

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. 26/20

Date to Members: 26/06/2020

Member's Deadline: 03/07/2020 (12.00pm)

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 list 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:

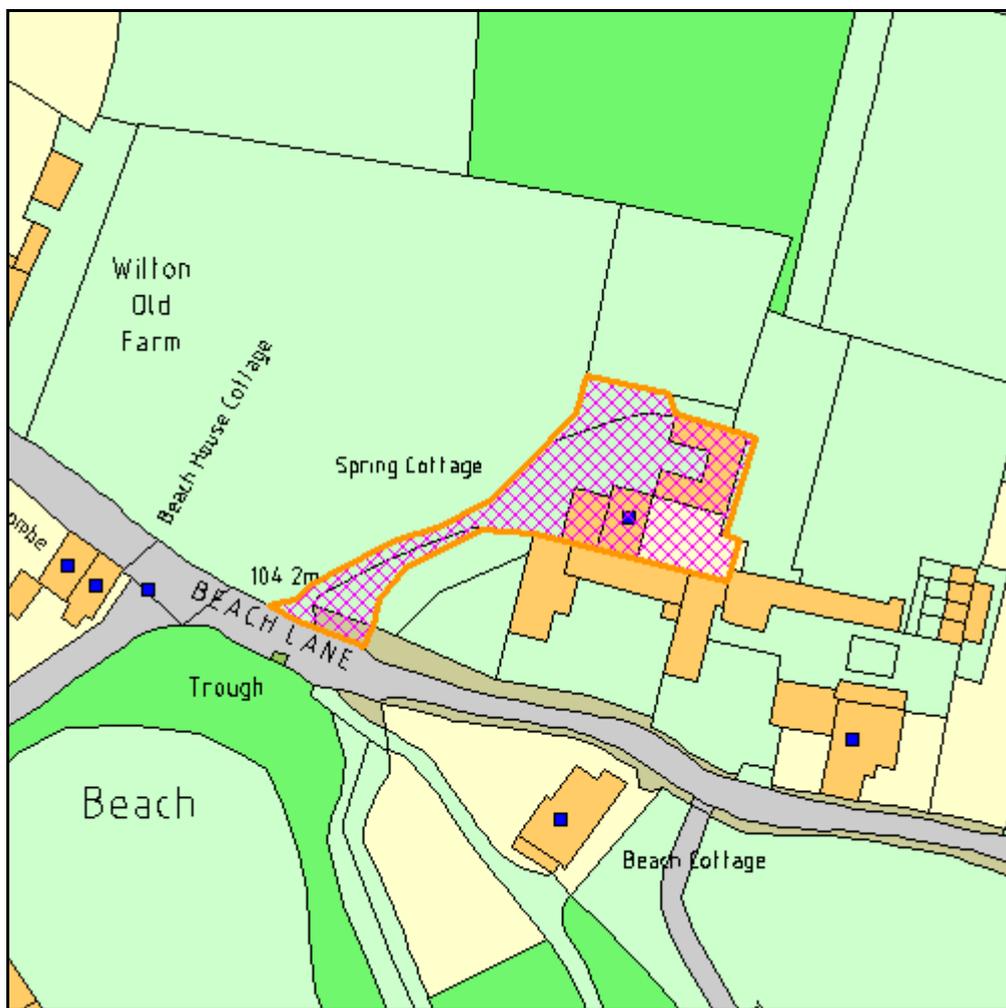
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 26 June 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/11822/F	Approve with Conditions	Spring Cottage Beach Lane Bitton South Gloucestershire BS30 6NP	Bitton And Oldland	Bitton Parish Council
2	P19/11825/LB	Approve with Conditions	Spring Cottage Beach Lane Bitton South Gloucestershire BS30 6NP	Bitton And Oldland	Bitton Parish Council
3	P19/15929/RM	Approve with Conditions	North Avon Magistrates Court Kennedy Way Yate Bristol South Gloucestershire BS37 4PY	Yate Central	Yate Town Council
4	P20/00556/F	Approve with Conditions	Land At Jupiter Road And Pegasus Road Cribbs Causeway Bristol South Gloucestershire	Charlton And Cribbs	Almondsbury Parish Council
5	P20/02386/RVC	Approve with Conditions	Washingpool Farm Main Road Easter Compton South Gloucestershire BS35 5RE	Pilning And Severn Beach	Almondsbury Parish Council
6	P20/07622/F	Approve with Conditions	Brook Way Activity Centre Brook Way Bradley Stoke South Gloucestershire BS32 9DA	Bradley Stoke North	Bradley Stoke Town Council
7	P20/07642/F	Approve with Conditions	495 Filton Avenue Horfield South Gloucestershire BS7 0LR	Filton	Filton Town Council
8	P20/08245/F	Approve with Conditions	Abson Stables Abson Road Wick South Gloucestershire BS30 5TT	Boyd Valley	Wick And Abson Parish Council

