

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. 12/20

Date to Members: 20/03/2020

Member's Deadline: 26/03/2020 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

1. Application reference number:

2. Site Location:

3. Reasons for referral:

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

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

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

a) Referring Member:

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

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

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

Date:

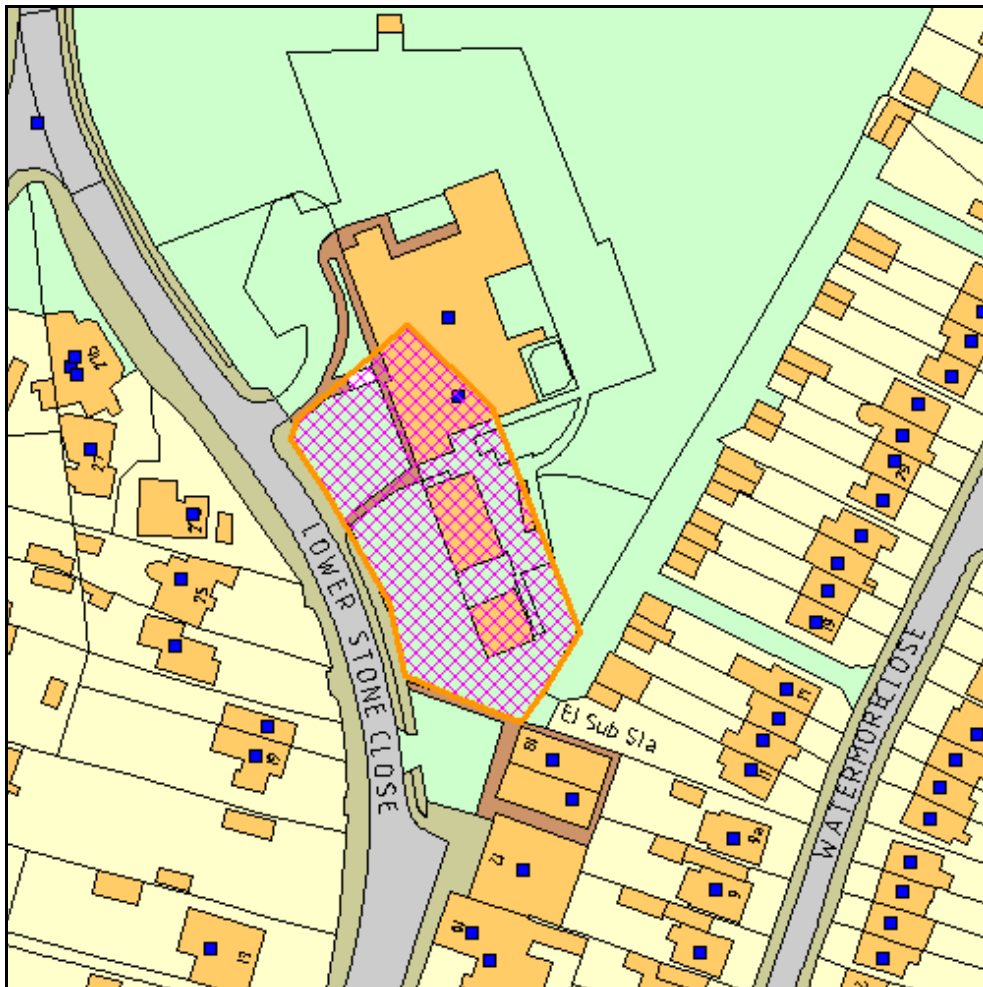
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 20 March 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/13690/RM	Approve with Conditions	Land At Watermore Junior School (Site B-Meadow Site) Lower Stone Close Frampton Cotterell South Gloucestershire BS36 2LE	Frampton Cotterell	Frampton Cotterell Parish Council
2	P19/13977/F	Approve with Conditions	Soundwell Centre St Stephens Road Kingswood South Gloucestershire BS16 4RL	New Cheltenham	
3	P20/01712/F	Approve with Conditions	4 Apperley Close Yate South Gloucestershire BS37 4HJ	Yate Central	Yate Town Council
4	P20/02083/TCA	No Objection	The Great Barn Denys Court Olveston South Gloucestershire BS35 4DU	Severn Vale	Olveston Parish Council

CIRCULATED SCHEDULE NO. 12/20 - 20th March 2020

App No.:	P19/13690/RM	Applicant:	L P(Housing) Ltd
Site:	Land At Watermore Junior School (Site B-Meadow Site) Lower Stone Close Frampton Cotterell Bristol South Gloucestershire BS36 2LE	Date Reg:	16th October 2019
Proposal:	Demolition of existing school buildings. Erection of 5 No dwelling with appearance, landscaping, layout, scale and access to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PT18/0930/R3O).	Parish:	Frampton Cotterell Parish Council
Map Ref:	367407 181533	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	9th December 2019



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

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of letters of objection.

1. THE PROPOSAL

- 1.1 The application seeks approval of the reserved matters connected to outline (hybrid) planning permission PT18/0930/R3O for the erection of 5 no. dwelling with appearance, landscaping, layout, scale and access to be determined at land of Watermore Junior School (Site B) Lower Stone Close, Frampton Cotterell.
- 1.2 The application site lies within the settlement boundary of Frampton Cotterell, there are no other statutory or non-statutory land use designations that cover the site, but the existing trees are subject to a Tree Preservation Order.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	Communities of the East Fringe of the Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP20	Flood Risk, Surface water and watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK18/4981/O
Erection of 4 no. semi-detached dwellings (Outline) with access, appearance and layout to be determined, all other matters reserved.
Approved: 25/01/2019

4. **CONSULTATION RESPONSES**

The Parish council objects on the following grounds:

- The design of the development is not in keeping with the village Design statement.
- The properties are 3 storey high which is not in keeping with the street scene.
- There is no turning space for cars, which would lead to reversing across the pavement.
- The access to the highway is across the main route to the school with the possibility of up to 420 pupils and parents using it.
- Inadequate parking for staff
- Impact on the available of parking spaces for the local shops during school hours
- Less free play space for the proposed 420 pupils
- Inadequate parking for this housing development
- It should be affordable housing for the Parishioners of Frampton Cotterell as the original Deed of Trust was put in place for the "Labouring manufacturing and other poorer classes in the Parish of Frampton Cotterell"
- The proposed entrances to the new school are close together, and will mean some children having to walk a greater distance to school, another entrance should be provided.
- The Council has received numerous complaints regarding parking issues and the possibility of a child being hit by a car.
- The proposal will bring a minimum of another ten cars wishing to access the site, further exacerbating the parking issues already out of control.
- The Parish Council promotes biodiversity and would like the school to further enhance this. The Parish Council supports the comments made by the Ecology Officer.

Wales & West Utilities – advised that the apparatus may be affected and at risk during construction works.

The Enabling Officer – no requirement for Affording Housing to be provided on the Meadow Site as the requirement across the 2 sites will be met on the Orchard Site.

The Highway Officer – no objection. A revised parking plan has been submitted. Although the parking for plot 5 is still restricted and requires them to park over the pedestrian access to the property, this would not create a 'severe' highway safety situation, as such there is no objection to this proposal from this perspective.

Drainage Engineer – no objection, subject to condition seeking a detailed development layout showing foul and surface water and SUDS proposals.

The Ecology Officer – no objection. It is considered that the ecological mitigation and enhancement measures are acceptable. .

The Highway Structure – Advised the requirement of Technical Approval or the responsibility for maintenance for structures or boundary along alongside the public highway or open space land.

Waste management – No objection.

Other Representations

4.6 Local Residents

18 letters of objection have received and the residents' concerns are summarised as following sub-headings:

Design

- There are no houses in the whole village with this type of roof, so these will be an eyesore.
- Not in keeping
- Too many for the size for the site
- Direct over development of the site
- Visual impact
- Is significantly more than the existing density, circa 17.5 houses per hectare
This is a village in a semi-rural location not an urban town
- The revised planning application doesn't adhere to the village statement
- The design of the houses are still 3 storey
- The illustrated house examples are more suitable for a seaside town which do not look in keeping to area.
- This is clearly an over development of the land.
- The design of the houses - town type houses do not fit in with the other traditional houses in the area.

