

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. 16/20

Date to Members: 17/04/2020

Member's Deadline: 23/04/2020 (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:

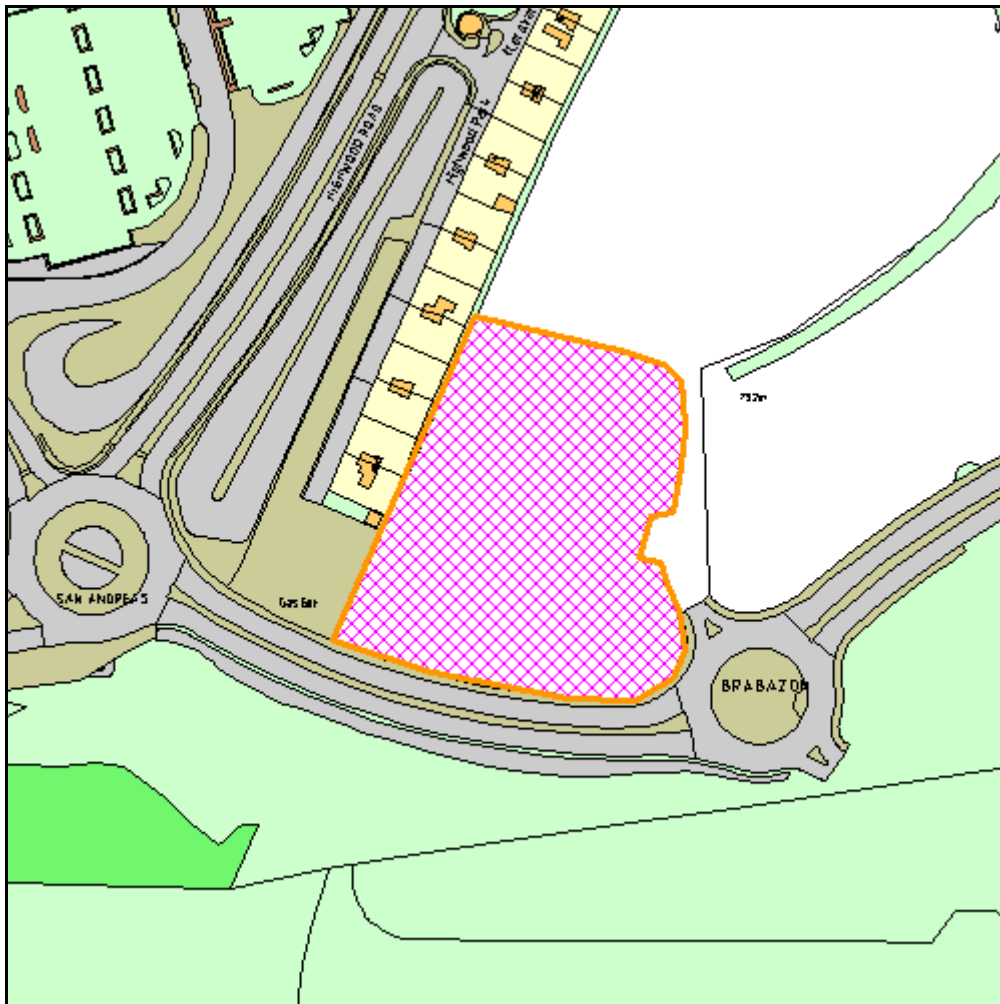
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 17 April 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/09543/F	Approved Subject to Section 106	Northfield Park Filton South Gloucestershire BS34 5DJ	Charlton And Cribbs	Almondsbury Parish Council
2	P19/14388/F	Approve with Conditions	3 School Road Cadbury Heath South Gloucestershire BS30 8EN	Parkwall And Warmley	Oldland Parish Council
3	P20/03393/F	Approve with Conditions	130 Spring Hill Kingswood South Gloucestershire BS15 1XW	New Cheltenham	
4	P20/03434/F	Refusal	The Grange Siston Court Mangotsfield South Gloucestershire BS16 9LU	Boyd Valley	Siston Parish Council
5	P20/04095/F	Approve with Conditions	65 Applin Green Emersons Green South Gloucestershire BS16 7ES	Emersons Green	Emersons Green Town Council
6	P20/04159/F	Approve with Conditions	73 Cadbury Heath Road Cadbury Heath South Gloucestershire BS30 8DG	Parkwall And Warmley	Oldland Parish Council

CIRCULATED SCHEDULE NO. 16/20 - 17th April 2020

App No.:	P19/09543/F	Applicant:	GGT Estates
Site:	Northfield Park Filton South Gloucestershire BS34 5DJ	Date Reg:	30th July 2019
Proposal:	Erection of 1no. building to form car showrooms, used vehicle sales and ancillary workshop incorporating a dedicated automotive training and 'Centre of Excellence' facility including offices, MOT area, with associated valet building, external works and car parking.	Parish:	Almondsbury Parish Council
Map Ref:	359349 181046	Ward:	Charlton And Cribbs
Application Category:	Major	Target Date:	22nd October 2019



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 100023410, 2008. **N.T.S.** **P19/09543/F**

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to it being subject to a planning obligation which is to be secured through a Section 106 Agreement.

1. THE PROPOSAL

- 1.1 This planning application seeks full planning permission for the erection of a building to form a car showroom and used vehicle sales area, as well as an ancillary workshop incorporating a dedicated automotive training and 'Centre of Excellence' facility, including offices, MOT area, with an associated valet building, external works and car parking, at the site known as 'Land at Hayes Way, Northfield Park (West)'.
- 1.2 The site is currently vacant and is part of the land that formed the original Charlton Hayes site. It is a safeguarded area for economic development and is within part of the Filton Enterprise Area. It had outline consent for B1 uses as part of the original Charlton Hayes permission (ref. PT14/5028/O), although this outline permission has recently 'expired' for submission of any further reserved matters.
- 1.3 The site fronts Hayes Way, and will be bound to north by a recently permitted nursery (ref. PT18/5140/F), and residential development (ref. PT17/4963/RM). To the west of the site is the Highwood Park Caravan Site. The site would be directly accessed off Hayes Way.
- 1.4 Alongside plans, a number of reports have been submitted as part of this application. These include;
 - Design and Access Statement
 - Coal Mining Report
 - Contamination Desk Study
 - Preliminary Ecological Appraisal
 - Flood Risk Assessment
 - BREEAM Report
 - Energy Statement and Sustainability Report
 - Noise Impact Assessment
 - Transport Statement
 - Travel Plan.
- 1.5 Pre-application advice was sought on the scheme. Through the course of the application, the scheme has been amended, and additional information requested. A formal re-consultation was carried out, and this ended on 20th November 2019.

- 1.6 A screening opinion has been carried out for this development (ref. P19/017/SCR). It was concluded that an Environmental Impact Assessment (EIA) was not required.

2. **POLICY CONTEXT**

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS3	Renewable or low carbon district heat networks
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and developer contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS11	Distribution of economic development land
CS12	Safeguarded areas of economic development land
CS25	Communities of the North Fringe of Bristol Urban Area
CS26	Cribbs / Patchway New Neighbourhood

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
PSP26	Enterprise Areas
PSP27	B8 Storage and Distribution Uses

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Cribbs / Patchway New Neighbourhood SPD (March 2014)

3. **RELEVANT PLANNING HISTORY**

The site itself

- 3.1 PT03/3143/O Approved – S106 Signed 15.03.2008

Major mixed-use development across 81.25 hectares of land comprising 2,200 new dwellings, 66,000 sq m of employment floor space (B1, B2 and B8), 1,500 sq m of A1, A2, A3, A4 and A5 floor space: together with the provision of supporting infrastructure and facilities including; new vehicular and pedestrian accesses to Highwood Road, new link road, public open space, primary school, community building, hotel (C1) (Outline).

- 3.2 PT14/5028/O Approved – S106 Signed 05.11.2015
Mixed use development on 6.24 hectares of land comprising up to 120 new dwellings (Use Class C3) up to 8000 sq m of office development (Use Class B1) and up to 400sqm of ancillary retail use (Use Classes A1, A2, A3, A4 and A5) together with supporting infrastructure and facilities, including new vehicular access, landscaping and services. Outline application including access with all other matters reserved.

Other relevant planning history

- 3.3 PT17/4963/RM Approve with Conditions 29.03.2018
Erection of 120 dwellings and associated garaging (Class C3) together with supporting infrastructure to include new vehicular access, landscaping and services. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT14/5028/O)
- 3.4 PT17/4816/F Refusal 13.07.2018
Construction of an estate road and erection of 5no. units in 1no. mixed-use commercial building (Classes B1(c), B2, B8 with trade counters/ancillary showrooms; Class B8/A1; and sui generis tile merchant) with access and servicing arrangements, car parking, structural landscaping and associated works.
- 3.5 PT17/5387/F Approved subject to s106 27.02.2019
Erection of Lidl foodstore (Class A1) with access, servicing, parking and associated works.
- 3.6 PT18/5140/F Approve with Conditions 20.06.2019
Erection of single storey day nursery and associated works.
- 3.7 P19/017/SCR EIA not required
Screening opinion for P19/09543/F. Erection of erection of 1 No. valet building and 1No. building to form car showrooms, used vehicle sales and ancillary workshop incorporating a dedicated automotive training and 'Centre of Excellence' facility including offices, MOT area, with associated external works and car parking.
- 3.8 P19/09672/F Pending consideration
Erection of Petrol Filling Station and convenience store with coffee shop, creation of access and associated facilities and works.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

No comments received

4.2 Sustainable Transport

No objection. A transport statement and travel plan have been submitted. Full comments will be discussed within the report.

4.3 Planning Policy

Originally asked for additional information in relation to alternative provision and evidence of marketing for office use. Following the submission of additional information, now consider acceptable subject to a condition to ensure that the 'Centre of Excellence' is retained.

4.4 Landscape Officer

Originally commented that an amended landscape plans should be submitted to incorporate a number of changes. Through the course of the application amended details have been provided, this is now considered acceptable but it is recommended that a landscape condition is imposed.

4.5 Economic Development

The proposed development will generate up to 3,942sqm Sui Generis employment space. The applicant has indicated that the dealership will create up to 41 FTEs, ranging from technicians, sales, administration and apprentices. Supports the application. A S106 contribution of £10,000 has been offered by the applicant to encourage occupiers to locate and grow in the Filton Enterprise Area.

4.6 Highway Structures

No objections.

4.7 Arts and Development

No comment.

4.8 Lead Local Flood Authority

Following amendments to the drainage strategy and additional information submitted, no objection is now raised subject to the development proceeding in accordance with the plans submitted.

