would fall below the threshold, no Affordable Housing requirement should be sought for this scheme.

5.5 **Design, Visual Impact, Landscaping**

The application site is set back from the road and is not highly visible. The most visible aspect is Unit 6 to the front. The changes proposed are minimal (set out in section 1 above). It is acknowledged that the buildings are quite unusual and were new build acceptable different designs may be considered. As the

development is essentially a conversion however the proposal is considered acceptable in design terms.

The scheme has been viewed by the Landscape Officer who has raised no objection. The proposal does not impact upon existing landscaping either that on the site or that just outside. Some limited additional landscaping is proposed on the site, this largely at the edges of the driveway or around the designated parking areas to the front of the property. The private amenity space to the rear of properties will be left to the individual owners to landscape. A condition will be attached to the decision to ensure that the landscaping works take place in accordance with the approved details and that the works take place within the first available planting season.

5.6 **Residential Amenity**

Development should not be permitted which has a prejudicial impact on residential amenity on the existing occupiers as well as the living conditions of future occupiers of the proposed development.

It is not considered given the scale, nature and location of the proposed development that there would be any adverse impact upon the amenity of neighbouring occupiers (a condition is attached to the decision notice removing permitted development rights and while this is largely imposed for green belt policy reasons this would allow an assessment to be made of any future additions within the new residential curtilages upon residential amenity either between the properties or neighbours). The relationship is considered acceptable between the new dwellings in these terms.

Policy PSP43 of the adopted PSPP seeks adequate and functional outdoor amenity space for residential development. The amount of amenity space proposed significantly exceeds the minimum standard set out in the policy.

5.7 **Transportation/Highway Impacts**

Regarding the highway safety issues, Paragraph 109 of NPPF states that development should only be prevented or refused on highways ground if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal has been assessed by officers and the access is considered acceptable, in terms of available visibility on either side. Furthermore the parking provision meets the standards set out in the development plan policy (PSP16) and this includes the retention of sufficient parking for the original property.

Concern is noted that existing road network is extremely busy, particularly at certain times, however it is not considered that the refusal of an application that is for 6 no. additional residential dwellings could be justified on that basis. The impact from the development would not be significant.

Subject to conditions to ensure that the parking provision shown on the approved plans is provided prior to the first occupation of the dwellings and a condition requiring a detailed Construction Management Plan to be submitted prior the commencement of work, the proposal is considered acceptable and there is no highways or transportation objection to the proposal.

5.8 **Ecological Issues**

An ecological appraisal has been submitted with the application (Crossman Associates, September 2019). There are no designated sites that will be affected by the proposal. Officers agree with the conclusions of the report which can be summarised as per below.

Bats

The site provides limited opportunities for foraging however there are areas of high quality opportunities in the area surrounding the site particularly to the south and south-west. A condition is recommended to secure a bat box.

Reptiles

The site is no considered to support reptiles. Habitats are mostly built structures and disturbed ground. Areas of vegetation are sparse and isolated and lack areas of cover/refuge.

Great crested newt (GCN)

There are no ponds on site or within 500m of the site and it is isolated by walls. The site is no considered to support great crested newts.

Birds

The site lacks any significant or dense areas of vegetation, but there are small areas of scattered scrub which provide habitat for common garden and farmland species.

Badgers

There are no badger setts on site and no definitive badger activity. It is likely that the site forms part of a local badger territory.

Hedgehog

The habitat is suitable for foraging, sheltering and commuting hedgehogs.

Invertebrates (e.g. noble chafer)

Areas of ruderal vegetation and scattered scrub are likely to offer habitats for commoner species.

Subject to conditions to secure a bat box and to ensure that all works take place in accord with the mitigation measures set out in the report (for example if vegetation identified as suitable for bird nesting is to be removed outside or

inside the nesting season then there must be suitable supervision of those works, the development is considered acceptable in ecological terms.

5.9 **Drainage**

The Council Drainage Engineer has reviewed the submitted drainage methods and raised no objection to the proposal. A condition will be attached to the decision notice to secure a full sustainable drainage scheme for surface water. In terms of connection to the sewerage system the applicant will have to get the agreement to the point of connection from the service provider.

5.10 **Other matters**

Concern has been raised relating to unauthorised development at the site and enforcement actions. The site has been subject to such action historically. The Council Enforcement Team have confirmed that at the present time there are no outstanding enforcement actions in relation to the red line application site.

5.11 **Consideration of likely impact on Equalities**

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

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

6. **CONCLUSION**

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

7. **RECOMMENDATION**

7.1 That planning permission be granted subject to the conditions attached to the Decision Notice

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

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

Reason

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

2. List of Approved Plans

This decision relates only to the plans identified below:

Received 28th October 2019

LOCATION PLAN 1469/1
SITE & OWNERSHIP PLAN 1469/2
SITE LAYOUT AS EXISTING 1469/3
UNIT 1. PLANS & ELEVATIONS AS EXISTING/PROPOSED 1469/5
UNITS 2,3,4&5. ELEVATIONS AS EXISTING/PROPOSED 1469/7
UNIT 6. PLAN & ELEVATIONS AS EXISTING/PROPOSED 1469/8
BOUNDARY FENCING & DETAILS 1469/11
FOUL DRAIN ACCESS 1469/12

26th November 2019

Proposed Drainage Plan 1469/13

Received 23rd December 2019

SITE LAYOUT PLAN AS PROPOSED 1469/4C
UNITS 2,3 4&5. PLANS AS EXISTING/PROPOSED 1469/6A
ROOF PLAN 1469/9B
LANDSCAPE PLAN 1469/10A

Reason:

For the avoidance of doubt

3. Construction Environmental Management (CEMP)

Prior to the commencement of the development, a site specific Construction Environmental Management (CEMP) shall be submitted to and agreed in writing with

the Local Planning Authority. All works shall proceed in accordance with the approved details.

For the avoidance of doubt the CEMP shall include the following:

- (i) Measures to control the tracking of mud off-site from vehicles.
- (ii) Measures to control dust from the demolition and construction works approved.
- (iii) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- (iv) Adequate provision for the delivery and storage of materials.
- (v) Adequate provision for contractor parking.
- (vi) A lorry routing schedule.
- (vii) Use of a banksman for all reversing construction vehicles.
- (viii) Contact details for the Site Manager

Reason:

In the interests highway safety and to accord with Policy PSP11 of the adopted South Gloucestershire Policies, Sites and Places Plan

4. Ecology (Mitigation measures)

The development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 4 of the Ecological Appraisal (Crossman Associates, September 2019)

Reason:

In the interests of the ecological and biodiversity gain on the site to accord with the aims and objectives of Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan 2017

5. Ecology (Enhancement)

Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the Ecological Appraisal (Crossman Associates. September 2019) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to bird boxes and bat boxes. All works shall take place in accord with the approved details.

Reason:

In the interests of the ecological and biodiversity gain on the site to accord with the aims and objectives of Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan 2017

6. Sustainable Drainage

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

development shall be carried out fully in accordance with the approved details. For the avoidance of doubt the submitted details shall include the following:

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

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

A pre-commencement condition is needed to avoid the need for future remedial action.

Reason:

To ensure satisfactory surface water drainage and in accordance with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2019.

7. Parking Provision (Vehicles and Cycles)

The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

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

Reason

The proposal, as it largely involves the conversion of existing buildings, represents appropriate development in the Green Belt. Further additions to the buildings require assessment in these terms and also in terms of the impact upon the character of the buildings themselves and the site as a whole. In accordance with Policy CS1 and CS5

of the South Gloucestershire Local Plan Core Strategy 2013 and PSP7 of the South Gloucestershire Local Plan Policies, Sites and Places Plan 2017 and the provisions of the National Planning Policy Framework Feb 2019.

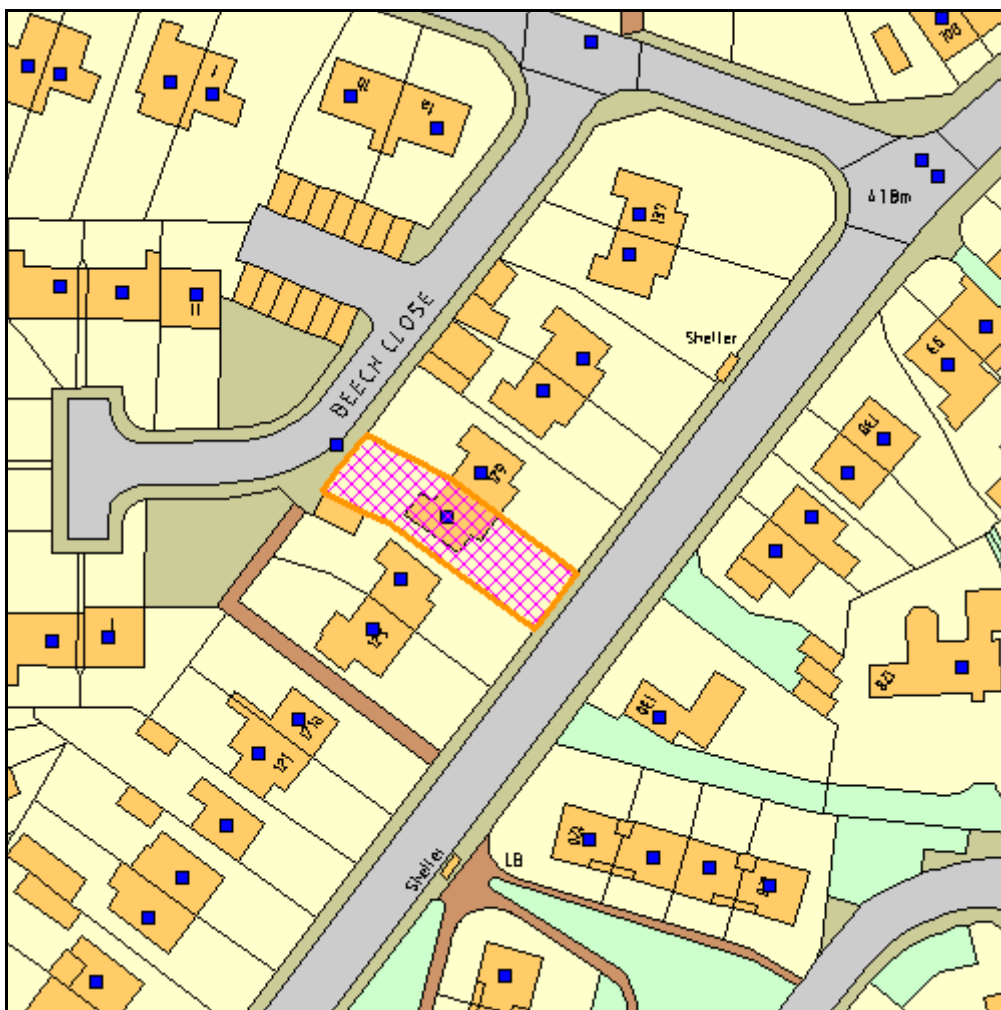
9. All landscaping works shall take place in accordance with the details shown on Drawing No. 1469/10 Rev A (Landscaping Proposals). All planting shall take place in the first available planting season.