Traffic

- Result in an increase in cars and resultant traffic
- An increase in traffic on the small roads will be dangerous
- Object on the grounds of safety (highway)
- This road is an extremely congested area. The school is now the site of two schools, having amalgamated with Brockeridge school. This has already increased traffic to a dangerous level.
- The traffic will be unbearable and certainly not safe, also the school bus comes through as well as a very busy time.
- Traffic and parking related to the increased size of the school has become more of a problem since the new school opened.

- Lower Stone Close is the busiest over congested road / over used/ over parked/ in this village.
- At present this road is a hazard! Pavement areas too narrow forcing children and pedestrians into road.
- School times are chaos!
- The proposed erection of five detached houses will have severe impact on the road causing more congestion to an already over used village road
- The chemist and local stores are already losing trade due to parents and teachers parking in the public car park spaces.

Amenity Issues

- Increase in noise and/or negative impact on the central village location
- No thought or consideration the impact on existing residents
- Increasing noise and disturbance
- Will look directly into my property

Other Issues

- No opportunity for 1st time buyers
- If the pavement size is to scale as detailed in Street View A
- Failure to adhere to condition which seeks to set up a community liaison group.
- As these houses are no longer a financial requirement of the building cost of the new school, turn the area into more staff parking
- Why are you thinking of 5 detached homes and not affordable housing.
- Building on this ground would concrete over more land possibly resulting in flooding on the bend.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed development is acceptable in principle as outline planning permission for the proposed development has been granted under application PT18/0930/R3O. This application seeks to approve the 'reserved matters'. In this instance the reserved matters are: appearance, landscaping, layout and scale. This is not an opportunity to revisit the principle of erecting dwellings on the site.

5.2 Design: Scale and Landscaping

Residents' concerns regarding the design and the layout are noted. The submitted site layout plan shows all five detached dwellings fronting onto Lower Stone Close. All new dwellings would be two-storeys in height with a dormer or rooflight on the front elevation. They are all similar in height and scale. The new buildings would be finished with random coursed sandstone under metal clad roof with buff brick quoins. Each dwelling would have 2 no. parking spaces off Lower Stone Close. The submitted site plan also shows tree planting along the boundary of each of the plots. Whilst the design and external material of the proposed dwellings would be different from other surrounding residential properties, the proposed dwelling are appropriate in scale and have a well-balanced fenestration design. The proposed dwellings are considered to add to the visual amenity of the area rather than detract from it. As such, subject to

conditions securing sample of external materials, details of hard-standing area, boundary treatment and tree planting, landscape scheme and the appropriate landscaping maintenance scheme, it is considered that the proposal would not result in substantial harm to the character or visual amenity of the area. Overall, the development is in accordance with Policies CS1 and CS9 of the Core Strategy, and Policy PSP1 of the Policies, Sites and Places Plan.

5.3 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers. Residents' concerns regarding overlooking, noise and disturbance are also noted.

5.4 The distance between the front windows of the proposed dwellings and the windows of the existing dwellings, either locating opposite or along Watermore Close, is considered to be sufficient to maintain a reasonable privacy for the nearby residents. A group of local shops located to the south of the site.

5.5 In terms of private amenity space, the proposal is providing sufficient space for all the properties in question, in accordance with Policy PSP43 of the Policies, Sites and Places Plan.

5.6 Given the proximity to the educational facilities and the residential properties, it is necessary to impose a planning condition to restrict the construction hours to minimise the nuisance and disturbance during the construction phase.

5.7 Drainage

Residents' concerns regarding the potential local flooding issues are noted. The Council's drainage engineer has reviewed the submitted details and has no objection to the proposal. As such, subject to a planning condition seeking a detailed development layout showing foul and surface water and Sustainable Drainage proposals, there is no drainage objection to this scheme.

5.8 Sustainable Transport and Parking Provision

Residents' concerns regarding the highway safety are noted. The access has already been agreed at outline stage. The Highway Officer reviewed the submitted site layout and the parking provision. The application is proposing two off-street parking spaces for each dwelling, this would comply with South Gloucestershire Council's residential parking standards. A revised parking plan was also submitted regarding the parking design for plot 5. Although the parking for plot 5 is still restricted and requires them to park over the private pedestrian access to the property, the Highway Officer considers that this would not create a 'severe' highway safety situation, as such there is no objection to this proposal from this perspective.

5.9 Ecological Issues

The site is important locally for foraging and commuting bats, therefore a lighting scheme designed to avoid light spill onto the existing hedgerow is required. As the site has potential for hedgehogs, all new fencing should be 'hedgehog friendly' and mitigation/enhancement is required for the loss of the bird box located on one of the trees on site. In addition, the landscape plan

Section V. Ecological Measures recommends 'the vegetation shall be maintained as short as possible either by spraying or repeated cutting'. To address the officers' concerns, the agent confirmed that there will be no external illuminations on the rear elevation of dwellings. In additions, some mitigation and enhancement measures are also provided on the submitted drawings. Whilst the Councils Ecology Officer is generally satisfied with the submitted details, it would be necessary to seek further details about the design of the proposed fences to ensure that they would be 'wildlife friendly'. Therefore, subject to this condition seeking such details and the implementation of the proposed measures, there are no ecological objection to the proposal.

5.10 Arboricultural and Landscaping Issues

It is noted that the removal of existing landscaping was granted through the original consent. There is a concern that the proposed replacement tree planting would leave a tree canopy deficit. The applicant submitted a landscaping scheme showing the potential number of new trees planting on each plots. Whilst the proposed scheme may still leave a tree canopy deficit, it is considered that the proposed landscaping scheme is generally acceptable given its location. Although your case officer considered the need for off-site planting or financial recompense would not be fully justified in this instance, it is considered that there is a potential to increase the new tree planting within the site. Therefore, subject to a condition seeking details of tree planting, there is no objection from the arboricultural or landscaping perspective.

5.11 Provision of Affordable Housing

No requirement for Affording Housing to be provided on this site, as the requirement across the 2 sites will be met on the Orchard Site.

5.12 Equalities

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

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

6. CONCLUSION

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

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

7. **RECOMMENDATION**

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

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

1. Materials to be agreed

Prior to the relevant stage of development at SITE B, details and samples of the roofing, external facing materials and windows to be used on the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

2. Arboricultural Survey Report

The development on SITE B hereby permitted shall proceed in accordance with the Arboricultural Survey Report (Silverback, dated September 2019).

Reason

To protect the character and appearance of the area and to protect the long term health of the trees to accord and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policy PSP3 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017.

3. Additional Tree Planting Scheme

Notwithstanding the submitted Landscape Plan Figure 1, prior to the first occupation of the development hereby approved, full details of means of enclosure, existing and proposed finished levels, soft landscape works shall include additional tree planting plans, written specifications, schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme and five year maintenance programme, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the character and visual amenity of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

4. External Lighting

Prior to the erection of any external lighting at SITE B, details of the location, design, times of illumination, measures to control light spillage and clearly demonstrated that areas to be lit will not disturb or prevent protected species using their territory or having access to their breeding sites and resting places, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason 1:

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

Reason 2:

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

5. CEMP

Prior to the relevant stage of development at SITE B, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- Hours of Work
- Control of Construction Noise having regard to BS 5228
- Dust Control Measures
- Waste Control and Removal
- Delivery times restricted so that deliveries do not occur at the start and the end of the school day;
- Access to the school build construction site to be from Church Road, via a temporary construction access point, to be closed once the build is complete;
- Banksmen would be used when construction vehicles enter and leave the site;
- Delivery vehicles would be required to arrive via Church Road and not through Frampton Cotterell and along Lower Stone Close;
- A contractor car park would be required so that construction staff do not park on the highway. This is proposed in the north eastern corner of the school site, with access from Church Road in the location of the existing school field gates;
- During the demolition phase of the existing school contractor access would be via the school vehicular access on Lower Stone Close, however time restrictions would be in place; and
- During demolition phase school staff would be able to park in the previous contractor parking area accessed from Church Road.