CIRCULATED SCHEDULE NO. 26/20 - 26th June 2020

App No.:	P19/11822/F	Applicant:	Mrs Nicola Bunce
Site:	Spring Cottage Beach Lane Bitton South Gloucestershire BS30 6NP	Date Reg:	23rd September 2019
Proposal:	Conversion of existing outbuilding to form ancillary residential annex. Erection of single storey side extension to existing dwelling to form link to annex	Parish:	Bitton Parish Council
Map Ref:	370567 170779	Ward:	Bitton And Oldland Common
Application Category:	Minor	Target Date:	13th November 2019



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 100023410, 2008. **N.T.S.** **P19/11822/F**

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule due comments received from the Parish Council which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the conversion of an existing outbuilding to form an ancillary annexe and the erection of a single storey side extension to the existing dwelling to form a link to said annexe.
- 1.2 The application relates to Spring Cottage, Beach Lane, Bitton. The property is grade II curtilage listed (by way of its date and historic function and associative connection with Britton's Farmhouse). The site also lies within:
 - the Beach Conservation Area,
 - the Bristol/Bath Green Belt,
 - the Cotswolds AONB,
 - an area of archaeological interest, and
 - the public footpath PBN 53 corresponds with the entrance to Spring Cottage from Beach Lane.
- 1.3 The application should be read in conjunction with P19/11825/LB.
- 1.4 During the course of the application, the design of the scheme has been revised.

2. POLICY CONTEXT

- 2.1 National Guidance
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
 - National Planning Policy Framework Feb 2019
 - National Planning Practice Guidance
 - Historic England's Good Practice Advice in Planning Note 2 "Managing Significance in Decision-Taking in the Historic Environment"
 - Historic England's Good Practice Advice in Planning Note 3 "The Setting of Heritage Assets (2nd Edition)"

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Sites
PSP19	Wider Biodiversity
PSP20	Flood Risk
PSP28	Horse Related Development
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development within the Countryside
PSP43	Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/0821/CLE
Application for Certificate of Lawfulness for the existing use of outbuildings for ancillary residential use.
Refusal 13.8.2010

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Objection: Concerns with regards to the bats and swallows and the fact that it falls within greenbelt and in an area of natural beauty. We would like the comments of the conservation officer to be considered.

4.2 Other Consultees

Public Rights of Way

1x condition relating to a footpath entrance and 1x standard informative recommended

Open Spaces Society

No comment

Commons Stewardship Officer

No comment

Sustainable Transport

No objection

Archaeology Officer

No objection

Ecology Officer

Initial Comment

Two surveys have been completed for the low impact licence which is insufficient and a third survey will now need to be carried out between May and September.

Two surveys are sufficient for a building of moderate suitability to confirm a negative result, however three surveys are needed to confirm roost status once bats have been found emerging or roosting in the building as detailed in the Bat Conservation Guidelines.

The requirement for adequate survey effort is covered within the bat low impact course.