4.9 Environmental Policy

Requested and received an Energy/Sustainability Statement through the course of the application.

Original comments summarised as follows:

- Additional information on hot water strategy requested
- Encouraged to include roof mounted PV
- Additional information in relation to VRF units requested.
- Encouragement of green and blue infrastructure
- Details of air permeability
- Additional information on EV charging points
- Cycling parking/showers

- Comments in relation to BREEAM rating

Through the course of the application additional information has been submitted and is accepted. There are some outstanding points, these will be set out in detail in the relevant section of this report.

4.10 Ecology Officer

A preliminary ecological appraisal was submitted alongside the application. Originally commented that the application needs to clarify whether or not the mature bramble between fences on the western boundary is being retained within the scheme. Further, that the application needs to consider incorporating a wildlife pond to off-set the loss of standing water on the site. The applicant has now clarified this boundary treatment but has declined to provide a pond as part of the landscaping. The ecology officer has recommended that conditions are imposed to ensure that development proceeds in accordance with the recommendations of the Ecological Appraisal.

4.11 Archaeology Officer

No objections.

4.12 Tree Officer

No comments received.

4.13 Urban Design Officer

Originally commented:

- No objection to the general appearance/scale of the building.
- the building should be re-located on the site to front Hayes Way
- recommended amendments to general layout of site
- introduce additional trees/landscaping
- outside seating area should be provided for staff
- provision of electric vehicle charging points should be clarified
- Facility should meet BREEAM 'excellent' standard, needs clarification.
- Shower and changing facilities for staff should be provided to encourage walking and cycling.

Amendments have been received which show some general layout changes and some additional trees and planting. An outside seating area and showers for staff are also provided. Some clarification in relation to electric vehicle charging points and the BREEAM rating has been increased from 'good' to 'very good'. Still some concerns and a number of comments which have not been rectified.

4.14 Wessex Water

No comments received.

4.15 Environmental Health – Noise

Originally requested that an assessment of noise was undertaken due to proximity of site to neighbouring residential uses. A noise impact assessment was submitted which was reviewed by colleagues. This has now been reviewed by the Council's environmental health officer and they have confirmed that the

development is likely to have a low impact on nearby residential properties. A query was raised in relation to noise from roller shutter doors. Additional information was submitted in this respect. This has been considered and no objections are now raised. It is recommended that additional information is requested in relation to plant during detailed stage, this would form a condition.

4.16 Environmental Health – Contamination

The application was supported by a Phase 1 desk study, the conclusions and recommendations of such are accepted. A condition is recommended in relation to any previously unidentified contamination.

4.17 Avon and Somerset Police

The scheme complies appropriately with the crime prevention through environmental design principles.

4.18 The Coal Authority

The application site does not fall within the defined Development High Risk Area and it is recommended that The Coal Authority's Standing Advice should be placed on the decision notice.

Other Representations

4.19 Local Residents

1no. objection was received from a local resident. Comments summarised as follows:

- Staff parking associated with existing Ford and Nissan garages in residential areas of Charlton Hayes
- Adding another dealership will cause further problems.

5. ANALYSIS OF PROPOSAL

5.1 **Principle of Development**

This application seeks permission for the erection of a car showroom and 'Centre of Excellence' relating to Toyota and Lexus brands, in part of the 'Filton Northfield' safeguarded area for economic development, and part of the Filton Enterprise Area. It is also within part of the North Fringe of Bristol Urban Area. The key policies to consider within the Development Plan, in relation to the principle of this development are; CS5, CS12, CS25, and PSP26.

5.2 The South Gloucestershire Local Plan Core Strategy 2006-2027 was adopted in December 2013. The key policies relating to this application are CS5, CS12 and CS25. CS5 directs 'most new development' to the communities of the north and east of Bristol urban area. CS25 sets out that the specific vision for the North Fringe of Bristol Urban Area, and seeks for it to continue to be a major economic driver, and to maintain its role as a major focus for employment, commercial and retail activity. CS12 safeguards land for B use classes and sets out criteria which manage change.

5.3 The South Gloucestershire Local Plan Policies, Sites and Places Plan was adopted in November 2017. In respect of this development, these policies are given full weight in this assessment of this application. The key policy relating to

this application is PSP26. This policy seeks to provide employment and associated education facilities within the economic specialisms of Enterprise Areas.

- 5.4 Given the above, the principle of this type of development in this location is accepted in the local development plan. The site also had outline planning permission for B1 office uses (ref. PT14/5028/O). This has now expired and a reserved matters for B1 office uses did not come forward on the site. Detailed assessment of CS12 and PS26 are set out below.

5.5 Consideration of Policy CS12

CS12 sets out a number of criteria for instances where a change from B use classes to other economic development uses, including town centre uses and non-employment uses are proposed. This is assessed below.

1. *The proposal would not prejudice the regeneration and retention of B Use Classes elsewhere within the defined employment area;*

Given the proposal does not involve the removal of an existing B use classes, this criteria is not applicable.

2. *It can be clearly demonstrated that it would contribute to a more sustainable pattern of development in the local area as a consequence of the appropriateness of the proposed use to the location;*

Due to the nature of the use, there is some concern that travel to and from the site will be by car. Having said this, pedestrian and cycle access is proposed. It is also noted that a number of cycle parking spaces are proposed as well as showers for use by staff. In addition, the application site is close (0.5 miles) to bus connections at Cribbs Causeway.

3. *The proposal would improve the number or range of jobs in the local area;*

It is important to note that this is currently a vacant site which has been marketed for B use classes for around 10 years without interest. This development involves the erection of a car showroom as well as a 'Centre of Excellence' which would provide specialist training. Information submitted in support of the application sets out that 51 jobs would be provided at the site. The jobs would vary, and would include;

- Technicians
- Sales Executives
- Office-based roles
- Managerial roles
- Workshop apprentices

It is noted that this may not be equivalent to the number of jobs that, for example, a B1 (a) office use may provide. However, a considerable number of diverse jobs would still be provided, and as such, the development is assessed as complying with this criteria.

4. *No suitable alternative provision for the proposal has been made elsewhere in the LDF.*

There is no provision made for car showrooms within the Local Development Framework.

- 5.6 Given the above, the development is considered to comply with CS12. As outlined above, the site is also within the Filton Enterprise Area. Para. 7.8 of the PSP Plan sets out that this area is '*...focused on aerospace and advanced engineering to promote defence design, research and manufacture, advanced manufacturing; emerging materials technologies, information technology and microelectronics research and design*'.
- 5.7 The above is a 'focus' for the area and it does not necessarily follow that every development within the Enterprise Area should wholly relate to these specialisms. The Northfield Park West site forms part of the outline planning permission of the wider Charlton Hayes development (ref. PT03/3143/O), and is shown on the approved masterplan as being consented for B1 use classes. This part of Northfield Park West was also consented for B1 use classes as part of ref. PT14/5028/O. Both these consents have now expired.
- 5.8 This application proposes a car showroom, used vehicle sales, workshop and associated 'Centre of Excellence'. This is a Sui Generis use class which is not directly focused on aerospace and advanced engineering. Through the course of the application additional supporting information has been provided in relation to the assessment of the development in the context of PSP26.

Consideration of Policy PSP26

- 5.9 PSP26 sets out criteria for proposed development in Enterprise Areas, to ensure that it contributes to the focal specialisms, as set out in para. 5.3 of this report. This is assessed below.

Development proposal(s) within the three Enterprise Areas, identified on the Policies Map, will be acceptable where they:

1) *Safeguard future economic prosperity;*

The supporting text for this policy sets out (in para. 7.9 of the PSP Plan) that this means through the nurturing and expansion of existing businesses, and the attraction of inward investment, relevant to the specialisms and economic sectors of the Enterprise Area.

The development proposes the re-location of two existing, and currently separate, businesses in the Bristol area; Toyota and Lexus dealerships. It is understood that these facilities are now outdated and their re-development is not viable. Further, that 'Motorline' (ie. The applicant) requires a need for a training facility to serve their operations across the South West. The development would provide significant investment and job generation.

In this way, it is considered that development would contribute towards local and wider economic prosperity.

Through the course of the application process, concerns were raised in relation to how the use fits with the focuses and specialisms of the Enterprise Area. Additional information and justification has subsequently been submitted. This is summarised below.

- *Vehicle technicians are as qualified as some aerospace engineering roles.*
- *Toyota have a 'Masters' level of vehicular technician, this is something that is also provided within the aerospace industry.*
- *Both aerospace engineering and motor vehicle manufacturers involve the development and maintenance of electric technology.*
- *Toyota and Lexus have developed hydrogen fuel cell vehicles. This facility could host such technologies in the future. The aerospace industry are also developing hydrogen fuel cell technology for ground service vehicles.*
- *Traditional skills are being replaced by technological and electrical systems. This enables trained staff to progress outside of the automotive sector. For example, a number of skilled motor electricians have been able to transfer their skills to the wind turbine industry.*
- *Such skills could be utilised in aeronautical and other 'high-tech' sectors.*
- *There is a need for technological knowledge for the servicing and repair of electric and hybrid vehicles. This requires a 'laboratory type environment'.*
- *The facility will provide the latest technologies for new vehicle models that are expected in the next two to three years.*

Officers have considered the above. It is noted that there are some very broad connections between the automotive and aerospace sectors. It is also noted that car production will increasingly move towards electric vehicles, given the UK Government plan to ban the sale of petrol, diesel and hybrid cars by 2040 at the latest. In this way, it is considered that there would be some, albeit very limited, relevance to the focuses of the Filton Enterprise Area.

It is also considered that the development would provide limited scope toward inward investment from the relevant aerospace and advanced engineering specialisms. Through the course of the application the applicant offered a contribution of £10,000, to be secured through a Section 106 Agreement. This is proposed to be used as part of marketing and promotion of the Filton Enterprise Area, to relevant investors and occupiers. This contribution is covered in detail within section 6 of this report.

Overall, there are concerns in terms of the developments connections with relevant specialisms of the Enterprise Area, and opportunities to attract inward investment in such. However, it is considered that the proposed contribution would promote inward investments through marketing. Further, it

is considered that the development would have a positive impact on the local economy of South Gloucestershire, and economic prosperity of the Enterprise Area through investment and provision of jobs. As such, it is considered that the development complies with this criteria.

2) Provide for integrated development while avoiding conflicts between neighbouring land-uses;

The development is close to the communities of Charlton Hayes, and Patchway. It is considered there are sufficient walking and cycling routes to enable nearby residents to access the site. The site is also close to two other car showrooms; Nissan opposite the site, and Ford to the south east. A nursery has been permitted to the north of the site, and is being constructed at the time of writing. It is considered that the development would not conflict with these neighbouring land-uses.