Reason:

In the interest of visual amenity and the character of the area and in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

CIRCULATED SCHEDULE NO. 03/20 – 17 JANUARY 2020.

App No.:	P19/16121/F	Applicant:	Mr Vickrum Gobinpersadh
Site:	127 Parkwall Road Cadbury Heath Bristol South Gloucestershire BS30 8HA	Date Reg:	5th November 2019
Proposal:	Erection of single storey detached residential annexe ancillary to main dwelling.	Parish:	Oldland Parish Council
Map Ref:	366301 172308	Ward:	Parkwall And Warmley
Application Category:	Householder	Target Date:	30th December 2019



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 100023410, 2008. N.T.S. P19/16121/F

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the circulated schedule due to comments received by the parish council which are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey, detached residential annexe ancillary to 127 Parkwall Road, Cadbury Heath.
- 1.2 The application site relates to a two storey, semi-detached property which is located within the built up residential area of Cadbury Heath.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
Objection- over development.

4.2 Sustainable Transport
Insufficient information on proposed parking.

Other Representations

4.3 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

Annexe Test

For a proposal to be an annexe it should only contain ancillary accommodation to the main dwelling and have some form of functional and physical reliance upon the main dwelling. Ultimately, the resultant development should be one planning unit i.e. one household rather than two separate dwellings. In this instance, the proposal has the majority of the elements of principal living accommodation (lounge area/kitchen, bedroom and a bathroom) that would enable it to be used as an independent unit of residential accommodation. However, officers note that it would share a garden and parking area with the main dwelling, As such, it does seem to show some physical reliance on the main property. Furthermore, given the relationship and location to the main house, its use as an independent dwelling would likely be unacceptable. As such, Officers are satisfied that that the annexe would be used ancillary to the main house. A condition will be included on the decision to secure this.

5.2 Design and Visual Amenity
The proposed development consists of a detached outbuilding, located in the rear garden of the host dwelling. Concern has been raised by the parish council of over development of the site. No previous development has taken place at the size, however the footprint of the proposed annexe was initially a concern for the officer due to a disproportionate appearance in relation to the main dwelling; it would also remove a large portion of residential amenity space for existing and future occupiers. Subsequently, the officer requested that the depth of the proposal was reduced in size. Revised plans were submitted for an annexe which measures 5 metres in depth and 7 metres in width. This is

- considered by the officer to adequately mitigate the previous concerns. Furthermore, outbuildings of a similar depth can be found in the immediately surrounding area.
- 5.3 The proposal consists of a hipped, tiled roof and rendered elevations to match the host dwelling. As such, the materials are considered to be appropriate in terms of design.
- 5.4 The proposed development would be located within a built up residential area and given the presence of existing neighbouring outbuildings, it is considered that the proposed annexe would not be significantly detrimental to the character of the host dwelling or the surrounding area and is of an acceptable standard of design. As such, the proposal is deemed to comply with policy CS1 of the Core Strategy.
- 5.5 Residential Amenity
Policy PSP38 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.6 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. Given the siting and single storey nature of the proposals, it is not thought to result in a material overlooking or overbearing impact, nor is it considered to substantially alter the existing levels of light afforded to the neighbouring occupiers.
- 5.7 The proposal will occupy additional floor space, however it would cover less than 50% of residential amenity space located to the rear of the property. It is therefore considered that sufficient private amenity space would remain for the occupiers of the host dwelling following development.
- 5.8 Overall, the proposal is not considered to have a detrimental impact on the residential amenity of any surrounding properties or the host dwelling and is therefore deemed to comply with policy PSP38 of the PSP Plan.
- 5.9 Sustainable Transport and Parking Provision
The sustainable transport officer requested further information on proposed parking provision. The applicant has confirmed that the existing property is a three bedroom house; the proposed annexe would include a further bedroom resulting in a total of 4 bedrooms within the residential unit. Policy PSP16 requires a 4 bedroom property to provide 2 off-street parking spaces. The site benefits from an existing large driveway located to the front of the property which is able to accommodate 3 vehicles. This would be unaffected by the proposed development and therefore no objections are raised in terms of transport.
- 5.10 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: James Reynolds
Tel. No. 01454 864712

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).

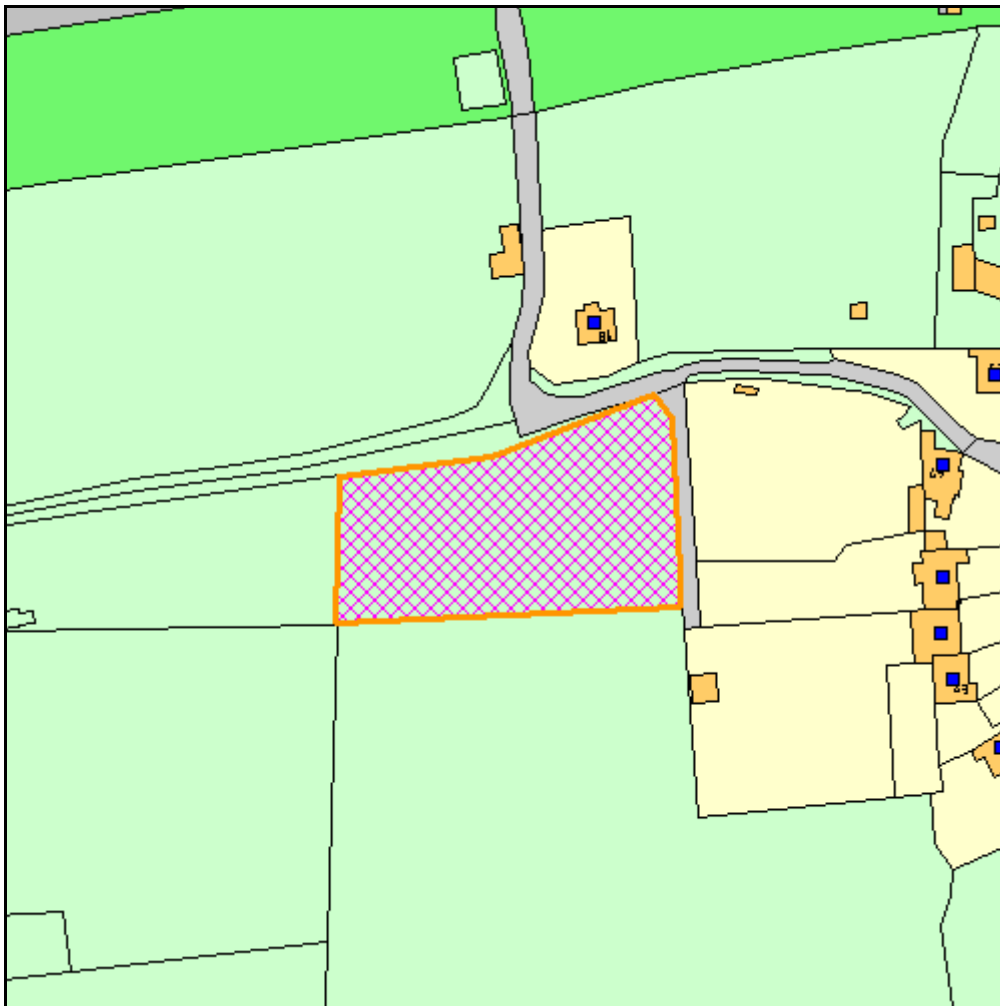
2. The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 127 Parkwall Road.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Council Local Plan: Policies, Sites and Places Plan (adopted) November 2017; and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 03/20 – 17 JANUARY 2020

App No.:	P19/16335/F	Applicant:	Mr And Mrs Jeff And Katie Harris
Site:	Land South Of Quarry Barton Hambrook South Gloucestershire BS16 1SG	Date Reg:	8th November 2019
Proposal:	Erection of 1no. agricultural building, creation of hard standing and associated works (resubmission of PT18/5347/F).	Parish:	Winterbourne Parish Council
Map Ref:	364552 179508	Ward:	Winterbourne
Application Category:	Minor	Target Date:	3rd January 2020



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 100023410, 2008. **N.T.S.** **P19/16335/F**

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from Winterbourne Parish Council; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of 1no. agricultural building, creation of hard standing and associated works. The application site relates to a field of 5.1 acres (2.063 ha) that is laid to pasture and bound to the north and east by the properties along Quarry Barton. The authorised use of the land is for agriculture. Quarry Barton is predominantly made up of a small group of traditional stone-built cottages.
- 1.3 The site is located outside of the settlement boundary of Hambrook, nestled in the open countryside between Hambrook and Winterbourne. The site is located in the Bristol/Bath Green Belt. Public Rights of Way lie to the north, west and south and further to the west is the M4 motorway and M32 junction; to the north is a railway embankment.
- 1.4 The proposed building would be located in the north-western corner of the field and would provide 128 square metres of internal floor area split between three bays. A 40 metre aggregate track would serve as access to the building from the existing access gate off Quarry Barton. An area of hard-standing would lie around the east and south of the building.
- 1.5 This current application is a re-submission of an application (PT18/5347/F) for a much larger agricultural building that was refused for the reasons listed in para. 3.3 below.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2018
National Planning Policy Guidance 2014

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

CS34 Rural Areas

South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2018

PSP1 Local Distinctiveness

PSP2 Landscape

PSP3 Trees and Woodland

PSP7 Development in the Green Belt

PSP8 Residential Amenity

PSP17 Heritage Assets and the Historic Environment

PSP19 Wider Biodiversity

PSP28 Rural Economy

PSP29 Agricultural Development

2.3 Supplementary Planning Guidance

Landscape Character Assessment SPD (Adopted) 2014 – Area 13: Frome Valley

South Gloucestershire Design Checklist (Adopted) 2007

Development in the Green Belt (Adopted) June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/1041/PNA Prior notification of the intention to erect an agricultural building for use as general store for produce, machinery and equipment
Refused 08.05.2006
- Refusal reasons:
- 1. The siting (and size) of the building would adversely impact upon the open landscape character of the area;*
 - 2. Insufficient details have been submitted regarding the design of the proposed building;*
 - 3. Concerns are expressed regarding the existing use of the land and the proposed use of the building which might necessitate a full planning application in this case.*
- 3.2 Land to the west (owned by the applicants):
P93/1925 - Erection of stable building to form three stables with feed store.
Approved 11.08.1993
- 3.3 PT18/5347/F - Erection of 1no. agricultural building, creation of hard-standing and associated works.
Refused for the following reasons:
- 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. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden.*

The proposal is therefore contrary to the provisions of Policies CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

- 2. The development would represent a prominent building, access track and associated hard-standing within the landscape, and would fail to integrate into the landscape by virtue of its size, scale and siting. The proposal would negatively impact on the rural character of the locality. The development is therefore not considered to meet the highest possible standard of design and is contrary to Policies CS1, CS9 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) 2013; Policies PSP2 and PSP3 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.*
- 3. The application has failed to demonstrate that the new agricultural building is necessary or justified. There appears to be no agricultural activity taking place on the land to justify the size and scale of the proposed building. The proposal is therefore contrary to Policies CS5, CS9 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) 2013; Policy PSP29 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.*

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

The comments of the Parish Council are Objection. The application is within Green Belt land. The application will have a negative effect on Green Belt and public right of way.