There is an ecological objection to this application.

Following protracted negotiations and the submission of further information there is now subject to conditions no objection to the proposed development.

Conservation Officer

1x condition relating to detailing recommended

Other Representations

4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular relevance is the curtilage listing of the building and its sensitive location. Policy is supportive of development, including the conversion/re-use of existing buildings in the countryside for residential purposes. The proposed annexe, its function and its relationship to the main dwelling needs to be assessed. Annexes must have some form of dependence on the main property to be regarded as ancillary accommodation otherwise they are treated as separate and independent of the host dwelling. This is assessed in more detail below.

5.2 Annexe Test

The proposed annexe building would be a link-attached structure with 3 bedrooms, utility, bathroom and workshop, all at ground floor. Given the internal components it is clear that the annexe would need to rely on the main dwelling for day-to-day needs. Parking and amenity space would also be shared.

5.3 Green Belt

The proposal is for both the conversion of an existing outbuilding to form an annexe to the main dwelling house and a single storey link joining the two. Development in the Green Belt is limited to certain criteria. Development falling outside this listed is considered inappropriate and harmful and requires very special circumstances to show clearly how the harm can be outweighed. Extensions to existing buildings are listed within the exception criteria provided they would not result in a disproportionate increase over and above the existing building. In addition, it is noted that the re-use of a building is also listed as an exception criteria and in this case the change of use from what can be described as a stable/ancillary storage to a residential annexe, providing the change would preserve the openness of the Green Belt and not conflict with the purposes of including land within it, can be acceptable.

5.4 Details submitted with the application show internal alterations to facilitate the change to an annexe and as such the footprint of the building would not alter. A ground floor link is however, proposed and this would result in an increase to the volume of the building. Given the overall size of the building the increase in volume is considered appropriate and one that would not be disproportionate to the existing structure. On this basis it is acceptable in Green Belt terms.

5.5 Moving on to the other criteria under which this proposal falls: the conversion of the outbuilding for residential purposes. Given the structure is adjacent the large garden of Spring Cottage, and is already somewhat associated with the domestic use of this property, the conversion of the building itself into additional accommodation, would not adversely impact on the openness of the Green Belt and would thus also be acceptable.

5.6 Design and Visual Amenity

Following Officer concerns, the width and depth of the “link” extension was reduced to clear an existing cart opening. Whilst some reservations remain regarding the scale of the extension, in light of the site character and context, sustaining any further objection would be difficult and so what is proposed is regarded as an acceptable negotiated solution.

5.7 On the annexe, as part of the same negotiations, 1x opening was removed and the number of rooflights to the east elevation reduced.

5.8 In light of the revisions made to the scheme, the previous objections have been overcome and overall it is considered that the historic significance of this curtilage listed barn and the contribution it makes to the wider setting and significance of the principal designated heritage asset would be sustained.

5.9 Details of rooflights would however be required in conjunction with details of all vents and flues, as while there is the suggestion that the existing outbuilding will not be altered, it clearly is being converted into a largely living accommodation.

5.10 Residential Amenity

Development should not be permitted that has a prejudicial impact on the residential amenities of any nearby occupier or which fails to provide adequate living conditions for future occupiers.

5.11 Given this proposal is for annexe accommodation it is assumed that the occupants would use the existing garden associated with the main house. As an annexe a separate garden is not required. If the proposal were to be used as an independent dwelling, it would require planning permission in its own right and a garden of an appropriate size to comply with adopted planning policy would be necessary.

5.12 Given the distance from closest neighbours, the change of use to residential accommodation from stable/ancillary storage and the introduction of rooflights would not have a negative impact and as such the proposal is considered acceptable.

5.13 Transport

It is common for annexe accommodation to be for dependent relatives. As such, when assessing annexe accommodation, it is usually considered that there would be little or no additional traffic generated by the development. In this case it is noted that no details of future occupants have been supplied but it is clear that there would be sufficient room within the site to accommodate ample vehicular parking for both the annexe and the main house. The existing driveway and access arrangement off Beach Lane are satisfactory and as such there is no transport objection to the creation of this annexe accommodation.