The nearest residential properties are located at the Highwood Park Caravan Site which is located to the western boundary of the site, and new dwellings, some which are currently under construction, to the north of the site at Charlton Hayes. Through the course of the application process, the Environmental Health Officer requested that an assessment of noise from the operational use of this premises and an appropriate scheme of mitigation measures was submitted. This was received, and concluded that the development is likely to have a low impact on nearby residential receptors. In terms of general residential amenity, it is considered that the development would not result in any detrimental overlooking or overbearing impacts.

Overall, the development is considered to be well integrated to the surrounding area and would not conflict with neighbouring uses.

3) Make appropriate provision towards education, skills development and training and towards enabling communities and local businesses to access jobs and supply opportunities;

One of the key aspects of this proposal is the 'Motorline Academy'/ 'Centre of Excellence' which will predominantly be used for training for staff in the South West, Wales and the Midlands. Through the course of the application process, additional information was requested in relation to this facility, including need.

The applicant; 'Motorline' is a dealer group who represent Toyota and Lexus in Europe, as well as other brands. In the supporting information it is stated that they require a local facility for the training of 450 staff. They also go on to set out that there is a regional deficit for specialist training facilities, and that the proposed 'Centre of Excellence' will be a state-of-the-art training and development facility.

It is understood that Motorline have 13 primary training courses which are delivered to all staff, and others which are specific to job role. The facility would primarily provide Motorline training specifically for Toyota and Lexus

brands. However, supporting information states that it could be used to support other brands.

Clearly this facility would provide training and skills development for Motorline, and associated brands. In this regard, the development is considered to comply with this criteria. However, the other key aspect is the provision toward education for local communities.

It is understood that the applicant has a similar facility in the South East where links to local colleges and a university have been made. Through the course of the application additional information was provided in terms of links with local education providers. In supporting information the applicant set out that they propose to advertise apprenticeships to local colleges and further education providers. These would include retail product specialists as well as workshop technicians. It is also proposed that colleges would be offered career development presentations, giving them insight to the working environment.

Whilst there are limited links to specific training opportunities in relation to the focuses of the Filton Enterprise Area, the development would provide a form of skills development and training on-site which could be utilised by local colleges and universities. As such, it is considered that the development complies with this criteria. A condition is recommended to ensure that the 'Centre of Excellence' is retained for training and education purposes.

4) *Contribute towards the provision of physical and social infrastructure in line with the City Region Deal;*

The development proposes pedestrian and cycle links to and from the site. It also proposes cycle parking and showers for use by staff.

5) *Provide new high quality, people orientated, public space(s) and public realm, which enhance the environment for existing businesses and support the attraction of inward investment;*

This site is located at a prominent position along Hayes Way. As such, it is important that a high quality of public realm is provided. Through the course of the application process, additional planting was provided along the boundary and within the site. It is also noted that a seating area is proposed for staff within the site. Further to this, and given the site does form a key part of the public realm of the Enterprise Area, it is recommended that a public art strategy is secured. A condition is therefore recommended in the event of approval. This is something that the applicant has agreed to. Given the above, the development is considered to comply with this criteria.

6) *Make appropriate provision towards the sustainability of sites, the wider Enterprise Area and surrounding communities.*

As mentioned in point 2 above, the development would be close to public transport facilities located at Cribbs Causeway and would have pedestrian and cycle links. A travel plan has been submitted which sets out how vehicular travel by staff to the site would be minimised. In terms of the sustainability of the development itself, the development includes energy saving measures and the BREEAM report sets out that it would achieve a 'Very Good' rating.

5.10 The assessment above has raised some concerns in relation to the developments connections with relevant specialisms of the Enterprise Area, and opportunities to attract inward investment. However, it is considered that the proposal complies with PSP26 in this respect. In coming to this conclusion, significant weight has been given in respect of the provision of investment and jobs in the Enterprise Area, on a site which has been vacant for 10 years despite marketing campaigns for B use classes.

5.11 Design, Layout and Landscaping

This site forms a corner plot along part of Hayes Way and off the 'Brabazon' roundabout. Plans show that the building would have two main blocks, one being the main Toyota showroom and the other the Lexus showroom. They would be connected through a first floor link which would form part of the 'Centre of Excellence'. The buildings would be surrounded by car parking/display parking, and soft landscaping/planting would bound the road. Some tree planting is also included within parking areas. The building itself would have a modern appearance, which accords with its use. It would be largely formed of glazed and cladded panels.

5.12 Through the course of the application amendments have been made in relation to design and landscaping, and as a result of concerns expressed by Officers. This includes;

- alterations to the layout of display/car parking
- increased number of trees along the boundary and within the site
- alterations to the tree species/sizes proposed
- the introduction of an outdoor seating area for staff
- Introduction of permeable paving.

5.13 It was requested that further, additional tree planting was proposed and that the layout of the site should be re-considered. It is noted that this has not been amended prior to determination. Having said this, it is considered that there have been design improvements, and the scheme is considered acceptable in this respect in accordance with policies CS1, PSP1 and PSP2. It is recommended that a condition is imposed in relation to the submission of a final detailed planting plan.

5.14 Sustainability

The application was supported by a BREEAM Assessment and an Energy Strategy & Sustainability Report. Through the course of the application process additional information, amendments and clarification was sought from the Council's environmental policy (EP) team. Whilst the majority of concerns have

been rectified, it is recommended that a condition is imposed ensuring that the building achieves a BREEAM 'very good' rating.

5.15 There were also outstanding concerns in relation to overheating of the building. The EP team set out that the risk of overheating should take account of average/peak temperatures for the lifetime of the development (taken to be 60 years). The applicant states that the lifetime of the building is only 25 years, and therefore, this is unnecessary. Overheating is covered within Building Regulations and there is no policy requirement to compel the applicant to submit an overheating assessment. It is considered that there are no clear overheating concerns within the projections set out in the Energy Strategy. As such, notwithstanding the advice from the Councils EP team, the development is considered to comply with PSP6 and CS1.

5.16 Transport

The development would be accessed off the 'Brabazon' roundabout, which forms part of Hayes Way. Given the nature of the use, a large amount of the site would be formed of car/display parking. The applicant has submitted a Transport Statement and Travel Plan in support of the application. Information submitted sets out that the use is likely to have a broadly beneficial impact on the overall travel demand of this site, when compared to B class uses.

5.17 The Council do not have car parking standards for this type of use. It is proposed that 71no. customer parking spaces and 14no. staff car parking spaces are proposed. The applicant has provided a parking acclamation calculation to demonstrate that this is adequate in this instance. They have also provided disabled car parking spaces and cycle parking. The Highways Authority have reviewed these arrangements and consider them acceptable.

5.18 A local resident raised concerns in relation to staff parking on surrounding roads/in residential areas. A travel plan has been submitted. This document sets out implementation measures and targets to assist in minimising the number of staff vehicular trips generated by the site. It is intended to be something that is updated annually based on current travel habits.

5.19 The travel plan has been reviewed by the Highways Authority and they have confirmed that it is satisfactory, and should be implemented before the site is first occupied. They have recommended a condition to this effect.

5.20 Overall, it is considered that the development would not be harmful to highway safety and would comply with PSP16 and CS8. The development is within a sustainable location and would have sufficient access, and provision of vehicular and cycle parking.

5.21 Residential Amenity

An assessment in relation to noise from the development has been set out in para. 5.6 (2) of this report.

Given the siting and orientation of the building, it is considered that it would not result in unacceptable residential amenity impacts, to those nearest properties, which sit to the west and north of the site.

5.22 Ecology

The application site consists of a plot of grassland/bare ground, there are no statutory or non-statutory nature conservation designations on the site. An ecological appraisal was submitted alongside the application, which has been reviewed by the ecology officer. They have not raised an objection, but do recommend that a condition is imposed to ensure that development proceeds in accordance with the recommendations of the Ecological Appraisal that was submitted.

5.23 The recommended conditions will mitigate for the impact of the development on ecology, and it is considered to comply with PSP19 and CS9.

5.24 Contamination

A Phase 1 Desk Study Report was submitted in support of the application. The report provides a comprehensive desk study and includes an appropriate conceptual model. The Desk Study concludes the potential risks from ground contamination are likely to be low. Some ground investigations are recommended to update the preliminary conceptual model. The EHO (contamination) has reviewed the report and confirms that the conclusions and recommendations of the report are accepted. They have recommended that a condition is imposed in the event that previously unidentified contamination is revealed during construction.

5.25 The development does not pose any unacceptable risk from contamination and is acceptable in accordance with PSP21, adequate remedial measures have been taken, and the recommended condition ensures that any previously unidentified contamination is appropriately mitigated.

5.26 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.

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

5.28 Conclusion

This application is for the erection of a car showroom, used vehicle sales and ancillary workshop as well as a 'Centre of Excellence', offices and MOT area. As set out in the report, the development is considered to be acceptable in principle. In terms of details, through the course of the application process, revisions and additional information have been requested and received.

Detailed matters are now considered acceptable and in accordance with policy, subject to conditions.

- 5.29 Given the above, and taking all matters into account, this development is recommended for approval, subject to the planning obligations and conditions set out below.

6. PLANNING OBLIGATIONS

- 6.1 A contribution of £10,000 has been successfully negotiated, to be secured through a Section 106 Agreement as mitigation for the impact of the development, to support development within the Filton Enterprise Area.
- 6.2 The sum is proposed to be used to support activity in the Filton Enterprise Area and any activity that promotes the Filton Enterprise Area to investors and occupiers, with a view to coordinate development to provide essential infrastructure, and unlock the early delivery of business and employment opportunities.
- 6.3 In respect of the 3 tests in Section 122 of the Community Infrastructure Regulations 2010 and stated in Par.56 of the NPPF, it is considered that this contribution is necessary to make the development acceptable in planning terms to ensure that the development supports future growth and investment within the Filton Enterprise Area, and to comply with Policy PSP26.
- 6.4 It is considered that it would be directly related to the development, as it would support growth and investment in the Filton Enterprise Area, which the site is located within.
- 6.5 The contribution of £10,000 is considered fairly, and reasonably related in scale and kind to the development. This is a modest contribution for a development of this scale and nature.
- 6.6 The contribution is therefore considered to meet the Reg 122 tests.

7. CONCLUSION

- 7.1 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.
- 7.2 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.