Officers note that the Parish Council did not object to the previously refused proposal for a much larger building than that now proposed.

4.2 Ecology

No objection.

4.3 Highway Structures

No comment.

4.4 Landscape

No response.

4.5 Lead Local Flood Authority

No objection.

4.6 Public Rights of Way

No objection (to previous application).

- 4.7 Sustainable Transport
No objection.

Other Representations

4.8 Local Residents

4no. valid responses have been received, all objecting to the proposal. The concerns raised can be summarised as follows:

- Loss of outlook for no.64 – not screened by trees.
- Would de-value property.
- Noise and Disturbance from agricultural vehicles using access.
- Quarry Barton is a narrow lane used for parking.
- Haylage has not been produced as claimed.
- View from no.64 is impacted by mounds of rubble & aggregate and mobile field shelters.
- Would set a precedent in the Green Belt.
- Not in-keeping.

5. ANALYSIS OF PROPOSAL

5.1 This application is for the erection of an agricultural building within an open field; construction of an associated access track and hardstanding. Quarry Barton is a narrow country lane which provides access to a number of cottages and fields. The application site slopes from north to south, with Quarry Barton terminating to the north of the application site.

5.2 The building would be located in the north-western corner of the site. Access would be from an existing field gate located in the top north-eastern corner of the land. The proposed building would now measure 16.7 metres in length by 7.6 metres in width, with a maximum ridge height of 5.1 metres with eaves to 4m. (This compares to the previously refused building which measured 18.3m long x 9.1m wide with ridge at 6.1m). The proposed floor plan for the building shows three bays: machinery store, hay & fodder store and livestock pen. The building would face south.

5.3 The proposal stands to be assessed against the above listed policies and all material considerations. Of particular relevance is the location of the site within the Bristol/Bath Green Belt. Policy PSP29 of the adopted Policies, Sites and Places plan allows proposals for the erection of agricultural buildings on agricultural land provided that there are no suitable underused buildings of an applicable size available and the proposal is reasonably necessary for the purposes of its use and is clearly designed for that purpose. However, modern farm buildings can have a major impact on the landscape, particularly in prominent locations in the open countryside.

5.4 Green Belt Assessment

The application site lies outside the settlement boundary and within the Bristol and Bath Green Belt. Inappropriate development is, by definition, harmful to the openness of the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to the harm to the Green Belt and

very special circumstances will not exist unless the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 5.5 Paragraph 89 of the NPPF allows for certain types of development in the Green Belt, one of which is the **erection of agricultural buildings**. The description of development states the proposed structure is to be an agricultural building.
- 5.6 The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO, 2015) definition of an agricultural building is:- ... *a building (excluding a dwellinghouse) used for agriculture and which is so used for the purpose of a trade or business and 'agricultural use' refers to such uses.*
- 5.7 The applicants reside in a property on Quarry Barton. At the time of the previous application PT18/5347/F officers were not convinced that the site was being used for agricultural purposes. Since then the applicant has obtained an agricultural holding number 34/443/0367 which is a legal requirement for anyone keeping livestock for the purposes of agriculture. Furthermore an animal health certificate for sheep has also been secured. Copies of these documents have been provided to the Council and are available for Members to view upon request. The applicant used to bring in store lambs for fattening but has now purchased a ram for the purposes of breeding his own sheep.
- 5.8 At the time of the site visit officers observed the following items of farm machinery being stored in the open air, in the north-western corner of the field (where it is proposed to erect the agricultural building):
- Harrow
 - 2 mowers
 - Post whacker
 - 2 x rollers
 - Small tractor
 - Loader/Tractor
 - Dump Truck & Trailer (not used)
- Also within a compound enclosed by Herras Fencing was a fodder and haylage store.
- 5.9 Within the field were some 15no. heavily pregnant ewes and a ram, the only shelter for which were two temporary field shelters.
- 5.10 Officers are now satisfied that the site does support a small agricultural enterprise for which a permanent building is justified. The recognised definition of: .."*agricultural land occupied as a unit for the purposes of agriculture*" is considered to be met.
- 5.11 The proposed building would therefore be in accordance with the definition of being agricultural and as such would **not be inappropriate development within** the Green Belt.

5.12 Agricultural buildings

Policy PSP29 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan permits new agricultural buildings subject to the following criteria:

1. **There are no existing suitable underused buildings, reasonably available; and**

5.13 The applicants own a total area of 5.1 acres. There are no existing suitable underused buildings within the site.

2. **The proposal is reasonably necessary for the purpose of the use and is clearly designed for that purpose.**

5.14 The proposed building would provide 128 square metres of internal floor area and would be split into three bays, each with their own use and requirement: the storage of machinery (already in the applicants ownership but currently stored in the open air); storage of hay & fodder (also currently stored in the open); and, a livestock pen for the housing of sheep during winter months and lambing in the spring. The proposed new agricultural building is considered to be reasonably necessary for its purposes. Furthermore the building is considered to have a design typical of such buildings to be used for agriculture.

5.15 It is now considered that the development does meet the criteria set out in Policy PSP29. The policy is very clear and both part 1 **and** part 2 must be satisfied in order to accord with the adopted policy. It is considered that it has been demonstrated that there is an agricultural need for the proposed building. Officers are now satisfied that the proposed new building would be necessary for the purpose proposed.

5.16 Design

The proposed eaves height is to allow access for the tractor and other equipment to be stored inside and to allow for the hay bales to be stacked. The building would face south, with the access track approaching from the north-eastern corner of the site. The building would be a typical modern agricultural building with timber Yorkshire board cladding and profiled metal sheets.

5.17 The proposed design of the building and the materials are considered acceptable.

5.18 Landscape and Visual Amenity Impact

The site lies within the Bristol/Bath Green Belt, outside of the settlement boundary of Hambrook and within the open countryside. The site itself, in respect to the setting and views afforded to/from the adjoining land, is in relatively poor condition. There are currently piles of rubble located around the site and following the wet Winter the land has become severely poached by the machinery moving along the hedgelines to the north and east. .

5.19 To the north is a railway embankment, with the land sloping to the South towards Bradley Brook. There is a public footpath that runs around the perimeter of the top part of this field. This footpath continues the line of Quarry

Barton which forks northwards, continuing towards the nearby railway line. The application site is prominently located on an elevated hillside, with views stretching over the fields beyond to the South.

- 5.20 The South Gloucestershire Landscape Character Assessment states that the Frome Valley landscape character area is a diverse and intricate area. One of the key characteristics of the area being the undulating landform. The area is defined in part to the south by the urban edge of Bristol. Despite the extensive areas of settlement and urban edges, there are areas of the landscape and pockets within settlements which retain a distinct rural character, such as Quarry Barton. The Landscape Strategy (SPD) aims to ensure that where new development takes place in rural areas, it is well related to the existing landscape infrastructure that integrates the proposal with the wider landscape.
- 5.21 The open Frome Valley is sensitive to further encroachment of settlement edges or change, which might erode their rural character. As such, scattered settlements such as Hambrook and Pye Corner are sensitive to development. It is considered that the landscape features within the visual setting and open spaces of Hambrook contribute greatly to their character.
- 5.22 Officers in assessing the previous application PT18/5347/F were concerned that the building as then proposed, together with the associated track and hardstanding, would have a detrimental impact on the rural character of the landscape setting, particularly given the disproportionately large building then proposed. Officers considered that the siting of the building on an elevated hillside would emphasise its incongruity and interrupt views across the land from Quarry Barton settlement.
- 5.23 The building now proposed is considerably smaller than that previously refused:
- The ridge and eaves level being reduced by 1000mm
 - The overall length of the building being reduced by 1525mm
 - The width of the building has been reduced by 3050mm

The result of these reductions is that the overall volume of the building has decreased from 1043 cu.m. to 582 cu.m; which equates to a 44% decrease.

- 5.24 The proposed access track has also been amended to be a simple pair of compacted aggregate wheel-wide tracks and the hard-standing area has also been reduced in area in line with the reduction in size of the building. The applicant has stated that it is proposed to use crushed aggregate to create the permeable tracks and hard-standing; and this will be sourced from the unsightly piles of rubble that have to-date been retained on the site.
- 5.25 Having visited the site, officers have considered the proposed siting of the building in the top north-western corner of the site. There is some logic in positioning the building here where it would lie close to the main access gate thus negating the need for excessive lengths of access track. The land falls from north to south with the slope getting progressively steeper.

Siting the building further south would require it being cut into the slope. The building would be afforded some natural screening from a belt of trees that grow along the northern border and the building would also be screened from wider views by the railway embankment to the north and the mature tree planting to the west; provided to mitigate vehicle noise from the motorway junction.

5.26 Having the machinery and hay/fodder stored within the building and the rubble used for the track will improve visual amenity. The building would be viewed against the backdrop of the railway embankment and no longer considered to be excessive in size. It would be viewed as an agricultural building within a countryside setting, much the same as many other such agricultural buildings within the County. Consequently, the proposed siting would on balance, now have proper regard to the distinctive character and topography of the landscape and is considered to be compliant with Policies CS1 and CS9 of the adopted Core Strategy and Policies PSP1 and PSP12 of the adopted Policies, Sites and Places Plan

5.27 Residential Amenity

Due consideration needs to be given to the potential impact of development on residential amenity. The opportunity to protect and enhance the amenity of existing residential properties, should be the aim of all new development.

5.28 The proposed building would be used for the storage of machinery, hay bales and a livestock pen. The site is located to the west of the settlement of Quarry Barton, with most of the dwellings approximately 90 metres to the east. The nearest dwellinghouse (no.64) is located approximately 45 metres to the north-east. There is considered to be ample distance between the proposed building and the nearest dwellings to ensure that there is unlikely to be a negative impact on the existing levels of residential amenity afforded to local residents. It would be unlikely that the proposed use of the building for the housing of lambs or sheep would create a noise disturbance.

5.29 Concern has been raised about the noise and nuisance caused by construction vehicles accessing the site; a working hours condition could be applied accordingly. Given agricultural buildings are relatively simple in terms of design and construction, the construction period would likely be relatively short. Similarly, local residents have raised concern about the impact of the proposal on their outlook and noise of agricultural machinery using the lane.