5.14 Footpath

The entrance is currently a stile and the PROW Officer has requested it is improved to BS5709 standards with the least restrictive access principle in favour of a gap/gate/kissing gate and the removal of the stile.

5.15 However, given the development proposal is already acceptable without this requirement (the annexe is not near the footpath), it is unnecessary and unreasonable and therefore fails the tests of the NPPF.

5.16 Ecology

Given the nature of the proposed development, the key consideration in ecological terms is the potential for an impact to a bat population. An initial survey report was therefore submitted with the application. This found that the outbuilding used as stables was in reasonable condition. The survey indicated bats roosting in the building. In these circumstances it is necessary to apply the same tests prior to the determination of the application that would be required for a licence application under the Habitat Regulations, namely:

- *For the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of social or economic nature and beneficial consequences of primary importance for the environment;*
- *There is no satisfactory alternative to the work specification;*

- *The action authorised will not be detrimental to the maintenance of the population of the species at a favourable status in their natural range.*

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

Regarding the second 'no satisfactory alternative' test, the standard of living for the client and their respective family will be enhanced with the conversion of the building which is currently owned by the client. The new development will be more sustainable and create additional housing.

Regarding the third 'favourable status' test, the report provides an Outline Mitigation Plan which details recommended mitigation once the licence has been granted. The further details that have been set out in the mitigation strategy are welcomed which include toolbox talks, a pre-works inspection for the modification of the roof void every day until completion and a provisional roost box installed on site prior to works. It is therefore considered that this third test has been met.

The survey indicated nesting swallows and the applicant will be advised of their duties regarding nesting birds. Subject to conditions to ensure that works progress in accordance with the mitigation measures that are set out in the Ecological Appraisal; to ensure the submission of a lighting design strategy for biodiversity prior to occupation; to require also prior to occupation the submission of evidence that the ecological enhancement measures identified in the submitted report (bird/bat boxes) have been installed and lastly to require an inspection by a qualified ecologist of the bat roost modification set out in the report once that has been completed, the development is considered acceptable in ecological terms.

5.17 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.

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

6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

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

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

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

Reason

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

2. Ecological Mitigation

The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Appraisal (Crossman Associates, July 2019 / June 2020)

Reason

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

3. Lighting Design Strategy for Biodiversity

Prior to occupation, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority (PSP19).

Reason

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

4. Ecological Enhancement Measures

Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the Ecological Appraisal (Crossman Associates, July 2019 / June 2020) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes and bat boxes (retain the bat box installed for additional roost provisions) (PSP19).

Reason

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

5. Visit by qualified Ecologist (Bat Roost Modification)

A visit from a suitably qualified ecologist of the bat roost modification once completed to ensure it meets the requirements detailed within the report. The findings shall then be submitted to the Local Planning Authority prior to occupation.

Reason

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

6. Detailed Design Details

Prior to the commencement of the relevant works, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.

- a. Rooflights
- b. All new vents and flues

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason

To avoid remedial action and to maintain and enhance the character and setting of the listed building, and to accord with Sections 16(2) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan:

Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

7. Use as Annexe

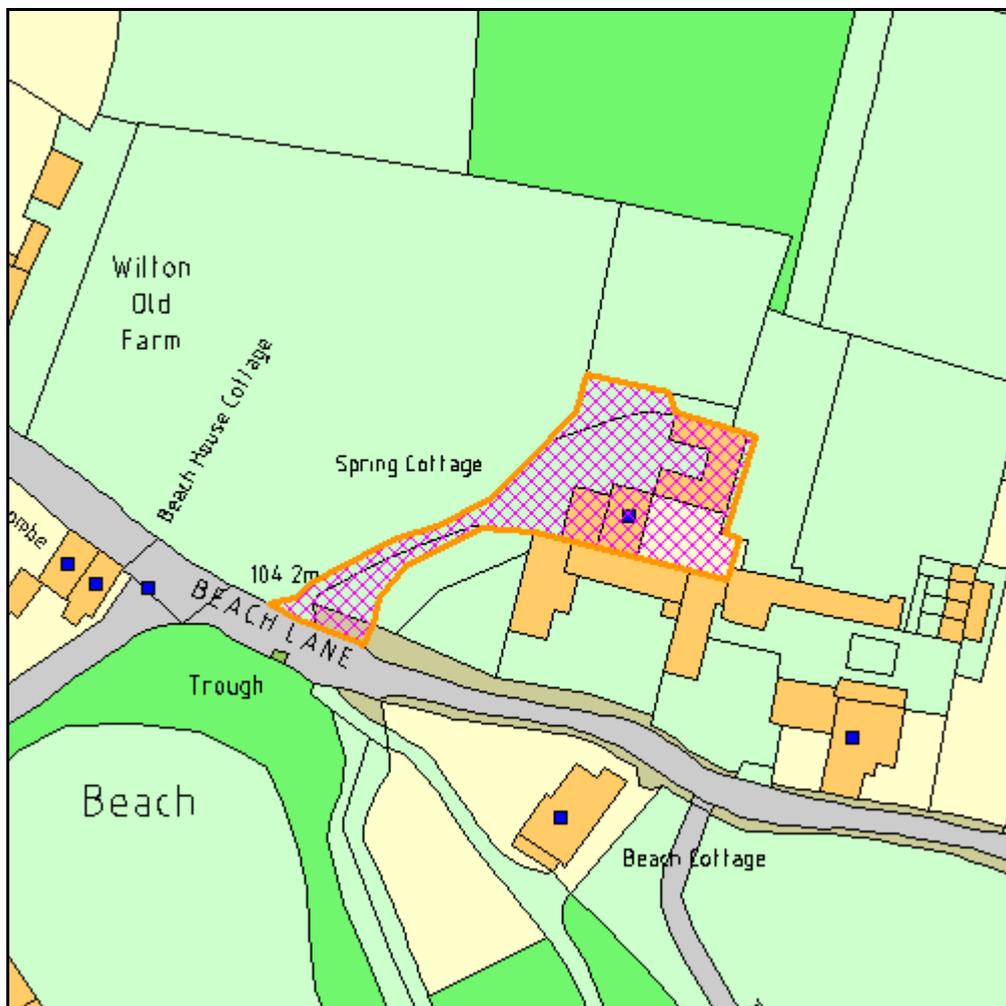
The annex hereby permitted shall not be occupied at any other time other than for ancillary purposes as part of the main residential use of the dwelling known as Spring Cottage Beach Lane Bitton

Reason

The application has been assessed on the basis that it is ancillary accommodation. Use as a separate dwelling would first require further assessment by the Local Planning Authority of the potential implications in terms of visual amenity, privacy and amenity of neighbouring occupiers and parking arrangements. This is to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; Policies PSP8, PSP11 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework (2019).

CIRCULATED SCHEDULE NO. 26/20 - 26th June 2020

App No.:	P19/11825/LB	Applicant:	Mrs Nicola Bunce
Site:	Spring Cottage Beach Lane Bitton South Gloucestershire BS30 6NP	Date Reg:	23rd September 2019
Proposal:	Conversion of existing outbuilding to form ancillary residential annex. Erection of single storey side extension to existing dwelling to form link to annex	Parish:	Bitton Parish Council
Map Ref:	370567 170779	Ward:	Bitton And Oldland Common
Application Category:	Minor	Target Date:	13th November 2019



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 100023410, 2008. N.T.S. P19/11825/LB