8. RECOMMENDATION

- 8.1 That authority be delegated to the Director of Environment and Community Services, to grant full planning permission, subject to:
- 8.2 The conditions set out below; and
- 8.3 The applicant first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- i) *A contribution of £10,000 towards funding a programme of activities and events to encourage employment uses to locate and grow in the Filton Enterprise Area. These activities and events include:*
 - a). *Workshops for new occupiers on renting business premises, moving into your own building, leases and terms;*
 - b). *Workshops on pre-start-up & early growth;*
 - c). *Business forum on Filton Enterprise Area;*
 - d). *Workshops on scale-up for high growth companies;*
 - e). *A contribution to international marketing (providing a platform at MIPIM);*
 - f). *Meet the buyer supply chain opportunities (through West of England Aerospace Forum);*
 - g). *Any other events that are considered to encourage employment uses to locate and grow in the Filton Enterprise Area.*
- 8.4 It is recommended that should the agreement not be completed within **12 months** of the date of the resolution to grant planning permission, the application shall:
- i) be returned to the Circulated Schedule for extension of the above 12 month period; or,
 - ii) that delegated authority be given to the Director or Environment and Community Services to refuse the application.

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

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. Plans

The decision relates only to the plans below:

Location Plan - dwg no. P-0001

Plan received 23rd July 2019

Proposed Valet Building - dwg no. P-5100
Proposed Workshop Roof Plan - dwg no. P-4130
Proposed Workshop First Floor - dwg no. P-4110
Proposed Workshop Ground Floor - dwg no. P.4100
Proposed Toyota Roof Plan - dwg no. P.3130
Proposed Toyota First Floor Plan - dwg no. P.3110
Proposed Toyota Ground Floor Plan - dwg no. P-3100
Proposed Academy and Lexus Roof Plan - dwg no. P-2130
Proposed Academy and Lexus Second Floor Plan - dwg no. P-2120
Proposed Academy and Lexus First Floor Plan - dwg no. P-2110
Proposed Academy and Lexus Ground Floor Plan - dwg no. P2100
Drainage Details - dwg no. 12333-HYD-XX-XX-DR-D-2300
Drainage Strategy - dwg no. 12333-HYD-XX-XX-DR-D-2200
Manhole Schedule - dwg no. 12333-HYD-XX-XX-DR-D-2101
Proposed North and East Elevations - dwg no. 1171
Proposed South and West Elevations - dwg no. 1170
Proposed General Sections 1 - dwg no. 1151
Proposed General Sections 2 - dwg no. 1150
Proposed First Floor Plan - dwg no. 1110
Proposed Ground Floor Plan - dwg no. 1100
Car Transporter Swept Path Analysis - dwg no.107295-001

Plans received 28th October 2019

Proposed Site Plan - dwg no. 1010 Rev D
Proposed Second Floor Plan - dwg no. 1120 Rev C
Proposed Planting Plan - dwg no. 406.09783.00001.29.001.2
Detailed Planting Plan - dwg no.406.09783.00001.29.001.2 (annotated)
Centre of Excellence Plan 1 - dwg no. 6100
Centre of Excellence Plan 2 - dwg no. 6120
Centre of Excellence Plan 3 - dwg no. 6110

Plans received 26th February 2020

Reason: For avoidance of doubt.

3. Public Art

Prior to first use of the development hereby permitted commencing, a scheme for the commissioning of an artist and provision of public art on the site shall be first submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timeframe for the provision of the public art. The final design of the artwork shall be submitted to and approved in writing by the Local Planning Authority

prior to its installation, and shall be installed in accordance with the approved scheme and within the approved timeframe.

Reason: To ensure the development contributes to the public realm and attractiveness of the Filton Enterprise Area and in accordance with Policies CS1 and CS6 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policies PSP1 and PSP26 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

4. Contamination

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

Reason

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.

5. Planting

Prior to first use of the building hereby permitted commencing, the following details shall be first submitted to, and approved by the local planning authority:

- Detailed planting plan
- Planting specification
- Plan showing the location and type of root barriers, including tree pit detail for those trees proposed in the car park.

The development shall be implemented in accordance with the approved details. Soft landscaping shall be carried out in the first planting season following first use of the building commencing.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP26 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

6. Travel Plan

The development hereby permitted shall proceed in accordance with the approved Travel Plan (Systra, Reference number: 107925-R03A, dated 8th July 2019) and implemented prior to first occupation of the building hereby approved.

Reason

To encourage means of transportation other than private car and to accord with Policy CS8 of the adopted South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan adopted November 2017.

7. Ecology

The development hereby permitted shall proceed in strict accordance with the Recommendations for Further Actions as set out in the Preliminary Ecological Appraisal (SLR, dated June 2019).

Reason

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

8. Parking

The off-street parking facilities (for all vehicles, including cycles) shown on the Proposed Site Plan hereby approved (dwg no.1010 Rev D) shall be provided before the building is first used, 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.

9. BREEAM

No building shall be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating 'Very Good' has been achieved for this development unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.

Reason

To ensure that the development achieves BREEAM rating level 'Very Good' (or any such equivalent national measure of sustainability for building design which replaces that scheme and to ensure that the development contributes to mitigating and adapting to climate change in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

10. The 'Centre of Excellence' hereby permitted, (as shown highlighted on; Centre of Excellence Plan 1 - dwg no. 6100; Centre of Excellence Plan 2 - dwg no. 6120; and Centre of Excellence Plan 3 - dwg no. 6110), shall be retained for no purposes other than uses falling within the D1 use class (with the exception of places of worship or

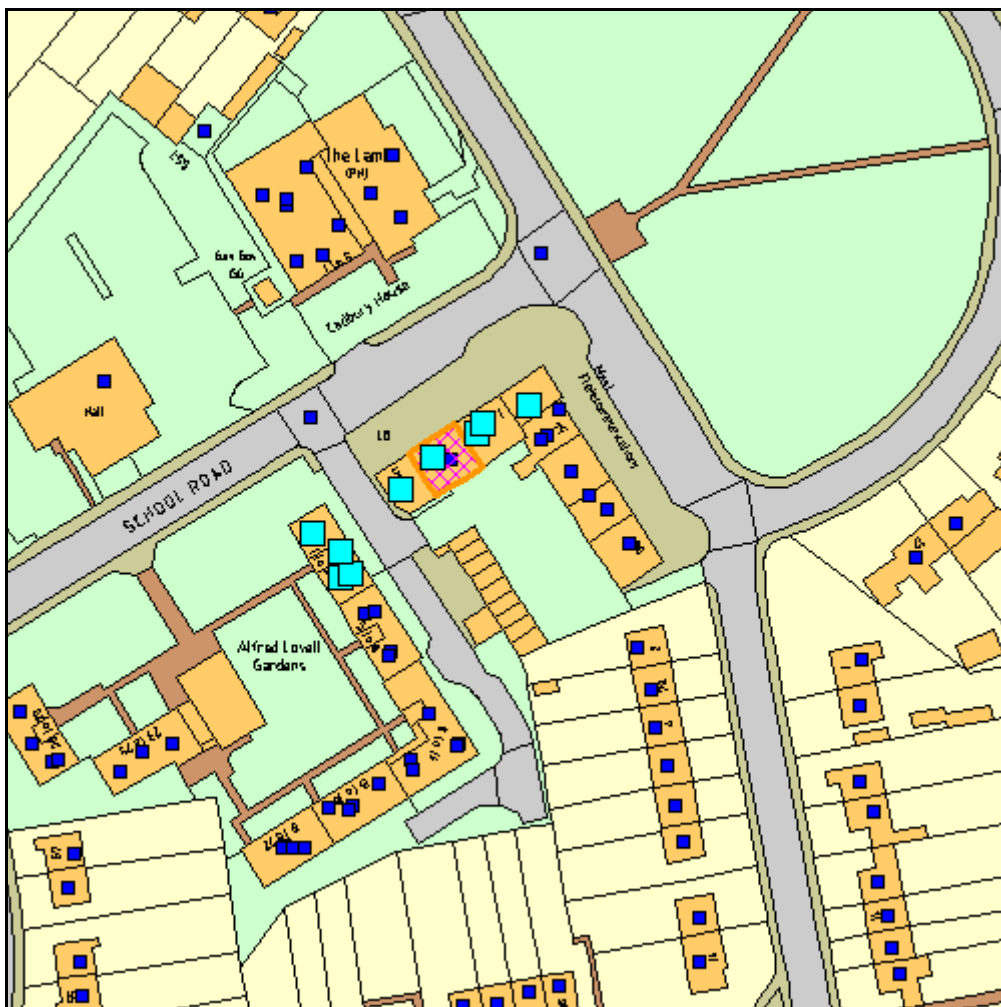
church halls), as defined in the Town and Country Planning (Use Classes) Order 1987 (Or any Order revising, revoking and re-enacting that Order).

Reason

Weight has been given to the provision of the 'Centre of Excellence' in the assessment of this application. The diversion from a use falling within a D1 use class (or to places of worship and church halls), would require further assessment in accordance with PSP26 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017.

CIRCULATED SCHEDULE NO. 16/20 - 17th April 2020

App No.:	P19/14388/F	Applicant:	Cengiz Tuncel
Site:	3 School Road Cadbury Heath Bristol South Gloucestershire BS30 8EN	Date Reg:	6th November 2019
Proposal:	Change of use of ground floor shop (Class A1) to Hot Food Take Away (Class A5) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of extractor flue to the rear of premises. (re-submission of P19/5296/F)	Parish:	Oldland Parish Council
Map Ref:	366488 171980	Ward:	Parkwall And Warmley
Application Category:	Minor	Target Date:	1st 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 CIRCULATED SCHEDULE

This planning application will be added to the Circulated Schedule because the proposal has received 1 No Objection from Oldland Parish Council.

1. THE PROPOSAL

- 1.1 Change of Use of a ground floor shop (Class A1) to a Hot Food Take Away (Class A5) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Installation of an extractor flue to the rear of the premises. This is a re-submission of the Planning Application (P19/5296/F) which was withdrawn
- 1.2 The application site relates to 3 School Road, Cadbury Heath.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS14	Town Centres and retail

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP9	Health Impact Assessments
PSP11	Transport Impact Management
PSP16	Parking Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 P19/5296/F. Change of use from a Shop (Class A1) to a takeaway (Class A5) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Withdrawn. 27.06.2019.

- 3.2 PK09/5275/F. Change of use of ground floor shop (Class A1) to Hot Food Take Away (Class A5) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of extractor flue to the rear of premises. Withdrawn. 16.11.2009.
- 3.3 K4966. Roof repairs to shops and maisonettes at rear. Approved. 23.12.1985.
- 3.4 K2640. Change of use of premises from baker's shop to shop for the sale and take away of hot food. Approved. 24.05.1979.

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
Objection – Concerns of increased Anti-Social Behaviour;
Potential for increased litter; and
Environmental Impacts – additional smells & noise.