5.30 The building would not lie directly opposite no.64 and would to some extent be screened from view by the existing belt of trees to the north. Officers have considered whether a condition to secure additional screen planting would be justified in this case, but this would merely serve to further compromise views from no.64. As regards the noise nuisance of agricultural machinery using the lane; this is an existing situation. The building would allow the machinery to be permanently stored on site (which is not the case at present) thus reducing movements on the lane.

- 5.31 The impact of development on house values is not a material consideration in the determination of planning application. Precedent for future developments such as house building, is not reason for refusal as such development would be subject to a separate planning application which would be determined on its individual merits. Concerns about the use of the building for purposes other than agriculture appear unfounded and in any case such uses would be in breach of planning control and would require separate planning permission.
- 5.32 On balance therefore, officers do not consider that there is justification to refuse the application on the grounds of adverse impact on residential amenity. The Council did not refuse the previously proposed building, (which was much larger), on residential amenity grounds and neither did the Parish Council object to a larger building on the same site (see PT18/5347/F).
- 5.33 Transportation and Access
The site is accessed via Quarry Barton, off Bristol Road. It is a narrow country lane which ends just west of No., 64 (adjacent to the site). The proposal includes a 40m long track and hardstanding area to allow vehicles to enter the site, turnaround adequately and be stored within bay one of the building. It is considered unlikely that the agricultural use of the building would greatly increase vehicular movements on the lane.
- 5.34 The site has an existing access gate in the top north-eastern corner. This proposal crosses over an access track to the rear of No. 45 Quarry Barton. The access is existing and presumably has historically been used to access the land. Any land ownership or access over land issues are civil matters between the relevant land owners.
- 5.35 Overall, officers consider the proposal does not raise any transportation or highway safety objections. Furthermore the building would not affect any of the nearby PROW's.
- 5.36 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.37 With regards to the above this planning application is considered to have a neutral impact on equality.

Planning Balance

5.38 The building would support the viability and expansion of a small agricultural enterprise. There is clearly a justifiable need for the building which would be used entirely for agricultural purposes. It would provide secure storage for machinery, dry storage for hay & fodder and shelter for the livestock. The building is by definition not harmful to the openness of the Green Belt. The building would be seen as an agricultural building within a countryside setting and is appropriately designed as such. The building is now considered to be appropriately scaled for its purpose and its siting close to the access gate is a logical one. If anything, vehicle movements on the lane should be reduced and there would be some visual enhancements e.g. use of rubble for track and cessation of open storage of machinery and fodder.

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 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.

7. RECOMMENDATION

7.1 That planning permission is GRANTED subject to the conditions listed on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

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

2. The hours of working on site during the period of construction shall be restricted to:

Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays.

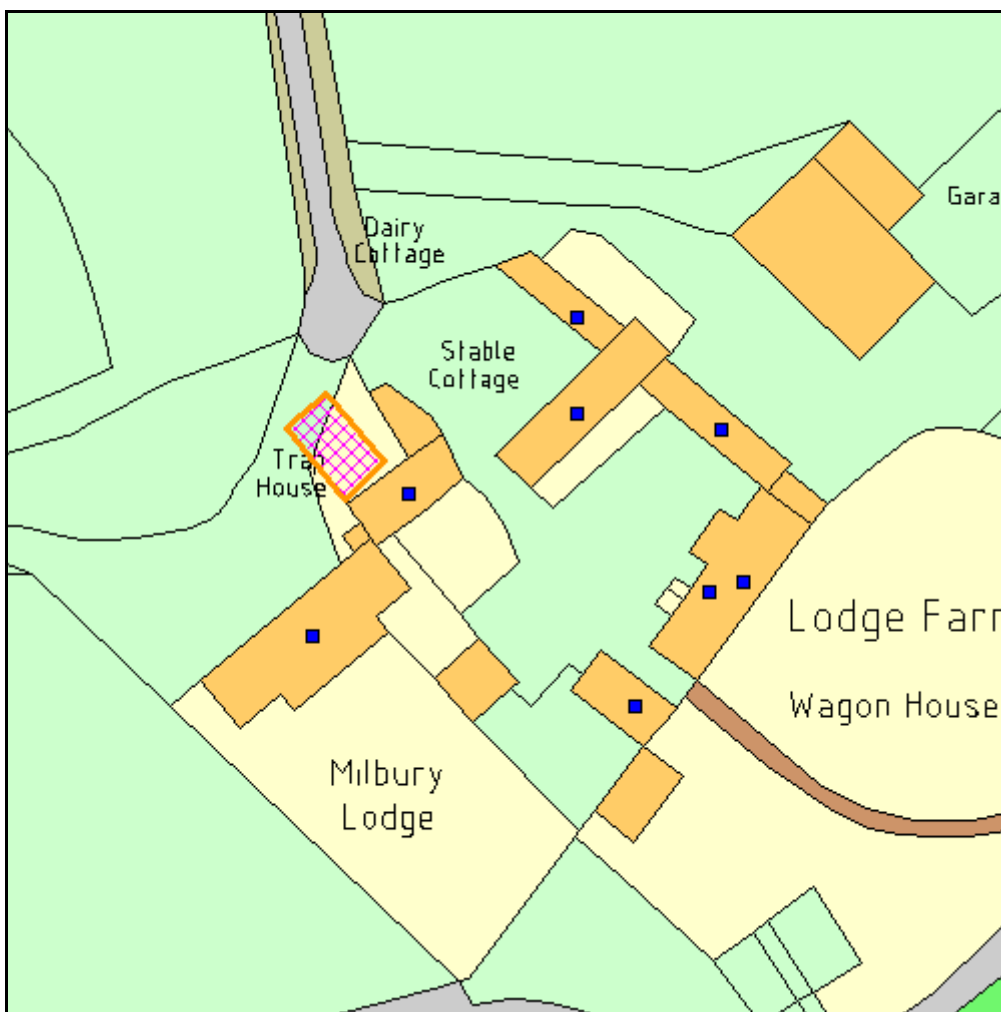
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to nearby residents and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 03/20 – 17 DECEMBER 2020

App No.:	P19/17077/F	Applicant:	Mr And Mrs B Bleaken
Site:	Milbury Lodge Milbury Heath Road Buckover Wotton Under Edge South Gloucestershire GL12 8QL	Date Reg:	20th November 2019
Proposal:	Erection of 1no. annex ancillary to the main dwelling (Resubmission of P19/09927/F).	Parish:	Thornbury Town Council
Map Ref:	366447 189988	Ward:	Thornbury
Application Category:	Householder	Target Date:	14th January 2020



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the circulate schedule for determination because an objection was received from the Town Council; the officer recommendation is for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the installation of a log cabin at an existing dwelling in Milbury Heath to be used as an annex. This application has been submitted to overcome the previous refusal of the proposal. To address the issues raised, the cabin has been relocated.
- 1.2 In terms of constraints, the site is outside of any defined settlement boundary and is therefore in the open countryside. While there is no direct access to a classified highway, there is a route between the garden centre buildings and its car park which provides vehicular access to the site. Access to the site can also be gained from Lodge Farm.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages

PSP40 Residential Development in the Countryside
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. **RELEVANT PLANNING HISTORY**

- 3.1 P19/09927/F Refused 07/10/2019
Erection of 1 no. annex ancillary to the main dwelling.

Refusal Reasons –

- (1) The proposed development is tantamount to the creation of a new dwelling as it fails to have the functional and physical relationship with the main dwelling to be used as an ancillary annex. The site is an inappropriate location for a new dwelling as it conflicts with the spatial strategy and does not fall within the limited categories of residential development appropriate within the open countryside. The proposal is therefore contrary to policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP40 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework.
- (2) The development fails to reach the highest possible standards of design and site planning. The formation of a new residential unit where the principal building on site is a timber cabin fails to take account of the character and appearance of the surrounding area or the prevailing built form of development locally. The proposal is therefore contrary to policy CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework.
- (3) Insufficient information has been provided to determine whether a new residential unit on this site would be considered sustainable. The application has therefore failed to demonstrate it complies the council's accessibility standards and in the absence of this information it cannot be determined that the proposal would not be harmful or conflict with policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

4. **CONSULTATION RESPONSES**

Town/ Parish/ District Councils

- 4.2 Thornbury Town Council
Objection: outside of settlement boundary; could become separate dwelling the in the future

Internal Consultees

- 4.3 Archaeology
No comment

- 4.4 Sustainable Transport
No objection

Other Representations

- 4.5 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 Planning permission is sought for the installation of a log cabin to function as an annex to a property in Milbury Heath.

Principle of Development

- 5.2 Extensions and alterations to existing dwellings are permitted in principle by policy PSP38; this includes the formation of an annex. However, an assessment must first be undertaken as to whether the proposed development would function as an annex or whether it is tantamount to a new dwelling. If found to be a new dwelling, the proposal should be assessed as such and the locational policies applied accordingly. The previous application was refused on the grounds that it would be tantamount to a new dwelling.

Annex Test

- 5.3 For it to be concluded that the proposal is an annex, it must have a physical and functional relationship with the main dwelling. This should include reliance on the primary living accommodation within the main dwelling and some form of shared physical relationship.
- 5.4 The previous proposal was located 55 metres from the main dwelling. Under these revised proposals, the annex has been relocated immediately adjacent to the main dwelling. As a result there is a much better physical relationship between the proposed annex and the main dwelling. Furthermore, the revised position also improves the functional relationship as the shared use of access and amenity space is more intrinsic. The building could provide all the necessary elements to function as an independent dwelling albeit these are not indicated on the plans. That said, the physical relationship is such that a wholly independent use would be undesirable to occupiers.
- 5.5 Whereas the previous application was tantamount to a new dwelling, the revised location of the cabin and the physical and functional relationship with the main dwelling this entails is sufficient for the local planning authority to be satisfied that the cabin would function as an annex.

Design

- 5.6 Objection was raised to the previous proposal on the grounds that a dwelling formed from log cabin would not be of the highest possible standards of design. As noted in the previous application, a log cabin may not look out of place in a residential garden where it is clearly incidental in nature and proportionate in size.

- 5.7 While the cabin is large and placed in a prominent location, the dwelling itself is well set back in its plot. The building would appear as an ancillary structure and therefore is of an acceptable design.

Amenity

- 5.8 Development should not be permitted that has a prejudicial impact on residential amenity or which fails to provide adequate living conditions for future occupiers.
- 5.9 No objection is raised to the proposed with regard to its impact on amenity or living conditions.

Transport

- 5.10 The annex would function as part of the single unit of residential accommodation contained in the planning unit. There is sufficient space within the unit to accommodate vehicular parking over and above the maximum requirements of PSP16. The development is acceptable in this regard.