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule due comments received from the Parish Council which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks Listed Building Consent for the conversion of an existing outbuilding to form an ancillary annexe and the erection of a single storey side extension to the existing dwelling to form a link to said annexe. The application should be read in conjunction with P19/11822/F.
- 1.2 The application relates to Spring Cottage, Beach Lane, Bitton. The property is grade II curtilage listed (by way of its date and historic function and associative connection with Britton's Farmhouse). The site also lies within:
 - the Beach Conservation Area,
 - the Bristol/Bath Green Belt,
 - the Cotswolds AONB,
 - an area of archaeological interest, and
 - the public footpath PBN 53 corresponds with the entrance to Spring Cottage from Beach Lane.
- 1.3 During the course of the application, the design of the scheme has been revised.

2. POLICY CONTEXT

2.1 National Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990
(as amended)
National Planning Policy Framework Feb 2019
National Planning Practice Guidance
Historic England's Good Practice Advice in Planning Note 2 "Managing Significance in Decision-Taking in the Historic Environment"
Historic England's Good Practice Advice in Planning Note 3 "The Setting of Heritage Assets (2nd Edition)"

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS9 Managing the Environment and Heritage

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

PSP17 Heritage Assets and the Historic Environment

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/0821/CLE
Application for Certificate of Lawfulness for the existing use of outbuildings for ancillary residential use.
Refusal 13.8.2010

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Objection: Concerns with regards to the bats and swallows and the fact that it falls within greenbelt and in an area of natural beauty. We would like the comments of the conservation officer to be considered.

4.2 Other Consultees

Archaeology Officer
No objection

Conservation Officer
1x condition relating to detailing recommended

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against National Planning Policy Framework Feb 2019 and Planning (Listed Buildings and Conservation Areas) Act 1990 and the policies as set out above.

- 5.2 The proposal is to convert an existing outbuilding to form an ancillary residential annexe. In addition as part of the proposal a single storey extension is proposed to link this structure to the main building.

- 5.3 Spring Cottage is a curtilage listed building by reason of its historic and associative connection with Britton's Farm a Grade II Listed Farmhouse. It is therefore considered as part of a Listed Building and therefore it is a requirement that any works protect the significance of this heritage asset.

- 5.4 There were initial concerns that the extension was too large, lessening the importance of the outbuilding and thus detracting from the historic relationship with the farmstead. In addition the extension would have created a rather "sprawling composition" and would have resulted in the loss of a cart opening on the eastern elevation which forms a key part of the historic character. The initial proposal would not have been acceptable.

- 5.5 Negotiations have resulted in a reduction to the width and the depth of this link extension that has ensured the retention of the cart entrance. In addition the number of openings have been significantly reduced. There is still some concern regarding the scale of the proposal but in the light of the changes that have been made it is considered that the previous concerns have been overcome and overall it is considered that the historic significance of this curtilage listed barn and the contribution it makes to the wider setting and significance of the principal designated heritage asset would be sustained.
- 5.6 During the course of considering the application details of the large scale joinery have been secured and this now considered acceptable. A condition will be attached to the decision notice to secure the detailed design of the rooflights and all new vents and flues.
- 5.7 Subject to these conditions, the works are considered to protect the special character, interest and setting of the listed building in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. **CONCLUSION**

- 6.1 The recommendation to **grant** Listed Building Consent has been taken having regard to the section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained in the National Planning Policy Framework.

7. **RECOMMENDATION**

- 7.1 That the application be **approved** subject to the conditions outlined on the decision notice.

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

2. Detailed Design Details

Prior to the commencement of the relevant works, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.