The development shall be carried out in accordance with the approved details.

Reason

In the interests of highway safety and to protect residential amenity, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the National Planning Policy Framework.

6. Habitat Management Plan

The submitted details of the ecological protection, mitigation and compensation measures incorporating within the development shall be proceed in accordance with the submitted Landscape Plan Figure 1 Drawing No. P0411 Revision B

Reason:

In the interests of protected species, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP19 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the requirements of The National Planning Policy Framework March 2012.

7. Ecological Impact Assessment

The development hereby permitted at SITE B shall proceed in accordance with the Ecology Appraisal (Seasons Ecology dated July 2019) and Great Crested Newt Presence Absence Survey (Seasons Ecology dated July 2019).

Reason:

In the interests of protected species, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP19 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the requirements of The National Planning Policy Framework March 2012.

8. SUDs

Prior to the relevant stage of development at SITE B, a detailed development showing foul and surface water and Sustainable Drainage Systems proposals shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

9. Prior to the commencement of the relevant part of the development hereby approved, a detailed Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the submission shall include but not be limited to the following:

- a) Demonstration that the design, orientation and location of buildings, roof pitches, windows, habitable rooms, lighting and soft landscaping help to achieve energy conservation
- b) Principles of development to maximise the number of roofs that face south, provide solar p.v to appropriate dwellings, homework spaces in dwellings, consideration of solar gain and internal layouts that promote health & wellbeing and compliance with new Nationally Described Space Standards.
- c) The promotion of access to high speed broadband
- d) Full details of Electric Charging Points for vehicles

All works shall proceed in accordance with the approved details

Reason:

To ensure high quality design through Sustainable Construction and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013

10. Scale

The reserved matters relating to the scale and appearance of any buildings to be erected at SITE B as required by condition 1, shall not exceed 9 metres above ground level.

Reason

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

11. Construction Hours

The hours of working on SITE C during the period of construction shall be restricted to

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

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

No working shall take place on Sundays or Public Holidays.

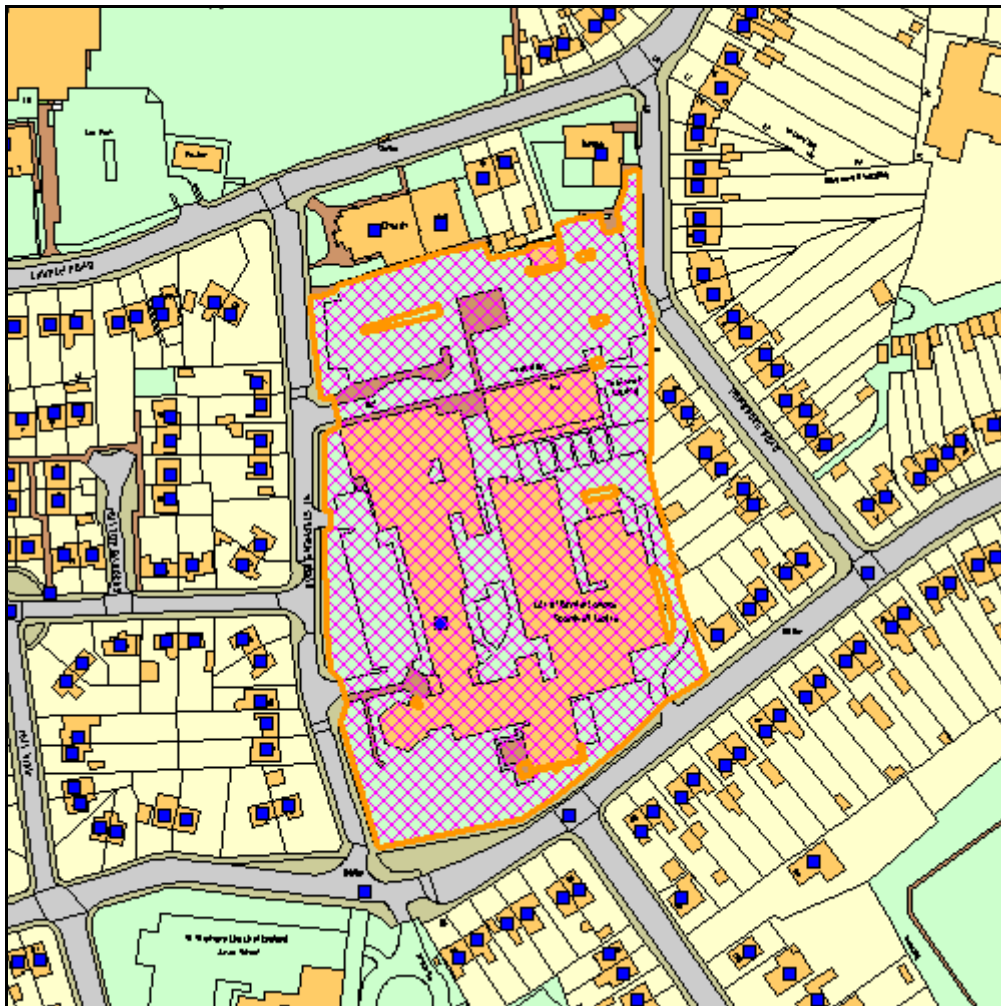
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect residential amenity during construction and to accord with the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 12/20 - 20th March 2020

App No.:	P19/13977/F	Applicant:	Dept. Of Education
Site:	Soundwell Centre St Stephens Road Kingswood South Gloucestershire BS16 4RL	Date Reg:	15th October 2019
Proposal:	Demolition of approximately 50% of existing buildings and renovation of the remaining buildings to create a special needs school with residential accommodation. Construction of bin store, sprinkler tank, pump house and water tanks. Provision of games court and steps and ramps to provide access to buildings.	Parish:	
Map Ref:	365021 174890	Ward:	New Cheltenham
Application Category:	Major	Target Date:	13th January 2020



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 100023410, 2008. **N.T.S.** **P19/13977/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.

1. THE PROPOSAL

- 1.1 The site consists of the former Soundwell College complex of buildings. It is located in the Bristol East Fringe Urban Area and provides a well-established educational facility. The site is accessed from St Stephen's Road (to the West) and from Sweets Road (to the South). Church Road and Pembroke Road are to the North and East respectively.
- 1.2 The location is broadly residential. Kingswood Leisure centre is approximately 200 metres due Northwest of the site whilst St Stephen's Junior School is located to the South and accessed from Sweets Road. St Stephen's Church is located immediately North of the application site and is a locally listed heritage asset.
- 1.3 It is proposed to reuse the college site as a school for children with special needs. The pupils would not necessarily be physically disabled and the age range can include primary through to senior level school ages. The proposed development consists of the demolition of a substantial part (approximately 50%) of the existing buildings on the site and for the renovation and remodelling of the structures to be retained. Demolition would create space for a new playing field and games court. The existing car park (in the North of the site) would be remodelled with approximately half of the existing car parking area converted to use for 'hard play'. Similarly, the existing access from St Stephens Road would be retained and remodelled to provide accessible drop-off facilities, visitor parking (with parking for disabled users) and minibus parking. This area would be directly related to the main entrance into the school buildings. The access from Sweet Road would be downgraded and used only for maintenance access onto the new playing field. A small, single storey building is to be constructed on the area currently used for car parking, and a small portion of the site (in the Southwest corner) is excluded from the application site and shown as being retained for future development.
- 1.4 The retained structures would be converted for use as classrooms and associated teaching facilities; and this includes the provision of ancillary overnight accommodation and specialist accommodation associated with specific needs of the users of the school. The new building referred to above would also provide teaching accommodation.
- 1.5 *Procedural Matters* – an area of land (approximately 2350 square metres) is excluded from this development proposal. It is located in the Southwest corner of the college site at the junction of St Stephens Road and Sweets Road. The submitted plans show the area of land as being reserved for sale for future development. The future use of this area of land is not for consideration under this application as it is expressly excluded from the planning application site. Further consideration of development proposed for this area of land would be considered under a separate planning application. For the avoidance of doubt, it is not possible (under the determination of this planning application) to control

what development is subsequently proposed. Essentially, any further application on this area of land must be considered on its own merit. Until such time as planning consent is granted affecting this land, the current use (as Class D1 non-residential institutions).