- 4.2 Other Consultees
Environmental Protection.
No Objections.

Economic Development.
No Comments received.

Sustainable Transport – Transportation DC.
No Comments received.

Police Community Safety.
No Comments received.

Other Representations

- 4.3 Local Residents
3No Letters of Objection – Concerns over Anti-Social Behaviour;
Unnecessary takeaway for area;
Environmental Impact – Noise, Smells & Litter;
Concerns over potential opening hours; and
Potential light pollution issues.

Management Committee of Cadbury Heath Hall;
1No letter of Objection - Increased Litter, particularly to the hall car park;
Potential traffic issues and hazards to pedestrians;
and
Concern over the proposed opening hours.

5. ANALYSIS OF PROPOSAL

- 5.1 The applicant seeks planning permission for the change of use from a Class A1 to an A5 use. The proposal also includes the installation of an extractor flue to the rear of the premises.

5.2 Principle of Development

The application stands to be assessed against the above planning policies and all material considerations. The change of use of buildings can be supported provided the resulting change would not have an adverse impact on the character of the area, on the host property, on neighbours or future occupants and on highways.

5.3 Sustainability of Location

Uses falling within an 'A' class are normally most appropriate within town centres. The application site is not located within a town centre although it is within its own Local Centre which has a variety of shops and services available within the surrounding residential area of Cadbury Heath. It is considered that the site is in a sustainable location with good access to pedestrian and cycle routes to provide alternative means of transport other than the private car. Several bus stops are also located within walking distance of the site.

5.4 Viability of Local Shopping Centre

The application site is part of the Newton Road/School Road Cadbury Heath Local Centre/Parade, and provides a local level service to the area. Such retail/employment hubs are protected and enhanced through their vitality and viability by the Local Council, and are considered to ensure that they contribute a service and social function. The existing local centre provides a small scale, variety of shops that provide a direct retail facility to the area and therefore a further potential take away wouldn't necessarily have an adverse impact in this location.

5.5 However, the operational development proposed to facilitate the change of use to a hot food take away would not preclude the site returning to an 'A1' use at a later date. As such the change of use may be considered reversible should market conditions lead to the re-emergence of the site. Given these factors, it is not considered that the proposal would have an adverse impact on the employment/retail provision in this locality.

5.6 Amenity and Environmental Impacts

Development should not be permitted that has a prejudicial impact on amenity. The site is located within an area where the predominant uses are economic, with some residential use above. The potential opening hours of the proposed take away have not yet been declared, therefore they could potentially cause an impact on the amenity of the residential users immediately above. Therefore, it is considered that the proposal could have an adverse impact on the amenities of nearby occupiers.

5.7 Legislation is applicable to both the planning and environmental protection disciplines and should the application be recommended for approval, then the control of any future environmental issues such as noise and smell, they could be subject to enforcement action through the environmental protection legislation.

5.8 Any possible noise and fumes pollution could be caused by the extractor flue unit, although it is proposed to discharge at a low level in to the car park at the

- rear of the premises. Therefore it is considered that the proposal could potentially have an impact on both the residential premises above and the nearby residence of Alfred Lovell Gardens.
- 5.9 Several objections from both the Parish Council and residents have been received with regards to the potential encouragement and continuation of anti-social behaviour by this proposed use as it could potentially exacerbate issues that already exist in this area. In addition, further concerns have been raised with regards to other environmental issues such as increased litter, noise, smells, and the potential opening hours.
- 5.10 Although the Council's Environmental Health Protection team do not have any objection to the proposal, but they state that the applicant should give consideration if approved, to the storage of waste (both internally and externally) and that they should contact South Gloucestershire Council's Licensing team to apply for a alcohol or late night licensing if required.
- 5.11 Transport and Parking
2No parking bays are available to the rear to accommodate possible staff parking however it is indicated by the proposal that 4No members of staff are to be employed at the take away premises, so therefore parking issues could be created, despite the application site being in a sustainable location. Also, within the public highway of School Road, immediately outside the proposed premises, casual lay by parking to the shopping parade is available and so on-street parking could provide an alternative option for parking. Therefore the proposal is not deemed to cause any severe highway issues.
- 5.12 Design
The installation of an extractor flue to the rear of the premises would be consistent with the context of the site, and would not appear out of character. There is no objection from a visual amenity perspective.
- 5.13 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.
- 5.14 With regards to the above this planning application it is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that the application is **APPROVED**.

Contact Officer: Helen Turner
Tel. No. 01454 864148

CONDITIONS

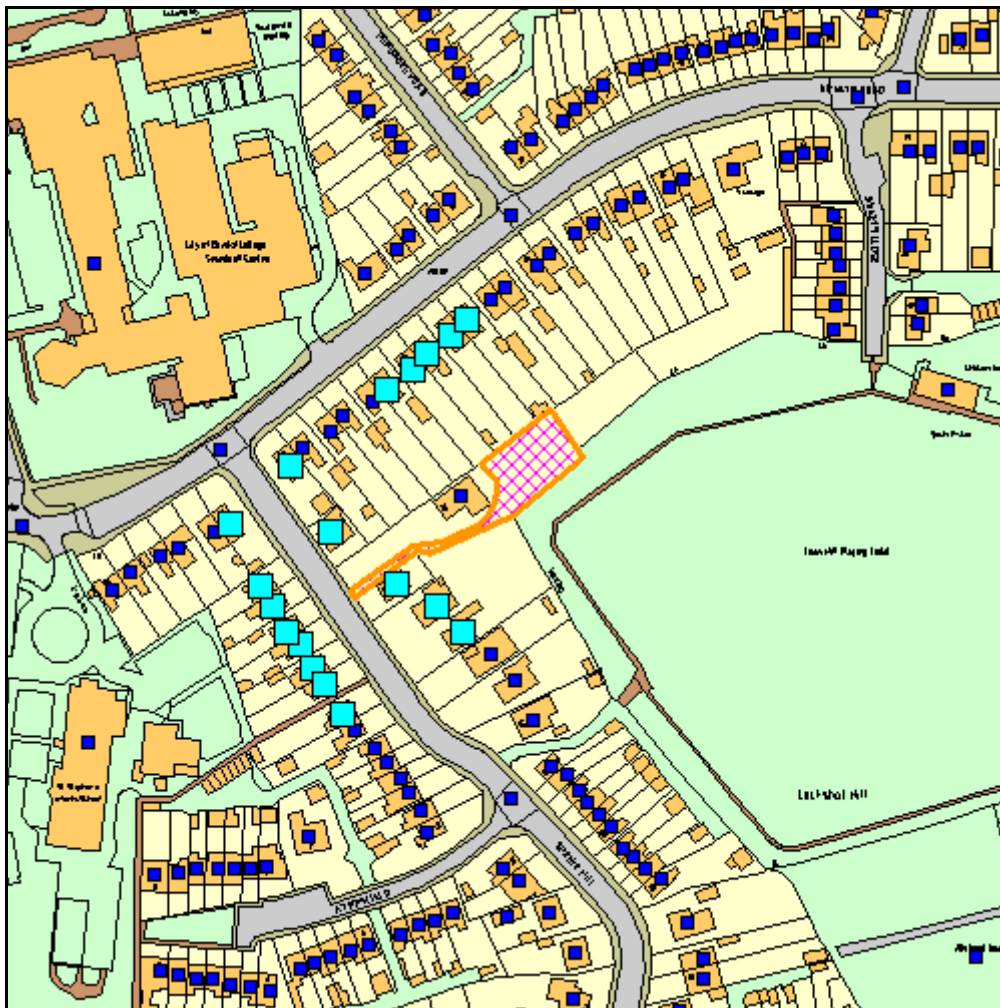
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 16/20 - 17th April 2020

App No.:	P20/03393/F	Applicant:	Mr Prosser Grandie Developments
Site:	130 Spring Hill Kingswood South Gloucestershire BS15 1XW	Date Reg:	26th February 2020
Proposal:	Erection of 1no detached bungalow, double car port building and associated works.	Parish:	
Map Ref:	365142 174813	Ward:	New Cheltenham
Application Category:	Minor	Target Date:	20th April 2020



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

More than three neighbour comments contrary to the Officer Recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a detached bungalow, double car port and associated works to the rear of 130 Spring Hill, Kingswood. A previous application for the erection of a detached bungalow with detached garage on an almost identical footprint was approved in 2017 (PK17/1038/F).
- 1.2 This new application has four main differences from the previously approved scheme: the hipped roof on the front projecting element of the bungalow has been replaced with by a gable roof; a smaller gable roof has been included over the front bay window; a roof light has been added in the front elevation; and the planting along the southern boundary has been replaced with a fence.
- 1.3 The application site is located within the designated Bristol eastern fringe settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/1038/F
Erection of side extension to existing bungalow and erection of a detached double garage. Erection of 1no detached bungalow with detached garage (re-submission of PK16/5168/F).
Approve with Conditions (15/05/2017)
- 3.2 PK16/5168/F
Erection of 3no dormer bungalows and 1 garage block with access and associated works.
Refusal (06/20/2017)
- 3.3 K5698
Outline application for erection of bungalow, 2 garages and alteration of existing vehicular access.
Refusal of Outline Permission (14/03/1988)

4. CONSULTATION RESPONSES

- 4.1 Sustainable Transport
No Objection - Subject to condition
- 4.2 Highway Structures
No Comment
- 4.3 Lead Local Flood Authority
Pre-commencement condition required
- 4.4 The Coal Authority
No Objection
- 4.5 Local Residents
1 General Comment - Concern over construction traffic on access road and rebuilding of existing low level concrete wall.

5 Objection Comments - Access road would not be wide enough to allow safe access to property; potential for flooding/drainage problems; delivery of materials for construction would be difficult; would restrict light into neighbouring gardens; overdevelopment of the site; lack of private amenity space; not in-keeping with the current pattern of development; detrimental impact on highway safety; coal mining risk assessment could cause damage to surrounding properties and gardens; detrimental effect on wildlife; increased noise and disturbance; appearance is not in-keeping with the character of the area both by design, brickwork finish and style; the proposal would be overbearing and have a dominant impact on neighbouring rear gardens; the proposal would lead to a loss of privacy; development would breach the Human Rights Act; inadequate parking provision; and part of the site is land taken from Lees Hill Playing Field.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning permission is sought for the erection of detached bungalow at a site in Kingswood. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is situated within the area defined as the east fringe of the Bristol urban area. As such, based solely on the location of the site, the principle of the development is acceptable.

5.2 The development is acceptable in principle under the provisions of policy CS5, and it is acknowledged that the provision of a new dwelling towards housing supply would have a modest socio-economic benefit. However the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm. For this type of development at this location, the further areas of assessment are: impacts on visual amenity; impacts on residential amenity; and impacts on the surrounding transport network.