Impact on Equalities

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

Other Matters

- 5.13 The red edge of the planning application is tightly drawn around the log cabin itself with the rest of the residential unit contained within a blue line. While, normally, it would be desirable for the planning unit in its entirety to be contained with the red edge, the size of the wider site in comparison to the proposed annex and the lack of any 'excess' land included within the red edge allow the application to be processed as submitted.

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 planning permission is GRANTED.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

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 annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Milbury Lodge.

Reason

The development has been permitted on the particular circumstances of the case and the development would be unsuitable for use as a separate residential dwelling due to its location, amenity space provision, parking facilities, and design; to accord with policies CS1, CS5, and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP1, PSP16, and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

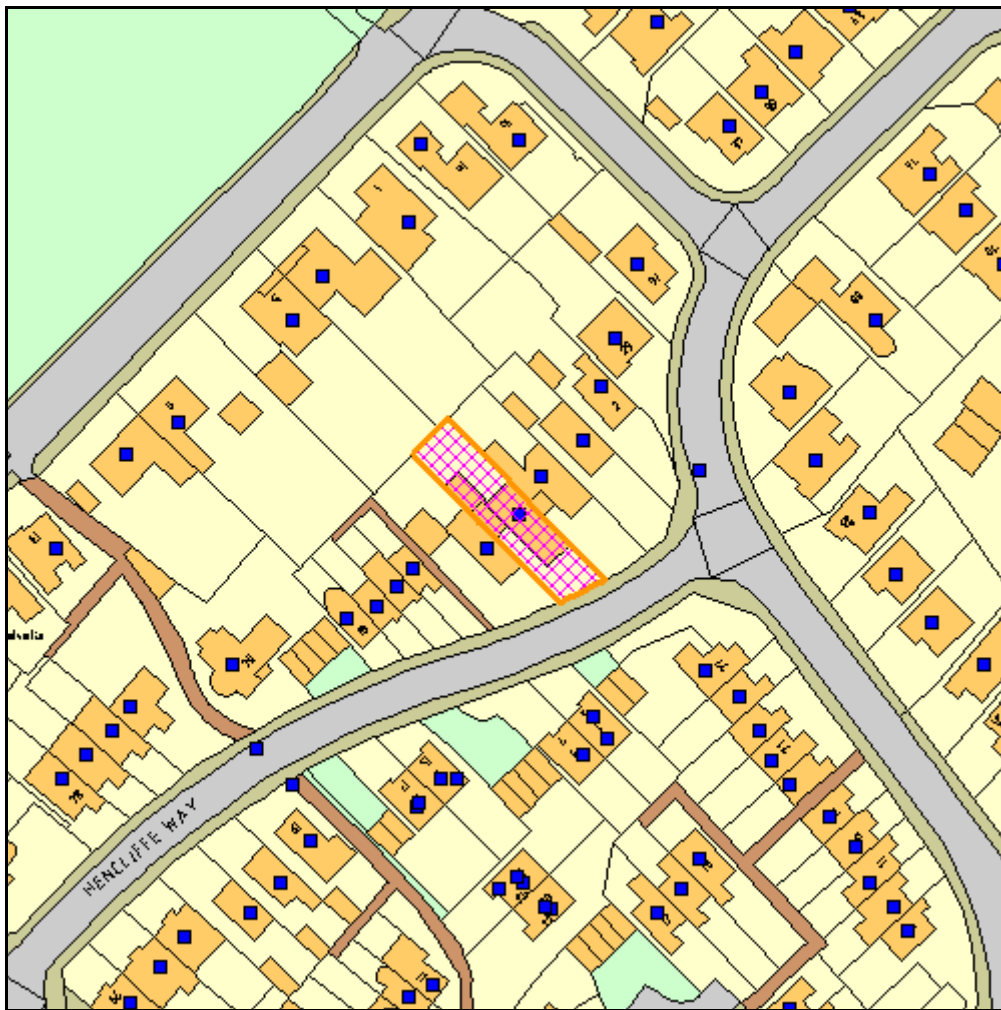
CIRCULATED SCHEDULE NO. 03/20 – 17 JANUARY 2020

App No.: P19/18451/F **Applicant:** Mr Peter Wilson

Site: 8 Hencliffe Way Hanham Bristol
South Gloucestershire BS15 3TH **Date Reg:** 12th December 2019

Proposal: Erection of single storey side and rear and first floor rear extensions to form additional living accommodation. **Parish:** Hanham Abbots Parish Council

Map Ref: 363953 171160 **Ward:** Hanham
Application Category: Householder **Target Date:** 3rd February 2020



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This planning application will be added to the Circulated Schedule because the proposal has received 1no. objection from Hanham Abbots Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a Single Storey Side, First Floor Rear and Single Storey Rear extensions (annotated as 'Conservatory' on plans) and as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 8 Hencliffe Way, is set within a moderately sized plot, and is an existing two storey detached property. It is located within the established built up residential area of Hanham, towards the south western fringe of the Bristol Urban Area. The immediate area is strongly characterised by mainly two storey detached, with semi-detached and some terraced dwellings, which are all of similar design.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

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

PSP1 Local Distinctiveness

PSP8 Residential Development

PSP11 Transport

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

Residential Parking Standards SPS (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/4464/F. Erection of first floor rear extension over existing single storey extension to provide additional living accommodation. Refused 29.01.2014.

Refusal Reasons:

- (a) Impact of overlooking to No 6 Hencliffe Way from the proposed window in bedroom 2; and*
- (b) Insufficient levels of residential amenity afforded to future occupants of bedroom 2.*

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
1No Objection Comment – Overbearing effect; and
Loss of privacy
- 4.2 Other Consultees
Sustainable Transport – Transportation DC
Support Comment - adequate parking will be maintained.

Other Representations

- 4.3 Local Residents
1No Objection Comment – maintenance of neighbouring property;
Loss of natural light;
Loss of privacy; and
No inclusion of existing garage to plans.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.
- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the considerations below.
- 5.3 The proposal is for planning permission to the existing dwelling to erect a single storey side, first floor rear and single storey rear (*annotated as a Conservatory on the plan*) extensions. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.

- 5.4 The property has an existing lounge and kitchen/dining/family room, and therefore the extra ground floor area proposed will permit an improved living space, developing the dwelling into a modern unit, creating an extension to the existing family/dining room and bedroom to the ground floor, with a further bedroom and a study/storage room created on the first floor. Careful placement of the bi-fold doors and windows to the rear, will ensure continued privacy onto the adjoining neighbours.
- 5.5 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.6 The single storey side element, will have an overall width of just under 2 metres, and be to a depth of just under 6 metres with a single window to the front elevation. It will have a lean to style roof with 1no velux window, and it will be set down from the existing ridge by 3 metres, and extend to 2.2 metres in height to the eaves.
- 5.7 The single storey rear extension (*annotated as a Conservatory on the plan*) will have an overall width of 3.7 metres and be to a depth of 3.5 metres, with an aluminium double glazed sealed unit roof and bi-fold doors into the garden.
- 5.8 The first floor single storey rear extension has an overall width of 5.1 metres and will be to a depth of 4.9 metres, with 2No new windows facing into the rear garden. Overall, with the extensions mainly towards the rear of the property, there will not be any significant or detrimental impact on the street scene or character of the area.
- 5.9 All extensions have been proposed through their design to complement the existing dwelling in the choice of materials, details and components, ensuring that the aesthetical appearance of the dwelling continues to compliment neighbouring properties, matching materials and components to the existing dwelling where possible, and therefore the scale and form of the proposed extensions will respect the proportions and character of the existing dwelling. Drawing no PBPDS/PP114/2 has been re-submitted to ensure that the proposed window at the front of the single storey side extension reflects that of the window design of the existing front elevation.
- 5.10 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance. Compliance with Neighbour/Residential Amenity has also been given with this application.

- 5.11 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. The side, first floor rear and the single storey rear extensions will not project to the rear any further than existing elements of the neighbouring properties, therefore there should be very little loss of light, overshadowing or overbearing impacts.
- 5.12 As per the previous application of PK13/4464/F (proposal of a single storey rear extension), this proposal will again facilitate internal alterations to the first floor layout, and with the introduction of 1No new window to the side elevation (bathroom on the first floor, west elevation) facing towards No 10 Hencliffe Way. As per the application PK13/4464/F, a condition could be again attached to any approval to *“ensure that this particular window is fitted with obscure glazing and that only a top hung opener is installed”*.
- 5.13 As part of the first floor rear extension, the existing Bedroom 3 be converted into a ‘Study/Storage’ room in this proposal. With this in mind, and subject to any approval, it would be imperative that this proposed room never be used as anything other than for the proposed use, because anything else would require a window to be installed, to sustain sufficient levels of residential amenity. Again, a condition could be attached to any approval to ensure that no new windows are added other than those shown on the plan (drwg ref PBPDS/PP114/2) or that any new windows are added to the side elevations of the first floor extension in the future.
- 5.14 In terms of overlooking, there are no proposed additional windows in the sides of the first floor proposed extensions. The only additional window will be to the new bathroom (as detailed above). The windows in the existing first floor rear elevation will be removed and 2No new windows will be inserted into the proposed first floor rear extension.
- 5.15 The site is located in a built up residential area and given the scale and location of the proposed development, the proposals should not result in a unacceptable impact on the residential amenity of neighbouring occupiers.
- 5.16 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal does mean that the existing car port will no longer be a parking space but the block layout demonstrates that the 3No driveway parking spaces will be provided, fulfilling the South Gloucestershire parking standards. The block layout also illustrates the location of the existing garage which will remain within the curtilage.
- 5.17 Private Amenity Space
The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are based on the number of bedrooms at a property. The proposed extensions will create a total of 4No bedrooms and as such, should have at least 70m² of private amenity space. The existing dwelling has 3No bedrooms, and as such should have at least 60m² of private amenity space. The proposal demonstrates that these standards are to be maintained, and as the dwelling

still benefits from an existing large amount of private amenity space to the front and rear, the existing garden should still benefit from private amenity space of sufficient size and shape, to meet the needs of the occupants.

5.18 Consideration of likely impact on Equalities

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

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

5.20 Other Matters

Concerns have been raised that following the erection of the single storey rear extension (Bedroom 4), that there would be an impact with regards to future maintenance to an adjacent property. Whilst these comments are understood, this issue does not form a material consideration as part of this planning application.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED**.

Contact Officer: Helen Turner
Tel. No. 01454 866048

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. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows shall be constructed, other than those shown on Plan PBPDS/PP114/2 Rev A.