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity
CS29	Communities of the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP17	Heritage Assets and the Strategic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted November 2014)

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

The area is unparished.

4.2 Arboricultural Officer

No objection subject to provision of appropriate tree protection measures.

4.3 Archaeology Officer

Wish to make no comment

- 4.4 Ecology Officer
No objection subject to conditions securing the implementation of ecological mitigation measure.
- 4.5 Lead Local Flood Authority
No objection in principle. Informatives relating to the location of the public sewer system and surface water are suggested.
- 4.6 Sustainability Officer
No objection in principle. The provision of Solar PV power generation is encouraged.
- 4.7 Highway Authority
No objection subject to the provision of a Construction Environmental Management Plan (CEMP) and the provision of parking and access arrangements. It is also suggested that the school signs up to 'Modeshifts Stars Travel Plan'.
- 4.8 Highway Structures
No objection
- 4.9 Coal Authority
No objection.

Other Representations

4.10 South Gloucestershire Councillors

i) *Cllr K. Scudamore – Neutral Comment*

The plans to redevelop the site into a facility for children and young people with identified needs is welcomed

Concern is raised as to the potential impact for local residents and users of the nearby leisure centre and St Stephens Church

Existing parking and road congestion in the locality is raised and concern is raised that the development should retain sufficient parking on site.

Concern is raised as to the eventual use of the area of land retained for future development. It is suggested that this is retained for use as a possible solution to the parking issue and is not suitable for housing development.

ii) *Cllr S. Davis – Support Comment.*

The reuse of the buildings for continued educational use is supported especially for children with special needs.

Reassurance is requested that parking and access impacts can be adequately addressed as part of the development.

4.11 Local Residents

16 Comments have been received. 11 comments are made in objection, 4 are made in support and 1 neutral comment has been made. The comments can be summarised as follows;

The re-use of the college complex to provide new, specialist educational facilities is supported.

Opportunity for improvements to the area and the tidying of the site.

Concern is raised as to the provision of sufficient parking spaces within the site and the potential impact upon traffic and parking congestion in the area.

Concern is raised as to the use of the site in the context of other uses in the area, congested road junctions and narrow roads, and the impact upon highway safety and air quality.

The site is too small to provide sufficient recreation areas for the pupils using the school.

The development would result in negative ecological impacts.

The benefits of the proposal do not outweigh harm.

Concern regarding flooding in the locality and access to private property for maintenance.

Maintenance access to St Stephens Church should be maintained.

Concern over the impact of lighting on residential amenity.

Concern over noise and other impact as a result of outdoor play/sporting activities.

Provision of adequate security for adjacent residential properties.

Concern over the provision of access for emergency vehicles should they be required at the school.

Alternative uses for the site have been suggested.

Concern about presence of asbestos during the construction of the existing buildings.

Concern is raised as to the future use of the area of land reserved for future development, and that the use of the land for housing would have a negative impact in highway safety and parking terms. Comments have suggested that this area is reserved for future parking provision.

5. ANALYSIS OF PROPOSAL

- 5.1 The development consists of the partial demolition of the former Soundwell College Buildings and the remodelling of the site for use as a school for children with special needs.
- 5.2 Principle of Development
The current authorised use of the application site is as a college of higher education. This falls into use class D1 (non-residential institution). A school also falls into that use class and as such there would be no change in the authorised use of the site. It is of note that, despite being vacant, the site can easily revert back to a college of higher education.
- 5.3 Notwithstanding the above, the proposed development includes special residential accommodation and would provide overnight accommodation for up to 12 students and associated staff members. The sleeping accommodation would only be used during the week; and for a limited period during school holidays. Again, during school holidays the accommodation would only be used on week days.
- 5.4 The proposed school would be attended by 136 pupils. Whilst there would be overnight accommodation to cater for specific needs of pupils attending the school, officers are satisfied that the level of accommodation does not result in the school becoming a 'boarding school' falling into use class D2 (residential institutions). Officers are satisfied that the overnight accommodation is ancillary to the function of the school falling into use class D1 (non-residential institution). As such, the proposed development is not considered to amount to a 'change of use'. Appropriately worded planning conditions can be applied to secure this relationship should the planning application be approved.
- 5.5 On the basis of the above, officers are satisfied that the use of the site for educational purposes is established and that the proposed development is acceptable in principle. Consideration of detailed matters is considered below.
- 5.6 Design, Visual and Landscape Impact
The site is currently occupied by a group of substantial buildings. They are of no particular architectural merit and the appearance of the site has degraded somewhat since the site has become surplus to the requirements of its previous occupier. The surrounding area is urban to sub-urban in character and is generally made up of low rise residential development (generally made up of semi-detached dwellings), community buildings and open spaces. It is considered that the use of the site to provide a school is consistent with this character.
- 5.7 It is proposed to demolish a substantial amount buildings associated with the site. These are located within the Southern area of the site. The remaining buildings will be refurbished and modified to provide new teaching and associated ancillary accommodation. The proposal includes the provision of 13 rooms for overnight accommodation and associated communal areas (kitchen, common room, study etc.) and this would be provided on the second floor of 'block E', located centrally in the site. A modest single storey building would be

- introduced immediately to the north of that building and this would contain teaching accommodation. Other small ancillary buildings (such as a sprinkler pump house) would be introduced close to existing buildings to be retained.
- 5.8 The areas cleared of buildings would provide outdoor space for a playing field and games court (multi-user/all-weather type space). New landscaping would be provided alongside retained landscaping associated with the site. This would include new tree planting and hedgerow improvements together with 'wildlife habitat' (to complement learning activity at the school). Similarly, refurbished access and parking areas would also be landscaped as part of the proposed development.
- 5.9 There are Tree Preservation Orders associated with the site. However, these trees would not be directly affected by the proposal and do not need to be removed as part of the development. Appropriate tree protection measures can be provided for the duration of the development and this can be secured with appropriately worded condition in the event that this application is approved.
- 5.10 The retained buildings would be renovated and modernised to a high standard. Improvements would include updating the energy performance of the retained building. Whilst the buildings would retain a functional appearance, officers are satisfied that the development (including the demolition) would act to improve the relationship of the site with the surrounding context. This would be further enhanced by the introduction of comprehensive landscaping throughout the site, together with visual improvements to the access and parking areas associated with the development. Accordingly, officers are satisfied that the development is acceptable in terms of its design, visual and landscape impact; and is entirely consistent with the urban to sub-urban character of the locality.
- 5.11 Residential Amenity
The site is enclosed on its East boundary by residential development. Further residential development exists to the East, West and South associated with Pembroke Road, St Stephen's Road and Sweets Road; the latter facing the site on the opposite side of the highway.
- 5.12 The development would see a whole sale reduction in buildings in the context of Sweet Road and the dwellings abutting the site to the East. The impact of this is to reduce the potential for overlooking towards those dwellings. In the wider context, the development would not introduce any material changes to the relationship of the buildings to be retained and the existing dwellings.
- 5.13 It is noted that the development will introduce open areas where buildings are to be demolished and those areas would provide outdoor play and activity facilities. The most affected dwellings are those abutting the East boundary of the site, associated with Pembroke Road. The rear gardens of those dwellings will be adjacent to the 'grassed' outdoor play area and a modest all weather 'Games Court'. Neighbours have raised some concern about this impact, noting the potential for noisy activities during the day, and with the provision of overnight accommodation, into the evening.