5.3 The previously approved scheme (PK17/1038/F) creates a precedent for development in this location with it being decided that the previous proposals impacts on: visual amenity; residential amenity; and the surrounding transport network were acceptable.

5.4 Design and Visual Amenity

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

5.5 The proposed detached bungalow has changed slightly in appearance from the previously approved scheme with the most notable of these changes being the replacement of the hipped roof on the front projecting element of the bungalow with a gable and the addition of a smaller front gable over the bay window. These two changes along with the inclusion of a front roof light would not detrimentally change the appearance of the proposed bungalow from the previously approved scheme.

5.6 The proposed development would replace the existing planting along the southern boundary of the site with a fence. This planting is not the subject of any protections and provided it is within the ownership of the applicant could be removed without the need for planning permission.

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

5.8 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.9 The proposed detached bungalow would be situated on almost exactly the same footprint as the previously approved bungalow and would have a similar eaves and maximum height. The proposal would not include the provision of any new side facing windows. The proposed development would not lead to a detrimental increase in effect on the amenity of neighbouring properties over the previously approved scheme.

5.10 Policy PSP43 of the Policies, Sites and Places Plan outlines the Councils minimum standards for private amenity space for new residential units. PSP43 states that private amenity space should be: functional and safe; easily accessible from living areas; orientated to maximise sunlight; of a sufficient size and functional shape to meet the needs of the likely number of occupiers; and designed to take account of the context of the development, including the character of the surrounding area.

5.11 The proposed private amenity space would not detrimentally differ from the previously approved scheme.

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

5.13 Transport

Vehicular access to the proposed dwelling would be provided via an access lane off Spring Hill. This access arrangement would not detrimentally differ from the previously approved scheme.

5.14 In terms of parking, it has been indicated that 2 parking spaces and a turning area would be provided on-site for the proposed dwelling. This provision would be sufficient to serve the proposed 4 bedroom dwellings, in accordance with Policy PSP16 of the Policies, Sites and Places Plan.

5.15 On the basis that sufficient on-site parking is provided, it is not considered that the development would directly lead to additional vehicles parking on the highway. However for the avoidance of doubt, a condition will be attached to any consent, requiring the 2 parking spaces and turning area to be provided prior to the first occupation of the new dwelling, and thereafter retained as such.

5.16 Drainage

Prior to the commencement of the development surface water drainage details including SUDS (Sustainable Drainage Systems), for flood protection, pollution

control, and environmental protection shall be submitted to and approved by the Local Planning Authority. For more details please read the consultee comment dated 11 Mar 2020 from the Lead Local Flood Authority.

5.17 Coal Mining

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

5.18 This planning application is accompanied by: a Coal Mining Risk Assessment (December 2016); and a Rotary Borehole Site Investigation Report (February 2020). The Coal Authority consider that the content and conclusions of the Rotary Borehole Site Investigation Report (February 2020) are sufficient for the purposes of the planning system in demonstrating (based on the professional opinion of Geoinvestigate Ltd) that the application site is safe and stable for the proposed development.

5.19 Equalities

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

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

5.21 Other Matters

Concerns have been raised within the consultation responses from local residents that part of the application site has been taken from Lees Hill Playing Field. After checking the Land Registry and the lease plans for Lees Hill Playing Fields it can be confirmed that, as far as the council is concerned, no land within the application site has been taken from Lees Hill Playing Field.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies,

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

7. RECOMMENDATION

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

Contact Officer: Oliver Phippen
Tel. No. 01454 866019

CONDITIONS

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

Reason

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

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

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.

3. 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 to and approved by the Local Planning Authority.

Reason

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

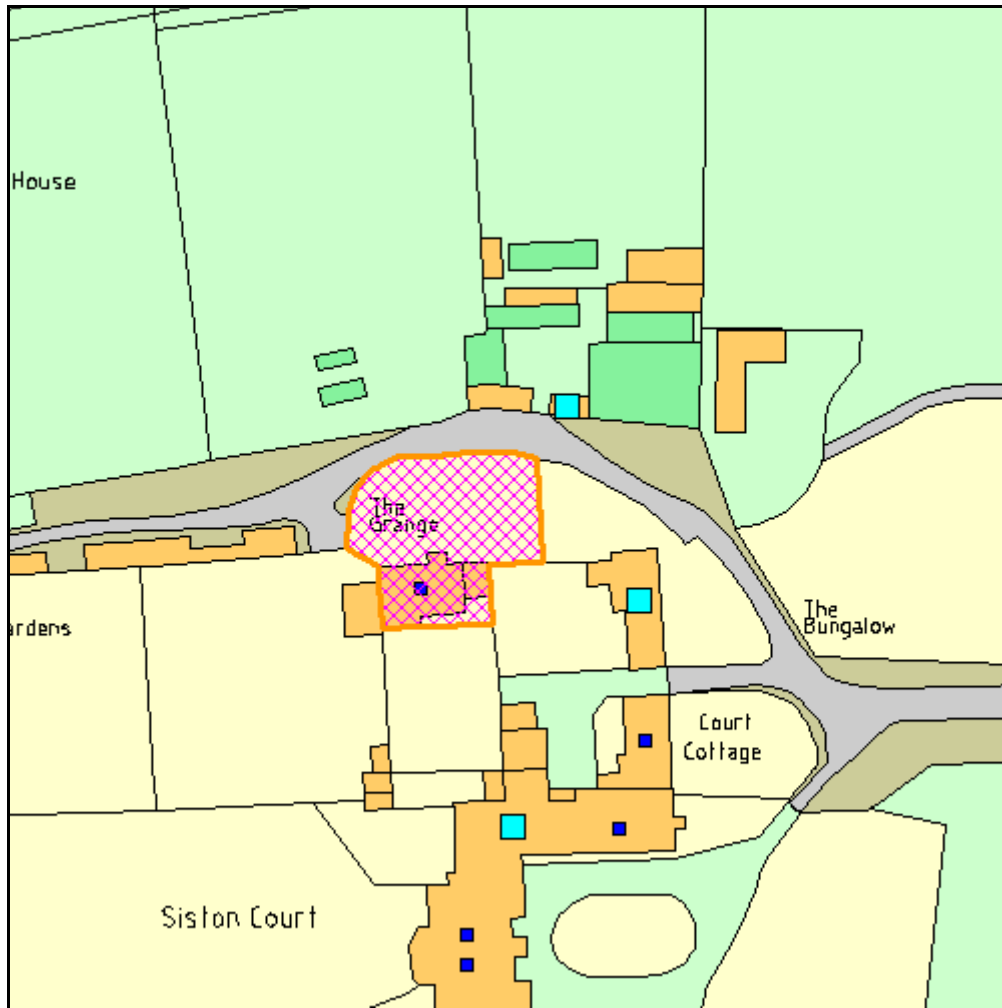
4. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the 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.

CIRCULATED SCHEDULE NO. 16/20 - 17th April 2020

App No.:	P20/03434/F	Applicant:	Mr Toby Nevitte
Site:	The Grange Siston Court Mangotsfield South Gloucestershire BS16 9LU	Date Reg:	2nd March 2020
Proposal:	Erection of a detached garage and associated works.	Parish:	Siston Parish Council
Map Ref:	368655 175420	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	27th April 2020



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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to support comments received from 11no local residents which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a detached garage with associated works at The Grange, Siston Court, Mangotsfield.
- 1.2 The application site relates to a circa 1830's, two storey, detached cottage in the Gothic style. The building is Grade II listed and sits within the curtilage of Grade I listed Siston Court. The site falls within Siston Conservation Area and locally registered Siston Historic Park and Garden; it is also washed over by the Bristol and Bath Green Belt.
- 1.3 A detached garage has been recently been permitted at the site under application reference P19/3000/F; this followed a previously withdrawn application for which the Officer raised concerns with the size, scale and design of the proposed garage, as well as its substantial impact to the significance of designated heritage assets. This application is proposing a scheme similar to that which was withdrawn.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

- CS1 High Quality Design
- CS4a Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage

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

- PSP1 Local Distinctiveness
- PSP3 Trees and Woodland
- PSP7 Development in the Green Belt
- PSP8 Residential Amenity
- PSP11 Transport Impact Management
- PSP16 Parking Standards

PSp17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 P19/3000/F
 Erection of a detached garage and associated works. (re-submission of P19/0455/F).
 Approved with conditions: 04/06/2019
- 3.2 P19/0455/F
 Erection of a two storey detached outbuilding to form garage, home office and storage area.
 Withdrawn: 13/03/2019
- 3.3 PK07/0183/LB
 Internal and external alterations to facilitate the erection of first floor rear extension to form additional living accommodation.
 Approved with conditions: 28/02/2007
- 3.4 PK07/0129/F
 Erection of first floor rear extension to form additional living accommodation.
 Approved with conditions: 28/02/2007
- 3.5 PK06/2504/LB
 Erection of single storey side and rear extension to form additional living accommodation
 Approved with conditions: 12/10/2006
- 3.6 PK06/2499/F
 Erection of single storey side and rear extension to form additional living accommodation.
 Approved with conditions: 12/10/2006

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
Members have grave concerns regarding the proposed upper floor. Creating an independent building of such large scale is deemed to be not in keeping with the protected historic setting.
- 4.2 Listed Building & Conservation Officer
Objection- refusal recommended.

4.3 Sustainable Transport

No objection.

4.4 Archaeology

It is not considered necessary for the development to be subject to an archaeological condition.

4.5 Avon Gardens Trust

The scale and massing of the proposed garage in relation to the adjacent Grade II listed Grange would appear to be inappropriate, leading to potential harm to the listed building and the locally listed Park and Garden.

Other Representations

4.6 Local Residents

Comments have been received from 18 members of the public, 11 in support and 7 objecting to the proposal. The comments are summarised as follows;

Support

- Plans bring new life to old decadent court.
- Not a time piece owned by the heritage commission.
- Need for storage of vintage car collection.
- Home office will minimise need for commuting- reduce use of local road infrastructure.
- Will be significant improvement on the surrounding ramshackle buildings.
- Appropriate height and scale as not to impose on listed buildings.
- Appropriate material finish- in keeping with surrounding buildings.
- No harm to historic or architectural character or appearance of the surrounding buildings or setting.
- Located to north of the site, therefore no overshadowing.
- Windows would not result in overlooking.
- Property will be more visually appealing with cars stored inside.
- Will enable temporary storage to be removed from the site.