Reason

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

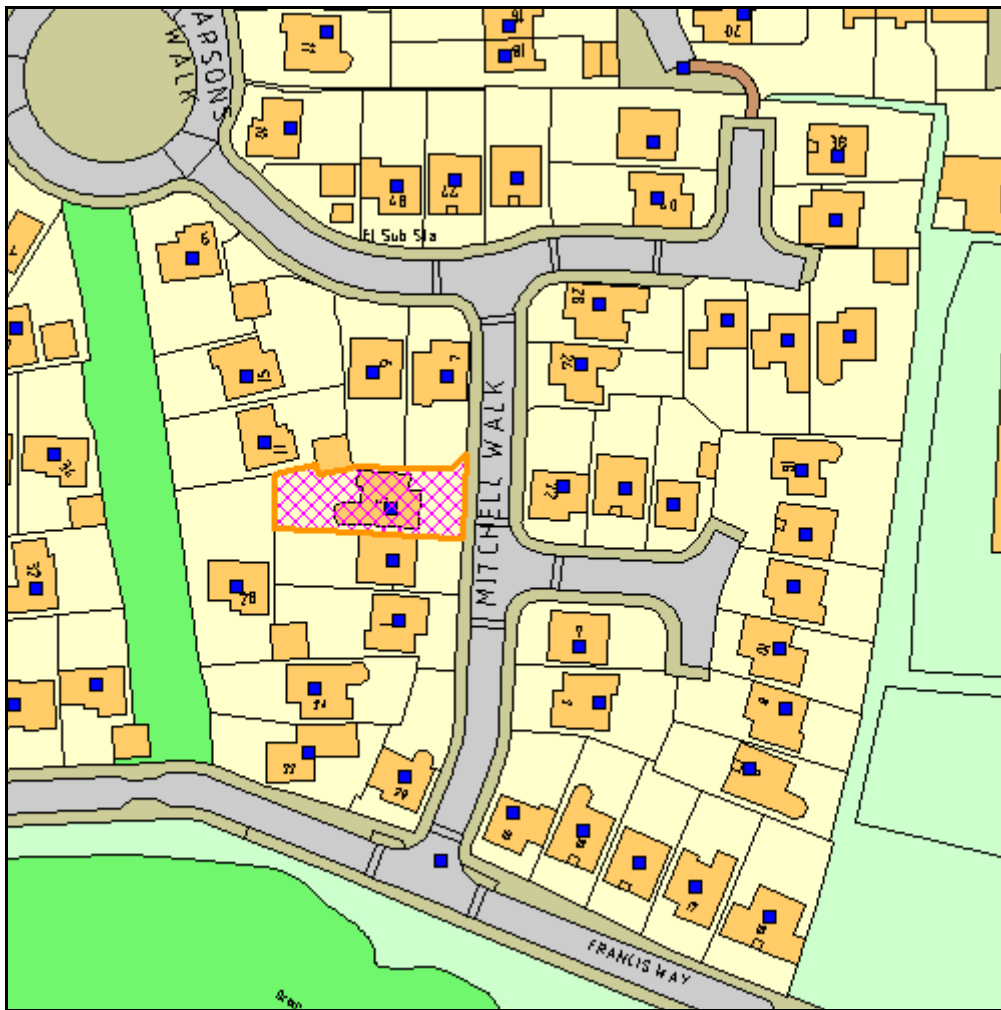
3. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor bathroom window on the west elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the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

Reason

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

CIRCULATED SCHEDULE NO. 03/20 – 17 JANUARY 2020

App No.:	P19/18533/F	Applicant:	Mr Patrick Brown
Site:	5 Mitchell Walk Bridgegate Bristol South Gloucestershire BS30 5XY	Date Reg:	16th December 2019
Proposal:	Erection of front porch and single storey rear extension to form additional living accommodation.	Parish:	Siston Parish Council
Map Ref:	367742 173028	Ward:	Parkwall And Warmley
Application Category:	Householder	Target Date:	7th February 2020



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 100023410, 2008. N.T.S. P19/18533/F

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

This planning application will be added to the Circulated Schedule because the proposal has received 2No objections from Siston and Bitton Parish Councils.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a Front Porch and a Single Storey Rear Extension as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 5 Mitchell Walk, set within a moderately sized plot, is a two storey detached property. It is located within the established built up residential area of Bridgegate, towards the north eastern fringe of the Bristol Urban Area. The immediate area is strongly characterised by two storey detached semi-detached, which are all similar design.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework February 2019

- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK18/4468/F. Demolition of existing conservatory and erection of two storey rear extension to form additional living accommodation. Approved 29.10.2018.

- 3.2 PK05/3339/F. Erection of first floor side extension and erection of single storey front extension to form extended garage and porch. (Re submission of previous application PK04/4058/F). Refused 10.01.2006

Reasons for refusal:

- i) Significant overbearing impact on the occupiers of No. 9 Mitchell Walk*
- ii) By reason of size, design and external appearance, the proposal would be out of keeping with the existing dwelling house and would have a detrimental effect on the visual amenity of the locality.*

- 3.3 PK04/4058/F Erection of first floor side extension and erection of single storey front extension to form extended garage and porch. Refused. 13.01.2005

Reasons for refusal:

- i) Significant overbearing impact on the occupiers of No. 9 Mitchell Walk*
- ii) First floor windows would cause loss of privacy for No. 11 Mitchell Walk*
- iii) The proposal would detract from the character of the area and be harmful to the street scene.*

- 3.4 PK02/1145/PDR. Erection of rear conservatory. Approved 31.05.2002

4. CONSULTATION RESPONSES

- 4.1 Siston & Bitton Parish Council
2No Objection Comments – Could create over-development, which would detracting from the character of the area.

Other Representations

- 4.3 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.
- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the considerations below.

- 5.3 The proposal is for planning permission to the existing dwelling to erect a front porch with a pitched roof and a single storey rear extension with a lean-to roof. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.
- 5.4 The property has an existing lounge/dining area, conservatory, kitchen, utility and WC and therefore the extra ground floor area proposed will permit an improved living space, developing the dwelling into a modern unit, creating a through lounge/dining/kitchen/garden room overlooking the rear garden. Careful placement of the design of the bi-fold doors and an increased sized window to the rear, will ensure continued privacy onto the adjoining neighbours. The erection of the porch will provide a supplementary internal space to the main entrance door and create a small partially glazed front extension only.
- 5.5 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.6 The proposed front porch will incorporate materials to reflect that of the existing dwelling and the design will enhance the street scene, implementing side windows to the door, and have a pitched roof. The porch will introduce a new anthracite PVCu door and side windows to the front of the small brick built extension, with windows to the side increasing the natural light as much as possible. The proposed porch will have an overall width of 2.5 meters and be to a depth of 1.3 meters, extending 2.3 meters to the eaves. The single storey element to the rear, will have a width of just over 6 metres, and be to a depth of just over 3.5 metres. It will have a lean to style roof with 3no velux windows, and it will be set down from the existing ridge by 4.8 metres, and extend to 2.3 metres in height to the eaves.
- 5.7 The proposal includes the introduction of 1no. new anthracite coloured PVCu window and 1no. anthracite coloured PVCu bi-fold doors to the rear. The proposed plans also will replace the existing PVCu windows to the rear with anthracite coloured PVCu (as the existing elevations of the property include white PVCu windows and doors). A further velux window is proposed to the extended kitchen area, which will also provide much welcomed natural light.
- 5.8 Both extensions have been proposed through their design to complement the existing dwelling in the choice of materials and components, ensuring that the aesthetical appearance of the dwelling continues to compliment neighbouring properties, matching materials and components to the existing dwelling, and therefore the scale and form of the proposed extensions will respect the proportions and character of the existing dwelling.

5.9 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; the proposal has been carefully assessed and is found to be in compliance with PSP38. Compliance with Neighbour/Residential Amenity is also given with this application.

5.10 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties and the location of the extension to the rear is unlikely to have any substantial impact on the immediate properties. As it will slightly extend beyond the rear elevation of the neighbouring property, there should be very little loss of light. To the immediate north of the proposed site is a detached garage; as it is not a residential dwelling there will be minimal residential amenity impact from the proposed development. The garage will potentially screen the proposed single storey extension. The impact of the proposed development has been considered in terms of dominance and the potential to appear overbearing to the neighbouring properties.

5.11 The small front extension is unlikely to introduce any impact on the residential amenity of the neighbouring properties. Despite, its small projection from the front elevation, it will not extend beyond that of the existing building line of No 1 Mitchell Walk and therefore should remain subservient to the main rhythm and frontage to the neighbouring properties.

5.12 The site is located in a residential area and given the scale and location of the proposals, the extensions should not result in an unacceptable impact on the residential amenity of the neighbouring properties. Due to the existing layout of the development and the form that the individual properties represent, it is not deemed that the proposed extensions would impact upon the residential amenity enjoyed by neighbouring properties.

5.13 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal does mean the existing garage will no longer be a parking space and the block plan demonstrates that the two existing driveway parking spaces will be retained, fulfilling the South Gloucestershire parking standards. Furthermore, it is not considered that the proposal would have any significant impact on general highway safety.

5.14 Private Amenity Space

The dwelling benefits from a good amount of private amenity space to both the front and rear of the property. Despite the altered shape (from the existing conservatory) of the proposed rear extension, the quantity of private amenity space within the rear garden will not be impacted from this proposal. The rear garden will still benefit from private amenity space of sufficient size and a functional shape, meeting the needs of the occupants.

5.15 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED**.