- 5.14 A 'hard play' area would also be provided that would be relatively close to 22 Pembroke Road and opposite dwellings on the East side of Pembroke Road. Whilst it is noted that the dwelling at 22 Pembroke Road has relatively small outdoor amenity space to the side of the dwelling, the development would provide adequate separation (buildings and some landscaping) to mitigate the limited impact of the play area.
- 5.15 The transition from a college of higher education to a school will have different characteristics and requirements. It is a fundamental function of a school to provide outdoor play areas meaning that the characteristics of daily activities will change and that there will be periods where the sound of children playing or taking part in games activities will occur. In the context of the hard play area, this should be considered in the context of the current authorised development which would be characterised by activities associated with the existing car parking area (which is available to students at the college). In this context officers are satisfied that the development would not result in a materially greater impact than the existing development.
- 5.16 Turning to the soft play and games court, these would replace existing single storey buildings. Again, those buildings would generate considerable activity during the day. However, it is noted that the activity would be different in nature and characterised by the sounds of children at play. Nonetheless, these activities are confined to certain times of the day (such as break times and games lessons) and would not take place outside of normal working hours. It is noted that the position of the games court has been adjusted (during the course of the assessment of this application) to address public concern and officers are satisfied that the amendment is an improvement. As noted earlier in this report, the surrounding area is urban to sub-urban in nature where relatively high levels of background noise will occur including similar activities at the nearby St Stephens primary school and public recreation grounds. Officers acknowledge that there would be some impact but are satisfied that this impact would not be unacceptable. In the event that noise nuisance complaints occur, this is appropriately the subject of individual investigation under Environmental Health Legislation; and should not be a reason for refusing this development.
- 5.17 The proposal does include provision of modest flood lighting to the outdoor games court (but there is no flood lighting associated with the outdoor hard/soft play areas), and to circulation areas. These generally consist of low level lamp columns and bulk head lighting. These would be fitted with up to date LED lamps that are design to direct light specific areas and reduce potential light spill to a minimum. It is likely that this would act to improve the existing situation at the site. Accordingly, officers are satisfied that the development would not result in a material amenity impact in respect of lighting. A condition can be applied to any consent that specifically precludes the introduction of flood lighting (or additional lighting) without further consideration by the Local Planning Authority.
- 5.18 In respect of the general activities at the site, the proposal would reduce the numbers of students considerably. The nature of the proposed school is such that there would considerably less vehicular activity within the site and noting the reduction in the are given over to vehicular circulation space, officers are

- satisfied that there would be no materially greater impact upon the amenity of the locality than the existing situation.
- 5.19 In order to control hours and methods of working during the demolition and construction phases of the development, it is appropriate to impose a condition to secure a Construction Environmental Management Plan. This would be used control working hours so that they are limited to appropriate day time hours and days of the week; dust management and general neighbourly working processes.
- 5.20 Accordingly, officers conclude that the proposed development is acceptable in residential amenity terms.
- 5.21 Heritage Considerations
St Stephen's Church stands adjacent to the North boundary of the application site. It is a non-designated heritage asset. The impact of the development should be considered in the context of the setting of the heritage asset.
- 5.22 The existing site includes a large car parking area with is a fundamental part of the setting of the church building when viewed from the South and from within the application site. Beyond the parking area, the existing buildings that would not materially change in the context of the church. A modest single storey building would be constructed (that provides teaching space) within the car parking area. The existing carpark itself would be sub-divided (approximately in half) in order to provide a hard play area and staff parking for the proposed school. This would introduce a mesh fence, typical of the type seen nationally in school facilities.
- 5.23 Officers are satisfied that the changes to the setting of the church as a result of the proposed development would not be significant. Essentially, there would not be a material change to the open nature of this part of the site and it would retain its hard surfacing. Accordingly, it is concluded that the development would not harm the setting of the non-designated asset and is acceptable in that regard.
- 5.24 Ecological Considerations
The site is of no particular ecological value, being made up of modern structures and large areas of hard-standing. However, it is noted that, over time, that certain areas of the site have become overgrown so improving the ecological potential, somewhat.
- 5.25 The applicant has submitted an ecological survey and statement, which clarifies the limited ecological constraints associated with the site. The Ecological Officer has considered this report and concurs with its findings. The report sets out some positive mitigation and improvements that would act to benefit the ecological value of the site (such as the provision of bird and bat boxes and the creation of wildlife habitat). These measures would satisfy the objective of providing ecological benefit as part of new development and as such can be secured by way of planning condition in the event that the application is approved. Accordingly, the proposed development is acceptable in ecological terms.

5.26 Drainage Issues

Local concern has been raised regarding the drainage of the site and potential issues with flooding on adjacent properties.

5.27 In this instance, the Lead Local Flood Authority (LLFA) has been consulted and do not raise objection. The LLFA notes that there is foul and surface water drainage in the locality and that this is the responsibility of Wessex Water. The LLFA also note that it is the responsibility of the developer to ensure that appropriate measures are taken to ensure the development adequately addresses the risk of surface water flooding as part of the development.

5.28 Essentially, the existing site is connected to the local drainage system. The applicant indicates that this will be retained. It is for the developer to agree this connection with the operator (Wessex Water). It is also necessary to obtain building regulation approval for drainage issues within the site itself; whether this be a connection to the existing system or the provision of an alternative. Through the building regulations legislation and land drainage legislation (and civil legislation) it is the responsibility of the developer and site operator to ensure that adequate and effective drainage is installed and maintained. In the context of this planning application, the LPA need only be satisfied that adequate drainage systems can be applied and officers are satisfied that this is the case.

5.29 In the event that surface water is discharged from the site across third party land, this is a civil matter between the operator of the application site and the third party ownership.

5.30 Having regards to the above, officers are satisfied that the proposed development is acceptable in drainage terms.

5.31 Transportation and Highway Safety

A key area of concern for the local population is the potential for existing parking and congestion problems to be made worse as a result of the proposed development. The Highway Authority has carefully considered the impact of the proposed development in the context of the existing use and the accumulation of nearby uses (a primary school, leisure centre, public playing fields etc) and on street parking.

5.32 The Highway Authority has concluded that the proposed development is safe in highway terms and that adequate parking can be provided within the site. Essentially, it is concluded that the development would not result in a 'severe highway safety impact' and therefore in planning terms, the development should not be refused on those grounds.

5.33 It is important to note that the existing site can be brought back into use by any education provider; and this could be as a 'higher education' college and in doing so bring about considerable pressure on the capacity of the highway at peak periods. The proposed development would result in a considerably lower attendance rate given that the nature of the school is to specialise in teaching children with special needs. The school would accommodate 139 pupils and employ 65 members of staff. The development would provide 66 parking

- spaces (including 4 spaces for drivers with a disability). This is a high ratio and considered to be adequate to address parking congestion issues in the locality with sufficient on-site parking provided. It is unlikely that the operation of the proposed school will materially affect the capacity of parking on the highway.
- 5.34 Given the urban location of the site, the option for staff to travel to the site using public transport is a viable option. However, the nature of the school, the requirements of its pupils, and the educational facilities on offer mean that its catchment is drawn from a wide area. This means that it is unlikely that pupils will arrive at the school on foot or via the use of public transport. In this regard, it is anticipated that the majority of parent/pupil trips will be made by private taxi or minibus.
- 5.35 The proposed development would utilise the existing access points off St Stephen's Road and provide a 'one-way' drop off point immediately outside the main school entrance. Limited visitor parking is provided at this point together with dedicated mini-bus parking. The direction of the 'one-way' route is dictated by the requirement to allow pupils to alight vehicles directly into the main entrance without crossing the path of moving vehicles within the site. There would be no dropping off on St Stephen's Road itself. The applicant has confirmed that there is sufficient space for eight minibuses to arrive on site and drop off and collect pupils within the school site. Officers are satisfied that this would provide sufficient access without materially impacting upon the movement of vehicles on the public highway.
- 5.36 In respect of the physical geometry of the access points, officers are satisfied that adequate visibility is available for the users of the site and that there is sufficient turning space to allow vehicles to enter and egress the site in a forward gear. The existing access onto Sweets Road will effectively be down graded (for maintenance purposes). This would allow the reinstatement of a pedestrian cross over (the continuation of the existing footway) and as such improve pedestrian facilities along Sweets Road. A condition will be applied to any consent such that this is provided within a reasonable time scale following completion and occupation of the development.
- 5.37 In order to control movements of demolition/delivery vehicles and other construction vehicles, it is appropriate to impose a condition to secure a Construction Environmental Management Plan. This would be used to limit the amount of movements associated with the demolition and construction phases of the development to a time outside of peak travel times to minimise the impact upon drop-off and collection of pupils from the nearby primary school.
- 5.38 The Highway Authority encourages the school to sign up to a 'Modeshift Stars Travel Planning' and it is suggested that the school obtains accreditation under that scheme within six months. However, in this context it is important to recognise the specific needs of the school as one which would provide specialist educational facilities. As noted above, pupils will arrive to the school in private taxi's and/or minibus and will be collected in the same way. The special needs of the pupils is such that it is not viable to use public transport means of travel as a way of accessing the school. To impose a condition requiring a travel plan would result in a potentially onerous obligation onto the