- a. Rooflights
- b. All new vents and flues

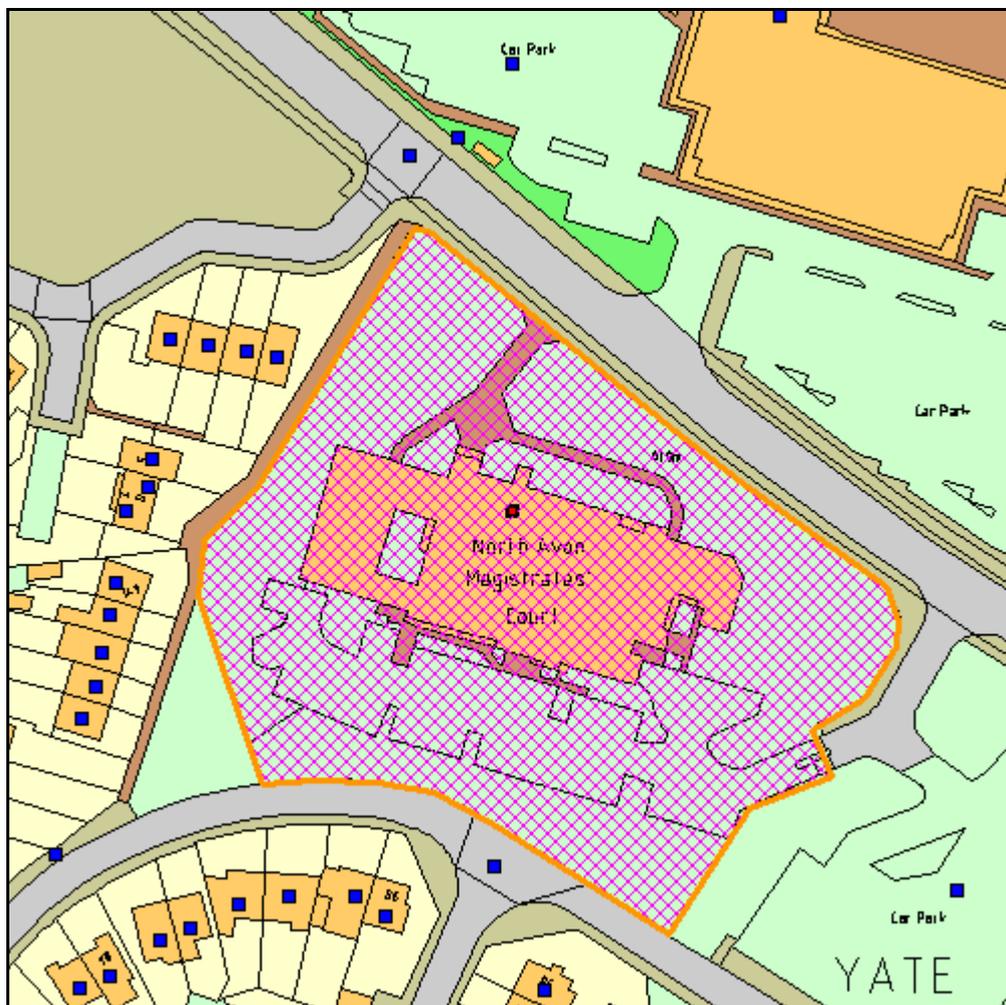
The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason

To avoid remedial action and to maintain and enhance the character and setting of the listed building, and to accord with Sections 16(2) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

CIRCULATED SCHEDULE NO. 26/20 - 26th June 2020

App No.:	P19/15929/RM	Applicant:	Soveriegn Housing Association
Site:	North Avon Magistrates Court Kennedy Way Yate Bristol South Gloucestershire BS37 4PY	Date Reg:	6th November 2019
Proposal:	Erection of 45 no. dwellings to include details of appearance (approval of reserved matters to be read in conjunction with outline planning permission PK18/0799/O as amended by P19/14286/RVC).	Parish:	Yate Town Council
Map Ref:	371187 182396	Ward:	Yate Central
Application Category:	Major	Target Date:	4th February 2020



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 100023410, 2008. **N.T.S.** **P19/15929/RM**

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

CIRCULATED SCHEDULE

This report re-appears on the circulated schedule to allow for a change to the resolution. Members may recall that the application previously appeared on the Circulated Schedule in the week commencing 22nd May 202. The application was not called before the committee and therefore has a resolution to grant.