Contact Officer: Helen Turner
Tel. No. 01454 866048

CONDITIONS

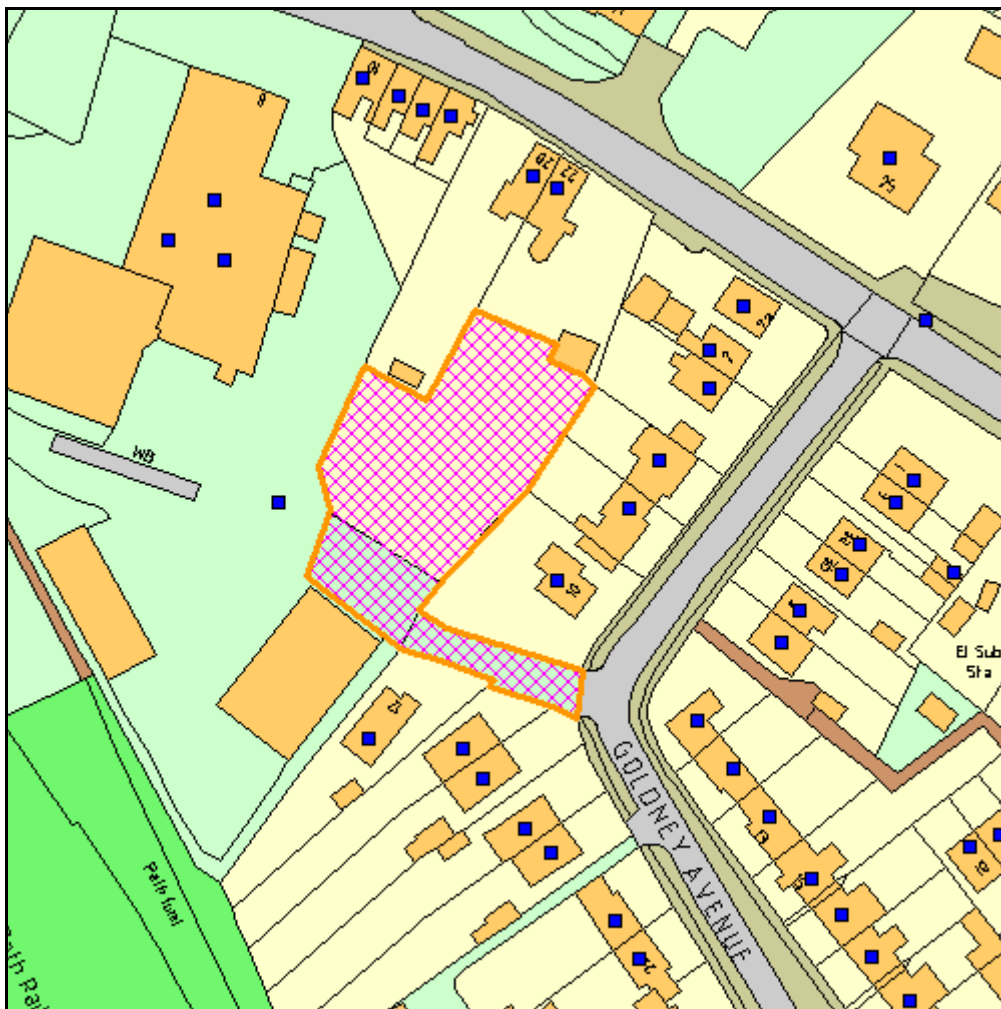
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 03/20 – 17 JANUARY 2020

App No.:	P19/5999/RVC	Applicant:	Mr Trent
Site:	22 London Road Warmley Bristol South Gloucestershire BS30 5JB	Date Reg:	3rd June 2019
Proposal:	Variation of condition 2 attached to P19/0229/F to substitute plan number 3079/2 Rev C with plan number 3079/2 Rev E.	Parish:	Siston Parish Council
Map Ref:	367311 173437	Ward:	Parkwall And Warmley
Application Category:		Target Date:	23rd July 2019



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P19/5999/RVC

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

This application appears on the Circulated Schedule as the Parish Council have objected and also because more than 3 objection letters have been received within the consultation period contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This planning application is made under Section 73 (“s73”) of the Town and Country Planning Act 1990 (as amended) (“the Act”). Applications made under this section of the Act seek to develop land without compliance with conditions previously attached to the relevant planning permission.
- 1.2 The application relates to 22 London Road, Warmley. Application P19/0229/F granted permission for the erection of 4 dwellings on the site which was approved on 11th March 2019 subject to a number of conditions. Condition 7 stated that: “Prior to occupation of the site, full details including plans shall be provided for written approval by the Planning Authority on the permanent closure of the access between the development site with the neighbouring industrial estate. The closure of this access shall be maintained thereafter.”
Reason
In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.”
- 1.3 Following the grant of planning permission, it became clear that a neighbouring property had a right of access across part of the Application Site, which would make it difficult to comply with the conditions attached to the Decision Notice.
- 1.4 On 24 June 2019, this section 73 application was submitted to substitute the ground floor layout plan referred to at Condition 2 of the Decision Notice to allow a gate to be erected between the neighbouring property and the Application Site, and therefore prevent the obstruction of the private right of way. If condition 2 is amended as requested, condition 7 would also become obsolete. This will be discussed in more detail in the body of the report below.
- 1.5 A final revised layout plan was received on 13th January 2020. The description of development was updated accordingly. As the alterations were so minor, no re-consultation was carried out.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS10	Minerals
CS12	Safeguarded Areas for Economic Development
CS13	Non-Safeguarded Economic Development Sites
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP21	Environmental Pollution and Impacts
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

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

CIL & S106 SPD (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

3.1 P19/0229/F Erection of 4 no. dwellings with associated works (Resubmission of PK18/5223/F)

Approved subject to conditions March 2019

3.2 DOC19/0152 Discharge of condition 7 (Access) attached to planning permission P19/0229/F. Erection of 4 no. dwellings with associated works (Resubmission of PK18/5223/F).

Refused to discharge the condition because the plan did not show the permanent closure required by the condition.

3.3 PK18/5223/F Erection of 6no dwellings with parking and associated works.

Withdrawn 19.12.18

3.4 PK03/3777/F Erection of 1no. detached dwelling. Construction of new vehicular access

Refused January 2004

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Object on the basis that the current access way is narrow, residents waste and recycle bins are placed at the Goldney Ave. entrance to the lane where Suez lorries make collections. Existing drains are shallow and residents park and manoeuvre their vehicles in this narrow space. Members believe the proposed site plan does not appear to be accurate at the link road. Further, it is understood that there are known coal mines in the immediate locale. Finally, Goldney Avenue is extremely narrow, additional 2 way traffic will present problems in this already congested street.

4.2 Sustainable Transport

Unable to substantiate a refusal reason

Other Representations

4.3 Local Residents

Letters of objection have been received from local residents. A summary of the key areas of concern are summaries below:

- Unacceptable impact on traffic and parking on Goldney Avenue
- This was not the plan submitted for approval
- No gate was shown during the consultation period
- The application contradicts the requirement for the condition in the first place
- The gate is needed to prevent the access being used as a shortcut
- A permanent closure is needed to protect Goldney Avenue from increased volumes of traffic
- This should have been checked when the original application was determined
- This is bypassing an important safety concern
- It would be dangerous
- Ongoing civil dispute
- Boundary dispute
- The incorrect certificate has been served – the applicants does not own all of the land within the red line.
- The gate would obstruct the neighbours right of way
- There should be a solid wall and not a gate
- Goldney Avenue is not suitable for use by Heavy Good Vehicles

5. ANALYSIS OF PROPOSAL

5.1 This application seeks to agree an amended plan that removes the requirement for the permanent closure of the access between the development site and the neighbouring industrial estate. Instead, the amended plan shows the provision of a gate.

Principle of Development

5.2 Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning

- permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.
- 5.3 If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly. If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.
- 5.4 This is not an opportunity to revisit the principle of development. The only issue for consideration here is whether the gate is a suitable alternative to a permanent obstruction.

Highway Safety

- 5.5 The previously approved scheme secured the permanent closure of the access between Goldney Avenue and the adjacent industrial estate. The reason for this requirement was to ensure highway safety. To quote from the previous officers report -
'The access lane varies in width from 4.8m at the entrance to 4.2m wide within the main part of the site. As part of development it is proposed to stop up the access to the industrial estate hence avoiding potential conflict between residential and commercial traffic. Permanent closure of the access to the industrial estate from this location would be a highway [safety] gain.'
- 5.6 As clarified in paragraph 1.4 above, since the granting of the previous permission, evidence has been submitted to prove that a neighbour has a right of access through this area. Although private rights of access are a civil issue and not usually a material planning consideration, in this instance, this means that it is not possible for the applicants to permanently block off this access.
- 5.7 As the current condition no longer meets the tests of a planning condition (in that it has been proven to be un-enforceable) an alternative arrangement has been put forward by the applicant. This is in the form of a gate. Whilst there are separate civil issues for the applicant to work through with the owners of the neighbouring property, the gate would have a similar effect at detaching traffic from using the area. It is not the role of the planning office to become involved in these civil issues
- 5.8 Whilst it is true that it will not be possible through this S73 application to ensure that the gate is closed, its very presence will give the access a more private feel and will detract some drivers from entering or passing through what will feel like a private area. A similar effect could be achieved through signage and/or CCTV systems. Whilst officers accept that the impact of a gate will be very different to a permanent closure of the access, the NPPF at para 109 clarifies that development should only be prevented or refused if there would be an unacceptable impact on highway safety or the residual cumulative impacts

on the road network would be severe. The cumulative impact of the additional four dwellings on the existing access would not be severe.

- 5.9 To conclude, this is an existing access. Whilst it's permanent closure would be highway safety gain, this is not achievable. The installation of a gate is found by planning and highway officers to be a suitable alternative. There is no evidence to demonstrate how the erection of 4 dwellings will intensify the use of this access as a shortcut between the industrial estate and Goldney Avenue. Officers cannot use the proposed development to solve an existing problem but the installation of a gate is likely to have a positive effect in reducing existing highway movements.

Other Conditions

- 5.10 Planning permission PK19/0229/F was only issued in March 2019. Although it is a recent permission it is still pertinent to consider the conditions attached to it, particularly as a number of conditions on the original consent have recently been discharged

	Description	Discussion	Action
1	Time limit	Compliance condition	Re-apply
2	List of approved plans	Amended	Re-apply as amended
3	Hours of Working on site	Compliance condition	Re-apply
4	SUDS	Discharge condition	Re-apply
5	Contamination	Discharge condition	Re-apply
6	Access and parking	Compliance condition	Re-apply
7	Details of permanent closure	No longer necessary	Delete

5.11 Other Issues

There is a boundary dispute affecting this site. This is a civil issue that must be addressed outside of this planning application. Informatives will be attached to any consent granted to remind the applicant that the granting of planning permission does not give the applicants any rights to enter land not within their ownership.

- 5.12 It has also been proven that the incorrect land ownership certificate was issued with the original permission. Counsel advice has been sought in light of this. This legal advice clarifies that there is no reason to withhold the issuing of the S73 consent. The risk of challenge lies firmly with the applicant who originally provided the mistaken information. It has been suggested to the agent that the

submission of a new full application may be more prudent but the applicant has confirmed that they wish the application to be determined as submitted.

Impact on Equalities

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

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

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 planning permission is GRANTED subject to the following conditions:

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

1. The development hereby permitted shall be begun before 11th March 2022.

Reason

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

2. The development shall proceed in accordance with the following approved plans:

As received by the Council on 7.1.19 in relation to application P19/0229/F:

Existing site plan - 3079/1

Proposed floor plans and elevations plots 1 and 2 - 3079/3

Proposed floor plans and elevations plots 3 and 4 - 3079/4

The location plan - 3079/5

Proposed site plan - drainage - 3079/6

As received on 13th Jan 2020:

Propose site plan: ground floor - 3079/2 rev E

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; and the National Planning Policy Framework.

3. The hours of working on site during the period of construction shall be restricted to

Monday - Friday.....7:30am - 6:00pm

Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017; and the provisions of the National Planning Policy Framework.

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

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

No public surface water sewer is available.

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

- o A clearly labelled drainage layout plan showing the exact location of any soakaways.
- o Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal
- o Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.