operational requirements of the school. Furthermore this could conflict with 'Equal Opportunity' legislation by adversely affecting the opportunity for protected groups to reasonable access to educational opportunity. Accordingly, officer consider that it is not appropriate to apply this condition to any approval of this planning application.

5.39 Having regards to the above assessment, officers are satisfied that the proposed development is acceptable in highway safety and transportation terms.

5.40 Other matters

Local residents have raised the following issues that carry limited weight in the assessment of this planning application. However they are addressed below;

5.41 *Property maintenance* – The site abuts residential properties along its Southeast Boundary. Some concern is raised that access to the boundary is allowed for the purposes of maintenance. Access for maintenance purposes is a civil matter between the owner of the site and the third party concerned. In this instance, the proposed development would not physically preclude access to shared boundaries. The 'Party Wall' legislation does make provision for reasonable access over third party land to maintain property. However, it is for the owner of the adjacent property to agree access with the owner/operator of the school.

5.42 *Use of the site to provide parking outside school hours* – It has been suggested that the school allows the car parking area to be used by the congregation of the adjacent church outside school hours and during church service times. Again, this is a civil matter which can only be considered by the operator of the site. It is not a factor that can influence the assessment and decision in respect of this planning application – i.e. the planning application cannot be refused because the car park is not made available to the congregation of the church. A separate civil agreement between the school and the church would need to be made. For the avoidance of doubt, it is not considered that a separate planning consent is required for the use of the car park by the congregation of the church (or any other third party user).

5.43 *Subsequent use of the area of the college site reserved for future development* – The comments from local residents are noted, in particular that the reserved area is used for additional community parking rather than for housing development. As set out earlier in this report, the site is specifically excluded from consideration under this planning application. Whilst this is the case, the land would continue to fall into use class D1 and can be used is submitted in relation to the land, this will be considered on its own merit. It is not possible for the Local Planning Authority to restrict such an application to any particular use – i.e. it cannot apply a planning condition (in the event that this application is approved) preventing a proposal for housing in preference of car parking on the reserved land.

5.44 The Planning Balance

The proposed development would provide the opportunity for children with special requirements to access the education system. The type of schooling

accommodation being proposed is in regarded as being in short supply and the opportunity to provide it within South Gloucestershire is attributed substantial weight in the consideration of this planning application.

- 5.45 Officers acknowledge that there is a history of traffic congestion and parking issues during the peak movement times around the site. However, it is clear that the proposed development would be effective in reducing the overall movement of traffic, particularly at peak times, when considered against the authorised (and extant) use of the existing site. Furthermore, the Highway Authority is satisfied that adequate parking and safe access facilities area available as part of the new development. This would allow for the arrival and departure of pupils and the general servicing of the site to take place away from the public highway. There is sufficient space for several vehicles to load and alight within the site, so reducing the impact of the development in highway safety terms to an absolute minimum. This is a factor which also weighs in favour of the development.
- 5.46 With regards to all other environmental impact (ecology, residential amenity, heritage and visual appearance) officers are satisfied that the impacts are low and adequately mitigated as part of the development and/or by way of appropriately worded planning condition.
- 5.47 Accordingly, officers are satisfied that the benefits of the development far outweigh any negative impact and approval of the application is therefore recommended.
- 5.48 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.49 With regards to the above this planning application it is considered to have a positive impact on equality as it would provide positive opportunity for a protected group (children and young people with special needs) to access the educational system.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is GRANTED subject to the following conditions.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

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. Vehicular Access and Parking

All access and off street parking (including cycle parking) as detailed upon drawing numbered FS0778-DKA-00-XX -DR-A-00010-S03 (Rev P04) (as received by the Local Planning Authority on 17th December 2019) shall be fully implemented and available for use prior to the first use of the development for the provision of a school. Thereafter the development shall be retained as such.

Reason

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

3. Provide Pedestrian Cross Over onto Sweets Road

Within 18 months of the first use of the development for the provision of a school, the existing access from the site onto Sweets Road (as detailed upon drawing numbered FS0778-DKA-00-XX -DR-A-00010-S03 (Rev P04) shall be downgraded to a 'pedestrian cross over'. Thereafter the development shall be retained as such.

Reason

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

4. Ecology

The development shall proceed strictly in accordance with the Mitigation Measures provided in Chapter 4 of the Preliminary Ecological Appraisal and Bat Survey Report

(Quantock Ecology, September 2018 and October 2019) (PSP19). For the avoidance of doubt, this shall include, but is not limited to, bird boxes, bat boxes and native planting.

Reason

In the interests of the protection of the ecological value of the site and the surrounding locality and to accord with Policy

5. Implement Landscaping

The landscaping of the site shall be provided strictly in accordance with the details provided in drawing numbers FS0778-CAM-00-XX-DR-L-0003-S2 (Rev P01) and FS0778-CAM-00-XX-DR-L-0004-S2 (Rev P01) within the next available planting season following the completion of the development. Any plant specimens which die, become diseased or are otherwise removed within the first five years of planting shall be replaced with the same plant species in the next available planting season.

Reason

In the interests of the character and visual amenity of the site and the surrounding location and to accord with Policy CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted December 2013; and Policy PSP19 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

6. Tree Protection

No development shall commence until an Arbicultural Method Statement and Tree Protection Plan (in accordance with BS5837:2012) to protect existing trees to be retained within the development site has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details.

Reason

In the interests of the health of existing trees on the site and the character and visual amenity of the site and the surrounding location and to accord with Policy CS1 of the South Gloucestershire Local Plan, Core Strategy (adopted December 2013; and Policy PSP2 and PSP3 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

This is a pre-commencement condition so as to avoid doubt prior to the start of the construction of the development.

7. No Further External Lighting

No external lighting other than that detailed upon drawing numbered FS0778-SDP-XX-XX-DR-E-900 shall be installed at any time.

Reason

In the interest of environmental amenity and residential amenity and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP8 PSP21 of the South Gloucestershire Policies, Sites and Places Plan (adopted November 2017

8. Construction Management Plan (CEMP)

Prior to the commencement of the development hereby approved, a fully detailed construction management plan shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the Construction Management Plan shall include the following;

A fully detailed Dust Management Plan

A fully detailed working practice to minimise noise during construction

A fully detailed construction traffic management (including delivery and waste removal times routing and parking)

Thereafter the development shall proceed in accordance with the agreed details.

Reason

In the interest of environmental amenity and residential amenity and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP8 and PSP21 of the South Gloucestershire Policies, Sites and Places Plan (adopted November 2017).

This is a pre-commencement condition so as to avoid doubt prior to the start of the construction of the development.