Objection

- Garage higher than the building in the original application.
- Disproportionate in size to the Grade II listed building.
- Eastern elevation will present a greater mass as seen from the highway.
- Materials out of keeping.
- Overshadowing to neighbouring property.
- Building may be used for domestic and commercial purpose.
- Two storey building would be imposing considering the size of the plot
- Existing garage not shown on plans.
- Overdevelopment of The Grange.
- Garage would face west causing overshadowing to neighbouring property from the late afternoon.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP7 of the PSP Plan (November 2017) states that inappropriate development is harmful to the Green Belt and will not be acceptable unless very special circumstances can be demonstrated that clearly outweigh the harm to the Green Belt; and any other harm. 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. Of particular importance is Policy CS9 of the Core Strategy which seeks to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance

5.2 Green Belt

National Green Belt policy under the NPPF has five aims which help to prevent urban sprawl as set out in paragraph 134:

- To check the unrestricted view sprawl of large built up areas
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The fundamental aim of Green Belt Policy is to keep land permanently open.

5.3 Paragraph 145 of the NPPF states that the construction of new buildings should be regarded as inappropriate in Green Belt. Exceptions to this are:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land with it;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs under policies set out in Local Plan; or
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and purpose of including land within it than the existing development.

- 5.4 As a general guide, Policy PSP7 of the PSP Plan (Adopted) November 2017 states that additions to dwellings that would result in the overall volume increase exceeding 30% are carefully assessed, with particular regard to whether the proposal would appear out of scale and proportion to the existing building- *'the larger a building becomes in excess of 30% over and above its original size, the less likely it is that the new extension(s) will be considered proportionate'*. Furthermore, it goes on to state *'additions resulting in a volume increase of 50% or more of the original building would most likely be considered a disproportionate addition and be refused as inappropriate development'*.
- 5.5 The proposed building consists of a 5 berth garage with a dual pitched roof and 5 dormer windows facilitating a home office and storage in the loft space. Although no volume calculations were included as part of this application, it is acknowledged that The Grange has had previously approved later additions of a single storey side and rear extension in 2006 and a first floor rear extension in 2007. Given the size and scale of the proposed garage it is thought by the Officer that the cumulative volume of all the later additions would exceed 30% over the volume of the original dwelling. As such, the impact to the Green belt must be carefully assessed.
- 5.6 Within the submitted covering letter, the applicant refers to the extant permission for a detached garage at the site and states *'although it is acknowledged that the currently proposed garage is larger than the extant permission, it is not a significant increase'*. However, it is considered by the Officer that the difference in size, scale and massing from the approved two bay garage to the currently proposed five bay garage is significant. The proposal would stretch the entirety of the eastern boundary forward of the principal elevation and would have a width which is wider than that of the existing property. This is considered to harmfully increase the prominence of the building within the landscape, especially in views from the east and west. Furthermore, the height of the proposed garage would reach higher than the eaves of the main dwelling. Given the above, is deemed by the Officer that the proposed garage would appear as a disproportionate addition to the original dwelling, significantly increasing its prominence within the landscape. It therefore follows that the impact to the openness of the Green Belt is considered to be unacceptable.
- 5.7 Paragraph 144 of the NPPF states that *'substantial weight is given to any harm to the Green belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'*.
- 5.8 Substantial weight is being given to the harm to the Green Belt and no special circumstances have been demonstrated. As such, it is considered that the proposed development would not comply with the NPPF and policy PSP7 of the PSP plan.
- 5.9 Design and Heritage
The Grange is a Grade II listed building in the Gothic revival style and is considered to lie within the direct setting of Grade I listed Siston Court to the

- rear. The site also falls within the Siston Conservation Area and within locally registered Siston Historic Park and Garden. Although part of a building group, its distinctive architectural style and scale gives The Grange a degree of prominence in contrast to its immediate neighbours, in views from the north the Grade I listed Siston Court forms its backdrop and the contrasting styles and scale adds interest to the setting of both buildings.
- 5.10 As discussed above, the proposed garage would sit perpendicular to the The Grange and be of a scale and massing that would result in an ancillary building which would appear disproportionate to its host. In terms of heritage impact the proposed structure would be visually intrusive and prominent within the setting, the scale and massing of which would visually compete with the host dwelling which results in a loss of prominence to The Grange. The views from the north and east approaches would be particularly harmful as the proposed building protruding beyond the existing building group and the resulting restriction of views through built forms would cause demonstrable visual harm, as would the perceived relationship between the proposed garage building and The Grange. Furthermore, the substantially sized garage would result in the loss of views of Grade I listed Siston Court from the north, which is considered to make a positive contribution to the character of the locality as it helps connect The Court with its surroundings. In the remaining views, the presence of a domestic structure of this considerable size is thought to be harmful to the setting.
- 5.11 By reason of its design, scale and siting the proposed building is also not thought to represent a sympathetic development which would preserve or enhance the appearance and character of Siston Conservation Area.
- 5.12 Under paragraph 196 of the NPPF the proposal is considered to result in 'less than substantial' harm; the NPPF requires such harm to be weighed against the public benefits of the proposal. It is also pertinent to note that paragraph 193 of the NPPF states that '*when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation*'.
- 5.13 The proposed garage is sought for the long term storage of the applicant's classic car collection and the loft space for a home office. It has been noted by local residents that this would reduce the use of the local road network as there would be less need to commute which would in turn reduce pollution. However, the site already benefits from a garage and a further two bay garage with a suitable scale and design has already been approved at the site. The impact of a home office to the local road network is deemed to be modest and it is not certain that an office could not be accommodated within the main dwelling. Therefore, the harm identified above in relation to the significance of Grade II listed The Grange and the setting of Grade I listed Siston Court is considered to outweigh the public benefit and it follows that planning permission should be resisted.
- 5.14 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.

5.15 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. The neighbouring occupier has raised concerns that the proposal would result in a loss of light in the late afternoon. The proposed garage would be located to the north-west of the neighbouring property in question, it is therefore acknowledged that due to the path of the sun the development may result in some loss of light in the late evening. However, it is considered by the Officer that the proposed development would not significantly alter the existing levels of light to such a degree as to warrant refusal. Furthermore, given its siting, it is not thought that the proposal would result in a material overlooking or overbearing impact to any surrounding properties.

5.16 Overall, the proposal is not considered to have a significantly detrimental impact on the residential amenity of surrounding properties or the host dwelling and is therefore deemed to comply with Policy PSP8 of the PSP Plan.

5.17 Sustainable Transport and Parking Provision

The application is for the provision of a five bay garage within the context of a large front driveway. Sufficient parking provision will remain to comply with Policy PSP16 of the PSP plan and as such, no objections are raised in terms of transport.

5.18 Equalities

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

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

5.19 Other Matters

Concern was raised in regards to the potential for a commercial business to be run from the property. The application makes no suggestion of this, however if that was the case planning permission for a change of use should be sought by the applicant.

6. CONCLUSION

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

Contact Officer: James Reynolds
Tel. No. 01454 864712

1. The site is located within the Bristol and Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt as the proposed development is considered to be disproportionate. 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 Policy PSP7 of the Policies, Sites and Places Plan (Adopted) November 2017; the advice set out in the adopted Development in the Green Belt SPD (2007); and the National Planning Policy Framework.
2. By virtue of its siting, scale and massing, the proposed development would result in a building which fails to be informed by, nor respect the character or distinctiveness of the host dwelling or its context. The proposal would appear as a disproportionate addition to the host dwelling and harmful to the visual amenity of the local area. As such, the proposal does not achieve the highest possible standards of design required and is therefore contrary to Policies CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policies PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.
3. By reason of its design, siting and scale, the proposed structure would result in a harmful impact to the setting and in turn the significance of the Grade II listed The Grange and the Grade I listed Siston Court. Furthermore, the visually intrusive and discordant structure would neither preserve or enhance the character or appearance of the Siston Conservation Area. The proposed structure is therefore considered contrary to policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 16/20 - 17th April 2020

App No.:	P20/04095/F	Applicant:	Mr Nick Horwood
Site:	65 Applin Green Emersons Green South Gloucestershire BS16 7ES	Date Reg:	11th March 2020
Proposal:	Erection of 2.3m and 2m high fence.	Parish:	Emersons Green Town Council
Map Ref:	367244 176487	Ward:	Emersons Green
Application Category:	Householder	Target Date:	4th May 2020



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Three objections from neighbours and the applicant is related to a member of staff of the Authority.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a 2.3 metre and 2 metre high fence at 65 Applin Green, Emersons Green.
- 1.2 The application site comprises a two storey detached dwelling. The application site is located within the designated Bristol eastern fringe settlement boundary.
- 1.3 The proposed fencing would be 2.3 metres high along the north and west boundaries of the rear garden and 2 metres high along the west boundary of the front garden.

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

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P99/4501
Erection of 24 dwellings (approval of details).
Approval of Reserve Matters (17/08/1999)

- 3.2 K7528
Comprehensive development for residential/district centre/public house.
Approval of Outline Permission (05/10/1995)

4. **CONSULTATION RESPONSES**

- 4.1 Emersons Green Town Council
No Response
- 4.2 Local Residents
3 Objection - The applicant does not own part of the fence which he has asked to replace. The applicant has not given the requisite notice to neighbouring properties. There is insufficient information to understand what the neighbour is looking to achieve.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
The application seeks permission for a replacement fence at an existing residential property. Policy PSP38 of the Policies, Sites and Places Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. The development is acceptable in principle but will be determined against the analysis set out below.
- 5.2 Design and Visual Amenity
Policy CS1 of the Core Strategy and Policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.3 The proposed fencing would be visible from both the street scene and from neighbouring properties. The application form states that the existing timber fencing would be replaced by 'Colorbond' Steel fencing. This change of material can usually be carried out below 2 metres without the need for planning permission so is deemed to be in-keeping with the residential nature of the wider area. The proposal would therefore be unlikely to have a detrimental effect of the appearance of the site or the street scene.
- 5.4 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the building or negatively impact the visual amenity of the streetscene or character of the area.
- 5.5 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development will be permitted provided they do not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from

- (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.6 The proposed 2 metre fencing to the front of the property would be replacing fencing of a similar size whilst the proposed 2.3 metre fencing to the rear of the property would be replacing slightly shorter fencing. Both of these size fences are unlikely to have a detrimental effect on the amenity of neighbouring properties.
- 5.7 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.8 Transport
The proposed fencing would be replacing existing fencing so would be unlikely to have a detrimental effect on highway safety. The proposed fencing would not alter the parking provision on site.
- 5.9 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.
- 5.10 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.11 Other Matters
A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below:
- 5.12 Concern has been raised that the applicant does not own part of the fence which he asked to replace and that the requisite notice to neighbouring properties has not been given. The application form states that this requisite notice has been given and this has been signed by the applicant. This is enough to satisfy the council that the required requisite notice has been given.
- 5.13 This permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant. You must obtain the prior written consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with this development including future repairs/maintenance, or to obtain support from

adjoining property. This permission does not authorise you to take such action without first obtaining this consent. Your attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Oliver Phippen
Tel. No. 01454 866019