- o Sp. Note; - Soakaways must be located 5 Metres from any structure including the Public Highway
- o Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.
- o If it is intended that the proposal's surface water disposable is to remain as one jointly shared soakaway for the two dwellings rather than individual soakaways for each dwelling, then we request the submission of an industry standard legally binding document which sets out how each dwelling owner will be made aware of the extents of its shared responsibility in relation to ownership and maintenance of the soakaway and its components for the lifetime of the development.
- o The document should also consider any future sale scenarios and how tentative purchasers will also be made aware of their jointly vested drainage asset.
- o Details of the maintenance regime should also be outlined within the document.

Reason:

This is a pre-commencement condition to avoid any unnecessary remedial action in future and to comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2012.

5. A) Desk Study - Previous historic uses(s) of the site and/or land within 250m of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

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

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

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

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

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

Reason

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

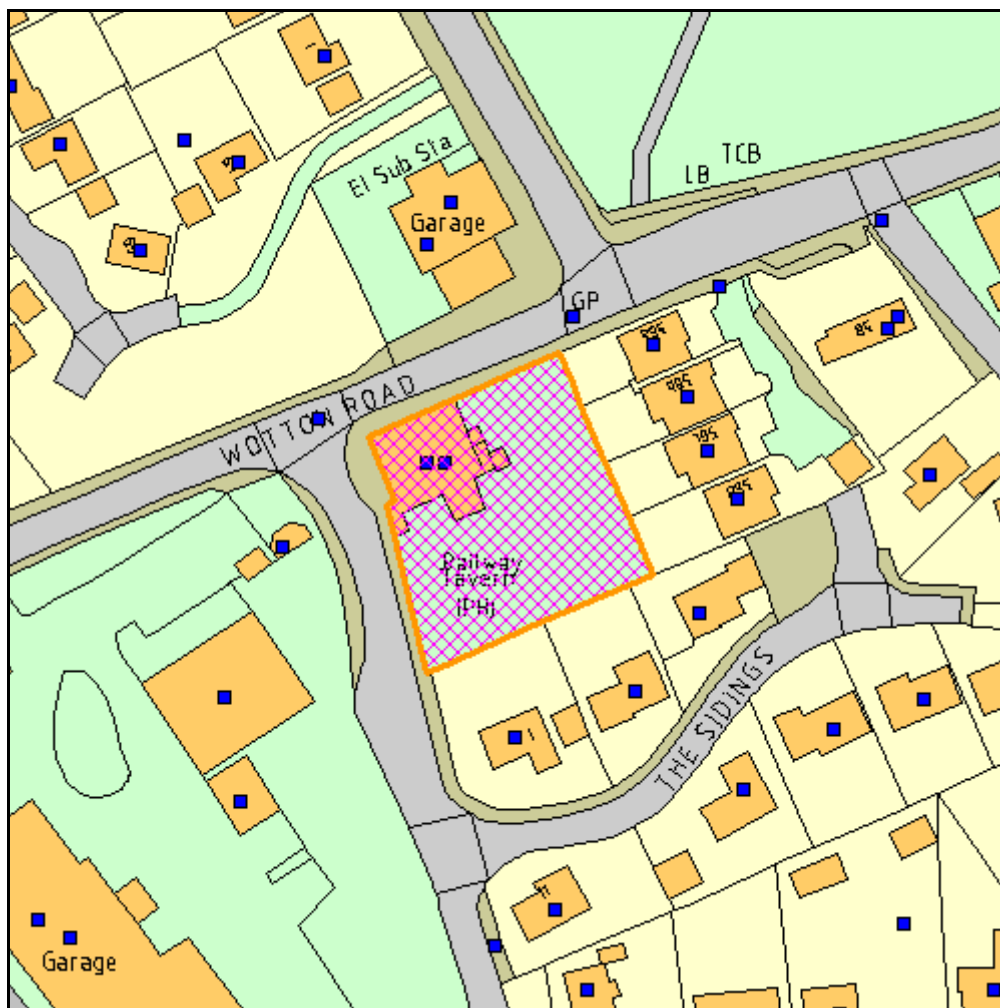
6. Prior to occupation of any dwelling on this site, the cycle storage, car parking and turning area on site shall be provided in accordance with the submitted and approved plan Proposed site Plan: Ground floor - 3079/2 Rev C. The cycle storage, car parking area and turning area shall be maintained as such thereafter.

Reason

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

CIRCULATED SCHEDULE NO. 03/20 – 17 JANUARY 2020

App No.:	PT17/5602/ADV	Applicant:	Punch Pub Co Ltd
Site:	Railway Tavern 56 Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8SR	Date Reg:	19th December 2017
Proposal:	Consent to display 3no static illuminated fascia signs, 1no static illuminated hanging sign and 8no non illuminated hoarding signs.	Parish:	Charfield Parish Council
Map Ref:	372470 192337	Ward:	Charfield
Application Category:	Minor	Target Date:	23rd January 2018



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100023410, 2008. **N.T.S.** **PT17/5602/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 REPORTING TO THE CIRCULATED SCHEDULE

This report has been referred to circulated schedule because there has been an objection raised by Charfield Parish Council and three objections raised by local residents about the proposal.

1. THE PROPOSAL

- 1.1 The proposal seeks planning consent to display 3 static illuminated fascia signs, 1 static illuminated hanging sign and 8 non illuminated hording signs.
- 1.2 The application site is Railway Tavern public house on Wotton Road, Charfield. Railway Tavern sits on a corner plot with Wotton Road to the north and Station Road to west. To the east and south there is car parking serving the public house and then residential properties. The other side of Wotton Road to the north is a service station and the other side of Station Road to the west is a working garage.
- 1.3 Railway Tavern has historically been approved multiple fascia signs, hanging signs and advertisements. Railway Tavern has historically been approved external lighting for these signs. The current application is retrospective and the proposed signs have been in place for a number of years.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework February 2019
National Planning Practice Guidance
The Town and Country Planning (Control of Advertisements) (England) Regulations 2007
- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design

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
Outdoor advertisements and signs: a guide for advertisers June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/4447/ADV
3 externally illuminated fascia signs, 1 externally illuminated double sided swing sign, 7 non illuminated wall signs and internally illuminated lanterns and floodlight.
Refusal (20/09/2016)
- 3.2 P91/2564/A
Display 2 externally illuminated fascia sign and 1 externally illuminated double sided projecting sign.
Advert Approval (04/12/1991)
- 3.3 P84/2528/A
Display 5 externally illuminated advertisements.
Advert Approval (20/12/1984)
- 3.4 N346/ADV
Display 7 externally illuminated advertisements.
Refusal (10/11/1983)

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
Unreasonable amount of signage which is out of keeping with a village public house. Excessive light pollution inappropriate with village's dark skies initiative. Lighting will cause problems for neighbours. Excessive signage will lead to increased car and pedestrian accidents. Regular use of temporary pavement signage erodes junction visibility.
- 4.2 Sustainable Transport
No comments - Do not believe that it will create any highways or transportation issues.
- 4.3 Local Residents
3 Objections - Signs are intrusive and excessive. Signs are distracting for passing traffic. Lighting contradicts Charfields dark skies approach. Lighting is intrusive for neighbouring properties. Building contains extra signs that are not included in the application. Temporary signage obstructs pedestrians and limits visibility for traffic.
- 1 General Comment - Temporary signage obstructs pedestrians and limits visibility for traffic.

5. ANALYSIS OF PROPOSAL

- 5.1 The application seeks advertising consent to display advertising signage at Railway Tavern public house on Wotton Road, Charfield. The proposal includes: 3 static illuminated fascia signs; 1 static illuminated hanging sign; and 8 non illuminated hording signs.

5.2 Principle of Development

Guidance within the National Planning Policy Framework (February 2019) stipulates that advertisements should be only subject to control in the interests of amenity, public safety and their cumulative impacts. Design and design quality is assessed in terms of visual amenity and cumulative impact under policy CS1 of the South Gloucestershire Core Strategy. Public safety is considered to ensure that the signage is not detrimental to highway safety or presents a traffic hazard.

5.3 Design and Visual Amenity

The application seeks advertising consent for 12 signs in total: 3 static illuminated fascia signs; 1 static illuminated hanging sign; and 8 non illuminated hording signs.

5.4 3 static illuminated fascia signs.

- Sign A is a refurbished fascia sign with new Perspex letters, externally illuminated by a trough light. The sign measures 5.84m x 600mm.
- Sign B1 is a refurbished gable board sign with new letters, externally illuminated by trough lights. The sign measures 4.4m x 1.4m.
- Sign B2 is a gable board sign, externally illuminated by trough lights. The sign measures 3m x 1.4m.

All three signs are in keeping with the expected appearance of a public house and proportionally sized within the facade of the property.

5.5 1 static illuminated hanging sign.

- Sign C is a double sided swing sign, externally illuminated by linolites. The sign measures 930mm x 1230mm.

The hanging sign is in keeping with the expected appearance of a public house and proportionally sized within the street scene.

5.6 8 non illuminated hording signs.

- Sign D is a corex board measuring 1.5m x 1m.
- Sign E is a car park direction sign measuring 1.2m x 600mm.
- Sign F1 is an entrance panel measuring 1530mm x 235mm.
- Sign F2 is an entrance panel measuring 1m x 200mm.
- Sign G1 is an A0 poster case measuring 908mm x 1258mm.
- Sign G2 (x2) are A1 poster cases measuring 669mm x 914mm.
- Sign G3 is an A2 poster case measuring 420mm x 595mm.

All eight signs are in keeping with the expected appearance of a modern public house and proportionally sized within the facade of the property.

5.7 On the basis of the assessment set out above, it is not considered that the proposal would detract from the appearance of the building or negatively impact the visual amenity of the streetscene or character of the area.

5.8 Residential Amenity

Railway Tavern is located in a mainly residential area but is neighboured to the north and west by a service station and working garage. To the east and south there is car parking serving the public house and then residential properties.

The closest of these residential properties is approximately 25 metres from the public house. Of the 12 proposed signs, 4 of them are illuminated and these are all replacements for existing illuminated signs.

5.9 On the basis of the assessment set out above, it is not considered that the proposal would result in any unacceptable impacts on the amenity of neighbours.

5.10 Public Safety

The Parish Council and a number of local residents have raised concerns that the proposed signs and specifically the amount of proposed signs will lead to an increased number of car and pedestrian accidents. The South Gloucestershire Council Sustainable Transport Officer does not share these concerns, concluding that the majority of the proposed signs are replacements for older signs in approximately the same location meaning that there is unlikely to be a highways or transportation issue.

5.11 Equalities

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

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

5.13 Other Matters

Consultation responses have raised concerns that there are a number of signs fixed to the building that have not been included in this application. This report is just an assessment of the 12 signs shown on the submitted plans and not any other signs that may be attached to the building.

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**.

Contact Officer: Oliver Phippen
Tel. No. 01454 866019