9. Hours of Working During Construction and Demolition

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

Monday - Friday.....07:30 to 18:00

Saturday.....08:00 to 13:00

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

In the interest of environmental amenity and residential amenity and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP8 and PSP21 of the South Gloucestershire Policies, Sites and Places Plan (adopted November 2017)

10. The development shall be implemented strictly in accordance with the following plans;

FS0778-SDP-XX-XX-DR-E-900 (External Lighting)

as received by the Local Planning Authority on 13th March 2020

FS0778-CAM-00-XX-DR-L-0003-S2 (Rev P01) (Landscape Layout A)

FS0778-CAM-00-XX-DR-L-0004-S2 (Rev P01) (Landscape Layout B)

as received by the Local Planning Authority on 19th February 2020

FS0778-DKA-00-XX-DR-A-00010 (Rev P04) (Proposed Layout Plan)

as received by the Local Planning Authority on 17th December 2019

E19-0001DKA-XX-XX-DR-A-0001-S1 (Rev P03) (Site Location Plan)

E19-0001DKA-XX-XX-DR-A-0002-S2 (Rev P04) (Existing Site Plan)

E19-0001DKA-00-00-DR-A-0004-S2 (Rev P02) (Demolition Plan)

E19-0001DKA-XX-XX-DR-A-0011-S2 (Rev P09) (Proposed Site Scope of Works Plan)

E19-0001DKA-01-00-DR-A-1000-S2 (Rev P02) (Block B-Ground Floor Existing)

E19-0001DKA-01-00-DR-A-1010-S2 (Rev P09) (Block B-Ground Floor Proposed)

E19-0001DKA-01-01-DR-A-1100-S2 (Rev P02) (Block B-First Floor Existing)

E19-0001DKA-01-01-DR-A-1110-S2 (Rev P07) (Block B-First Floor Proposed)

E19-0001DKA-01-01-DR-A-1112-S2 (Rev P06) (Block B-First Floor Demolition)

E19-0001DKA-02-XX-DR-A-1200-S2 (Rev P02) (Block E Floor Plans Existing)

E19-0001DKA-02-XX-DR-A-1210-S2 (Rev P06) (Block E Floor Plans Proposed)

E19-0001DKA-02-XX-DR-A-1212-S2 (Rev P05) (Block E Floor Plans Demolition)

E19-0001DKA-01-00-DR-A-1310-S2 (Rev P05) (Engineering Block Ground Floor Plan)

E19-0001DKA-01-XX-DR-A-2001-S2 (Rev P04) (Blocks A, B and D Existing Elevations)

E19-0001DKA-01-XX-DR-A-2002-S2 (Rev P04) (Blocks A and B Existing Elevations)

E19-0001DKA-01-XX-DR-A-2003-S2 (Rev P02) (Block C and D - Existing Elevations)

E19-0001DKA-01-XX-DR-A-2004-S2 (Rev P02) (Blocks A,C and D Existing Elevations for Demolition)

E19-0001DKA-01-XX-DR-A-2005-S2 (Rev P02) (Block C - Existing Elevations for Demolition)

E19-0001DKA-01-XX-DR-A-2010-S2 (Rev P07) (Proposed Elevations following completion of new school)

E19-0001DKA-01-XX-DR-A-2011-S2 (Rev P09) (Proposed Elevations following completion of new school)

E19-0001DKA-02-XX-DR-A-2101-S2 (Rev P04) (Block E Existing Elevations)

E19-0001DKA-02-XX-DR-A-2110-S2 (Rev P04) (Block E Proposed Elevations)

E19-0001DKA-03-XX-DR-A-2310-S2 (Rev P04) (Engineering Block Proposed Elevations)

E19-0001DKA-01-XX-DR-A-3010-S2 (Rev P06) (Block B Proposed Sections)

E19-0001DKA-02-XX-DR-A-3110-S2 (Rev P06) (Block B Proposed Elevations and Block E Proposed Elevations)

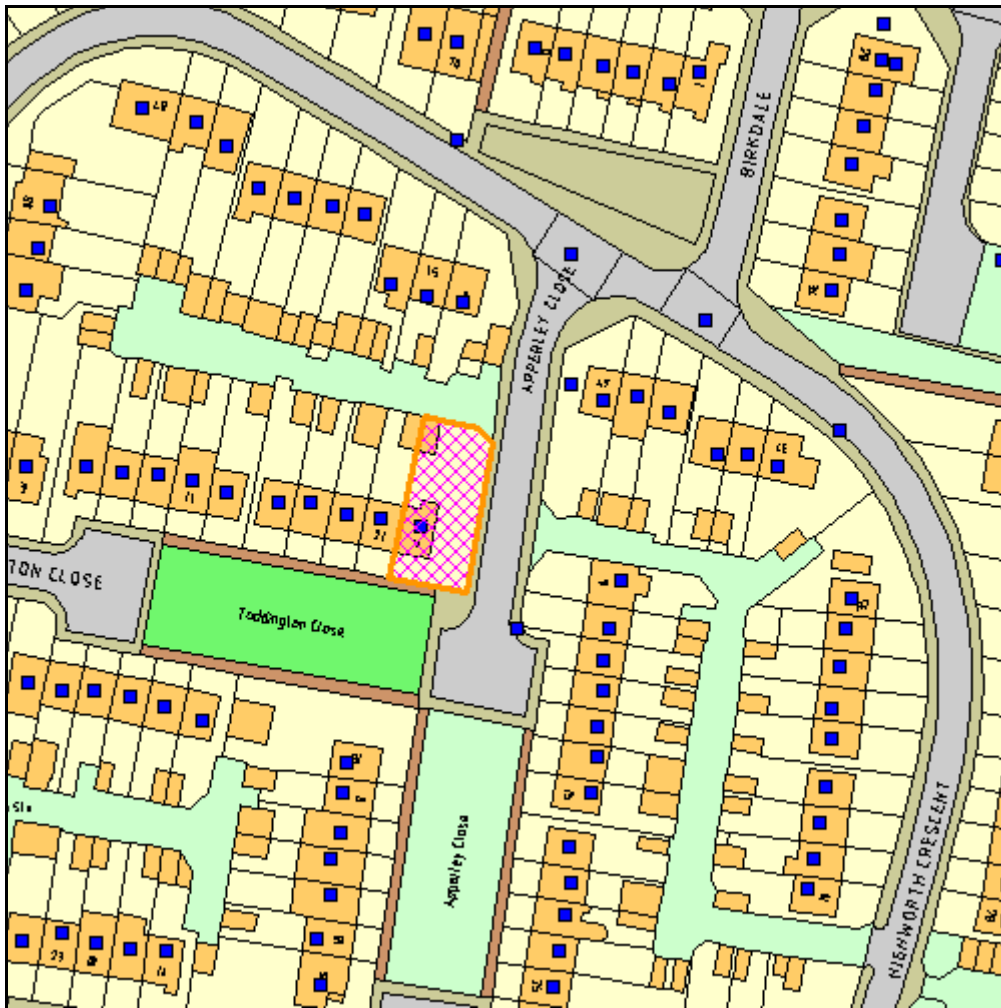
as received by the Local Planning Authority on 2nd October 2019

Reason

For the avoidance of doubt

CIRCULATED SCHEDULE NO. 12/20 - 20th March 2020

App No.:	P20/01712/F	Applicant:	Mr Peter Seward
Site:	4 Apperley Close Yate Bristol South Gloucestershire BS37 4HJ	Date Reg:	30th January 2020
Proposal:	Erection of 1no attached dwelling and associated works.	Parish:	Yate Town Council
Map Ref:	370984 181811	Ward:	Yate Central
Application Category:	Minor	Target Date:	24th March 2020



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

INTRODUCTION:

The application appears on the Circulated Schedule as there is an objection raised by Yate Town Council where the officer recommendation is one of approval.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect 1no. attached dwelling with associated works.
- 1.2 The proposed dwelling will be attached to No. 4 Apperley Close, Yate and located in what is currently No. 4's garden. No. 4 Apperley Close is a two-storey end-of-terrace house which is surrounded by similar two-storey terraced properties in its immediate proximity.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS5	Location of Development
CS8	Accessibility
CS9	Environment and Heritage
CS16	Housing Density
CS17	Housing Diversity

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Highway Safety
PSP16	Parking
PSP38	Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

Design Checklist (SPD)
Waste Collection for New Developments (SPD)
Assessing Residential Amenity (TAN)

3. RELEVANT PLANNING HISTORY

3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection. We share the concerns of the neighbours regarding parking issues which will be caused by this development.