CONDITIONS

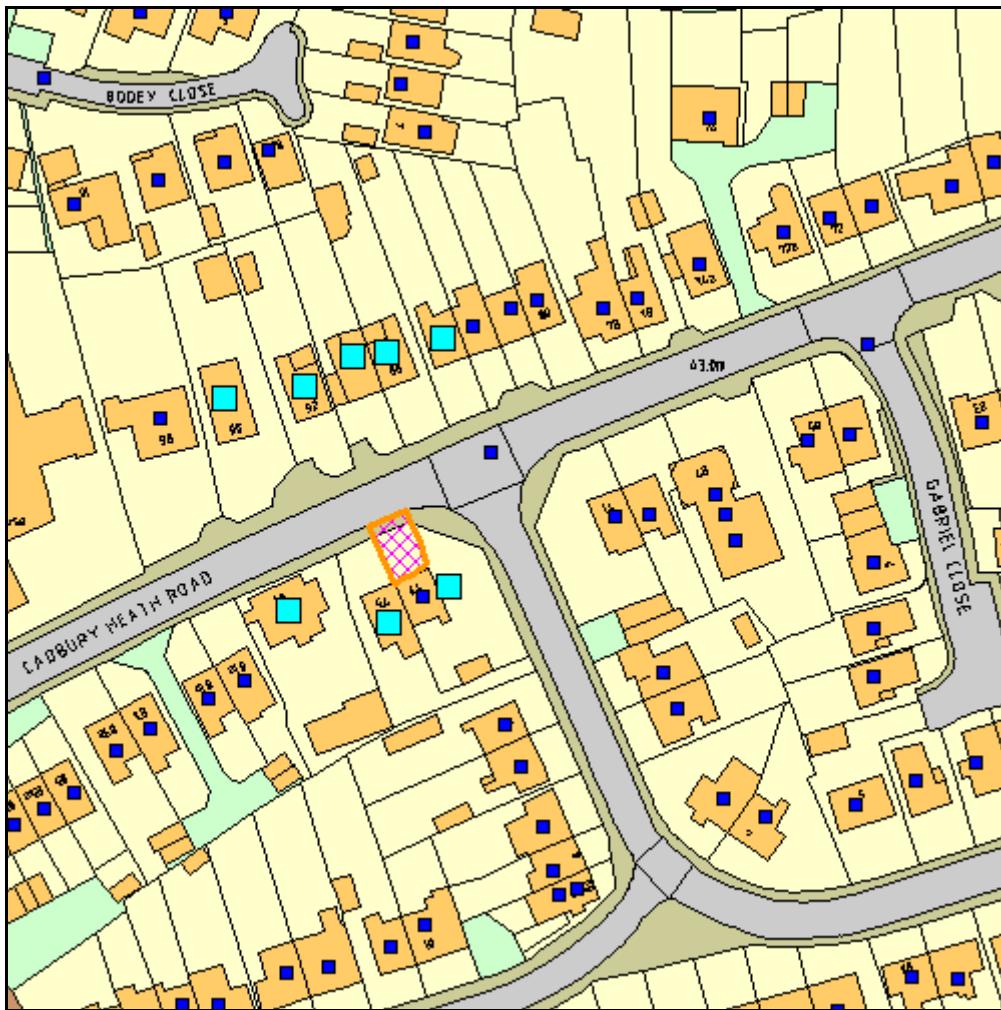
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 16/20 - 17th April 2020

App No.:	P20/04159/F	Applicant:	Mr Rizwan Bashir
Site:	73 Cadbury Heath Road Cadbury Heath South Gloucestershire BS30 8DG	Date Reg:	9th March 2020
Proposal:	Creation of vehicular access.	Parish:	Oldland Parish Council
Map Ref:	366474 172395	Ward:	Parkwall And Warmley
Application Category:	Householder	Target Date:	1st May 2020



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 100023410, 2008. N.T.S. P20/04159/F

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

Reason for referring to Circulated Schedule

This application has been referred to Circulated Schedule due to a representation from the Parish Council which is Contrary to the Officers Recommendation.

1. THE PROPOSAL

- 1.1 The proposal seeks planning permission to create a vehicular access to serve the residential dwelling known as 73 Cadbury Heath Road. As the road access is sought from is a classified road (Class C) planning permission is required in order to allow the kerbs to be dropped.
- 1.2 The application site is a semi-detached dwelling in an established residential area of Cadbury Heath, which is within the East Fringe of Bristol Urban Area.
- 1.3 This application concerns only the creation of vehicular access (a crossover), i.e. a dropped kerb and associated works to the pavement. The driveway itself (within the boundary) is permitted development and does not require planning permission, providing it meets the relevant criteria. Suitable conditions will be recommended to ensure this.

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
CS29	Communities of the East Fringe of Bristol

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 201

3. RELEVANT PLANNING HISTORY

None relevant.

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

Objection on the grounds of concerns regarding road safety given the location very near a junction on a busy main road.

4.2 Sustainable Transport

On this occasion two comments were received from the Highway Authority from different colleagues within the department.

Response no. 1 summarised as follows:

Property is situated on a junction with a side road (At. Davids Avenue). Normally this (access) would be viewed with caution however the stretch of road is not A or B class, is of a 30mph limit, has good visibility and is within a residential area where there are many similar accesses. As such no comments but would remind the applicant of the need for any works to the public highway to be fully approved by the council before, during and after construction.

Response 2 summarised as follows:

No details of the surfacing has been provided, however the appropriate surfacing could be achieved through a pre commencement condition (surface will need to be bound and permeable, preventing runoff on to the highway).

No details have been provided of the construction of the dropped kerb and associated crossover. The applicant would be required to submit details which show the crossover in accordance with the Councils standards.

The requirement for a turning head to allow vehicles to enter the highway in a forward gear has been relaxed in built up areas where historical access that don't comply with standards are prevalent and the speed is 30mph or less. As both of these apply there is no transportation objection.

Details should be provided to overcome the need for a condition.

4.3 Local Residents

1 representation in support of the proposal was made: Neighbours have dropped kerbs as do most people on Cadbury Heath Road. There will be less Parking on the road.

5. ANALYSIS OF PROPOSAL

5.1 The proposal seeks to create a vehicular access to serve the dwelling known as 73 Cadbury Heath Road.

5.2 Principle Of Development

PSP11 permits the creation of vehicular access subject to considerations highway and road safety. Policy PSP38 permits development within residential

curtilages subject to consideration of visual amenity, residential amenity and highway safety. Policy CS1 is supportive of development providing proposals demonstrate the highest standards of design and site planning.

The access will serve a premises of established residential use and is acceptable in principle subject to the below consideration. The key issue for deliberation is whether or not the proposed vehicular access will be acceptable in terms of highway safety.

5.3 Design and Visual Amenity

There is at present a red-brick dwarf boundary wall which separates the dwellings boundary from the pavement (for which the crossover is proposed) and the highway. Whilst no details are provided it is evident that in order to create a vehicular access this will need to be removed. This is not considered to be an issue in terms of design/visual amenity and it should be noted that many dwellings along Cadbury Heath Road have done this over the years, including the adjoining neighbour which benefits from such an access and associated driveway.

- 5.4 There is no concern raised with regards to the crossover itself as is a standard piece of highway construction and falls outside the residential curtilage. This crossover will however be required to be constructed to the Council's specification. The creation of an access and associated driveway does not present an issue with regard to design or visual amenity and is something that many of the dwellings along Cadbury Heath road already benefit from so is not considered to be out of character.

5.5 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.

- 5.6 Due to the nature of the proposed vehicular access serving a residential dwelling there is no issue raised with regard to residential amenity.

5.7 Highway Safety Consideration

As the proposal concerns access to a classified road (Class C), the consideration of highway and road safety is the key consideration in this proposal. Concern was raised during the consultation period by the Parish Council regarding road safety given the proximity to a junction on a busy road. This concern is noted, however the consideration must be whether or not there will be an unacceptable impact on highway safety as a result of the proposal. P.109 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety.

- 5.8 The road has a 30mph speed limit and is in a residential area with good visibility, as indicated by the highway officer responses. Furthermore, as

indicated in highway officer response 2, the area is characterised by many existing accesses which coupled with the 30mph limit means the requirement for a turning head does not apply in this case. Whilst desirable that vehicles would enter the highway in a forward gear, this cannot be reasonably conditioned so it should be assumed that vehicles can and will enter the highway in a reverse gear. In this case there is good visibility and the road is low speed (as previously discussed). With regard to the junction in close proximity, the officer notes this concern raised by the Parish Council but in the absence of the Highway Authority raising an objection to this and the open, high visibility nature of said junction it is considered that the access will not pose risk to highway safety which would warrant refusal.

- 5.9 The highway officer (response 2) makes reference to the use of a pre commencement condition to ensure a permeable bound surface for the subsequent driveway. As per p.55 of the NPPF, pre commencement conditions should be avoided, unless there is clear justification. The officer would suggest that a compliance condition requiring a permeable bound surface and no loose surface material (e.g. gravel) would in this instance be much more reasonable approach and would avoid the need for a pre-commencement condition. As the current frontage is comprised of gravel it would be reasonable and necessary to require the surface of the driveway to be implemented before the access is brought in to use.
- 5.10 Evidence suggests that the dwelling has 3 bedrooms. The frontage can easily accommodate two vehicles in line with SGC parking space dimensions (2.4 x 4.8 metres) – this is line with PSP16 parking requirements for 3 and 4 bed dwellings which require 2 spaces.
- 5.11 Overall it is considered that creation of a vehicular access in this case is acceptable and will not have an unacceptable impact on highway safety, subject to an appropriate condition being applied.
- 5.12 Private Amenity Space
The proposal does not present an issue in relation to private amenity space.

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 permission is **GRANTED** subject to conditions:

Contact Officer: Alex Hemming
Tel. No. 01454 866456

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 parking area to be served by the new access shall be constructed with a permeable bound, non-loose (e.g. Gravel) surface. Surface water from the bound surface shall not discharge onto the public highway. This is to be implemented prior to the access to highway being brought in to use and retained as such at all times thereafter.

Reason

To prevent loose surface material from being tracked on to the highway and to prevent the discharge of water on to the highway. This is in the interest of highway and road safety and to comply with the requirements of Policies PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017; CS8 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013; The NPPF and the Highways Act 1980.