4.2 Other Consultees **Sustainable Transport**

First comment:

A revised plan showing parking facilities for proposed and existing dwelling is requested.

Second comment:

Having viewed the resubmitted plans detailing the location of the off street parking for both the existing and proposed dwellings and measuring their dimensions, there are no transportation objections.

Highway Structures

Wish to make no comment.

Lead Local Flood Authority

No objection in principle. The applicant or agent is recommended to discuss the proximity of a public foul water sewer (and how it may affect the development) with Wessex Water.

Other Representations

4.3 Local Residents

There are a total of 4no. comments received for this planning application (3 objecting and 1 in support). Key points summarised below:

Objection:

- This will increase the amount of cars parked;
- Noise concern;
- Roads busy with nowhere to park;
- Garden will be overlooked;
- Resale value of our property will decrease;
- The actual build will create dirt and dust;
- No room for new property to be built;
- New property will not add value to the area;
- Access to light issue;

Support:

- 'It doesn't affect my dwelling';

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 sets out the locational strategy for development in the district. New development is directed towards the existing urban areas and defined rural settlements. As the site is within the settlement boundary of Yate, development is supported in principle in this location. PSP38 is also supportive of new residential dwellings within existing residential curtilages, subject to an assessment of any design, landscaping, amenity, highway safety and parking issues, as well as any other material planning considerations.

5.2 Design and Visual Amenity

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

- 5.3 The proposed dwelling will be attached to a two-storey end-of-terrace No. 4 Apperley Close and located within the existing garden of No. 4. The immediate area is dominated mainly by two-storey terraced houses.
- 5.4 The proposed dwelling will be similar to No. 4 in appearance. Currently No. 4's entrance located on the east (side) elevation. It will be moved to the front of the property. The main entrance for new dwelling will be incorporate into the front elevation. Also, front elevation will benefit from 3no. windows (1no. on the ground floor and 2no. on the first floor). The east (side) elevation will have 2no. windows inserted on the ground floor (one in the W/C and one in the dining room) and 1no. window on the first floor (in the landing area). The rear elevation will have 1no. window and 1no. door inserted on the ground floor (kitchen/dining area) and 2no. windows on the first floor (one in the bedroom and one in the bathroom).
- 5.5 The ground floor will incorporate lounge area, hall, kitchen/dining area and w/c. On the first floor there will be 3no. bedrooms and 1no. bathroom. Based on the submitted plans all proposed openings will match those of No. 4 Apperley Close. Also, the proposed render and roof materials will match those of No. 4.
- 5.6 The ground floor will measure approx. 7.9m by 6.2m, having floor area of approx. 49 sq.m. The first floor level will measure approx. 7.9m by 5.85m, having floor area of approx. 46 sq.m. This brings total floor area to approx. 95 sq.m. To the front and side elevations there is a new boundary hedge proposed with the height of approx. 85cm. This will replace the existing hedge which goes around the existing boundary. There is also a new brickwork boundary wall proposed which will be located mainly on the east elevation. It will have a length of 16m and be 1.85m high.

5.7 Overall it is considered that the proposed dwellinghouse has an acceptable level of design and will not have a detrimental visual impact on the local area. It is therefore concluded that the proposed development accords with Policy CS1 of South Gloucestershire Local Plan Core Strategy.

5.8 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.9 A 1.8m fence is proposed between the host dwelling and the proposed dwelling. The proposed dwelling will follow the existing building line of the terrace which will limit the potential for overlooking. There is no direct overlooking available of No. 4 Apperley Close from the proposed dwelling. The nearest property in direct sight of the proposed dwelling's first floor window would be No. 2 Apperley Close. There is some level of potential overlooking present, although it is minimal as the nearest boundary of No. 2 Apperley Close located at least 22m away from the proposed dwelling.

5.10 Based on the evidence set out in section 5.9 it is evident that there is very little, if any, opportunity for overlooking of neighbouring properties from the proposed dwelling. The case officer is satisfied that the proposed development will not cause detrimental impact to neighbouring occupiers through loss of privacy or overlooking, overbearing, noise and loss of light. It is therefore concluded that the proposed development is compliant with policies PSP8 and PSP38.

5.11 Based on the submitted plans it is evident that both properties, No. 4 Apperley Close and the proposed dwelling, will each have approx. 60 sq.m. of private amenity space available following post-development. It is therefore considered that the proposed development is compliant with Policy PSP43.

5.12 Transport and Parking

Some of the concerns raised by the public and the Town Council relate to the parking provision. The submitted plans indicate that there will be 2no. off-street parking spaces provided which is a required minimum for a 3-bedroom house. Also, 2no. off-street parking spaces will be provided for No. 4 Apperley Close. It is therefore concluded that the proposed development complies with Policy PSP16 of South Gloucestershire Local Plan: Policies, Sites and Places Plan.

5.13 Other Matters

Regarding the noise concern raised by one of the local residents. From the submitted comment it is unclear if the resident is referring to the noise during construction or following post-development. The case officer considered this

proposal from the planning point of view and found no evidence that the proposed dwellinghouse will generate the amount of noise which is greater than the average level generated by other dwellings in the area.

Regarding the concern that the actual build will create dirt and dust. It is again unclear if the resident means the construction process or period following post-development. From the planning point of view this development does not create the potential to generate dirt and dust more than any other dwelling in the area.

Regarding the property resale value and lack of added value to the area. This is not a material consideration and as such was not considered during the assessment of this planning application.

5.14 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Mykola Druziakin
Tel. No. 01454 868434

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to
Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

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

Reason

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

CIRCULATED SCHEDULE NO. 12/20 - 20th March 2020

App No.:	P20/02083/TCA	Applicant:	Mrs Caroline Attwood
Site:	The Great Barn Denys Court Olveston South Gloucestershire BS35 4DU	Date Reg:	3rd February 2020
Proposal:	Works to fell 8no. White Poplar trees within Olveston Conservation Area.	Parish:	Olveston Parish Council
Map Ref:	359814 187161	Ward:	Severn Vale
Application Category:		Target Date:	16th March 2020



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 100023410, 2008. **N.T.S.** **P20/02083/TCA**

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.

1. THE PROPOSAL

- 1.1 Works to fell 8no. White Poplar trees
- 1.2 The Great Barn, Denys Court, Olveston.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. The Town and Country Planning Act 1990
 - ii. The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990
 - iii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012

3. RELEVANT PLANNING HISTORY

- 3.1 PT15/0965/TCA Proposal: Works to crown reduce 1no. Plum tree by ___ metres and 1no Acer tree by ___ metres, and to pollard ___no. Silver Poplar trees to 5 metres Decision: NOB, Date of Decision 29/june/2015.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
No Objection. (The Parish Council have no objection if the trees are diseased, however we would like to see them replaced. If the trees are not diseased, we object but would support them being pollard.)

Other Representations

- 4.2 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application provides prior notification of proposed works to trees situated within a conservation area.
- 5.2 Principle of Development
Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recognised that trees can make a special contribution to the character and appearance of a conservation area. Under the above Act, subject to a range of exceptions, prior notification is required for works to a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their general control by making a Tree Preservation Order. When considering whether trees are worthy of protection the visual, historic and amenity contribution of the tree

should be taken into account and an assessment made as to whether the tree fulfils the criteria of a Tree Preservation Order.

5.3 Consideration of Proposal

The Poplar trees were previously pollarded to 5 meters therefore they would not be considered for inclusion with a tree preservation order.

5.4 There are no objections to the proposal.

5.5 In response to the Parish's comment- Under a Conservation area notification the only consideration is whether the trees would warrant inclusion within a Tree preservation order, which in this case they do not. Further to this there is no require for the replanting of tree which have been removed.

6. **RECOMMENDATION**

6.1 **No Objection**

Contact Officer: Lea Bending
Tel. No. 01454 864201