The previous report included a recommendation requiring amendments to the existing S106. However, it is no longer necessary for any changes to the original S106 to be considered as part of this reserved matters application. The changes to the S106 are being considered through an entirely separate application (P20/00006/MOD) which will appear on the circulated schedule in due course.

To clarify, there have been no changes to the layout, design or quantum of development that that previously circulated.

1. THE PROPOSAL

- 1.1 The application site benefits from outline planning permission PK18/0799/O as amended by P19/14286/RVC for the Erection of 45 no. dwellings. Permission PK18/0799/O was subject to a S106 agreement signed 22nd July 2019. This is a 100% affordable housing scheme and as such there will be no requirement to deliver 35% affordable housing without public subsidy. This is on the proviso that all 45 dwellings are delivered as affordable housing as defined by the NPPF and agreed affordability outputs.
- 1.2 This reserved matters application is to consider the appearance and landscaping associated with the proposal.
- 1.3 The site relates to the former Magistrate's Court, Kennedy Way, Yate.
- 1.4 During the course of the application revised plans were submitted to clarify the amount of public open space on the site. These plans did not alter the scope of the proposal and have therefore not been put out for re-consultation.

2. POLICY CONTEXT

National Guidance

National Planning Policy Framework 2019
National Planning Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS3	Renewable and Low Carbon Energy Generation
CS4	Renewable or Low Carbon District Heat Networks

CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-Safeguarded Economic Development Sites
CS14	Town Centres and Retailing
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS30	Yate and Chipping Sodbury

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP4	Designated Local Green Spaces
PSP5	Undesignated Open Spaces
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP31	Town Centre Uses
PSP32	Local Centres
PSP37	Internal Space Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
 South Gloucestershire Design Checklist (Adopted) 2007)
 South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
 Affordable Housing and Extra Care SPD (Adopted) 2014
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
 SPD – (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 P20/00006/MOD Modification to S106 agreement attached to planning permission P19/14286/RVC formally PK18/0799/O.
 Current application for consideration

- 3.2 P19/14286/RVC Variation of conditions 2 (to amend the reserved matters to appearance and landscaping only), 4 (to change the conditioned plans), 5 (to amend the arboricultural requirements), 10 (To reduce the no. of Electrical vehicle charging points), 13 (to revise the wording to prior to occupation) and 15 (to substitute the conditioned plan) and amendments to condition 9 (access) attached to permission PK18/0799/O. Erection of 45 no. dwellings (Outline) with access, layout and scale to be determined. All other matters reserved.
Approved 6.3.20
- 3.3 PK18/0799/O Erection of 45no. dwellings (outline) with access, layout and scale to be determined – all other matters reserved
Approved 23.7.19

4. CONSULTATION RESPONSES

4.1 Yate Town Council

The substation is still shown as being located on Stanshawes frontage, with removal of a tree. This must be located to the Kennedy Way side away from existing dwellings so that the trees along the Stanshawes Crescent are retained.

We object to the proposals to remove more trees, in particular 44/43/G9 - and 28/30/31 which were to be kept. Also, the tree that you are removing for a substation, could be sited elsewhere, should not be removed and the hedge needs to be kept. A scheme was agreed which involved the loss of some trees. Now each revision proposes the loss of more. We need to stick to the original scheme, in terms of tree loss.

The barrier between the parking areas in the southwest corner and Stanshawes Crescent needs to be continuous with a hedge and a fence on the new development side. Otherwise, we are concerned that residents will cut across the grass to the parking lots, which will create hazards and undermine the principle of no parking / access from Stanshawes Crescent.

We object to the fencing along the Stanshawes Crescent side it should have hedging with secure fencing behind and we object to the path.

Internal Consultees

4.2 Housing enabling

Permission PK18/0799/O was subject to a S106 agreement signed 22nd July 2019. The application is for 45 homes in Yate, and affordable housing is sought in line with National Planning Policy Guidance and other requirements under Policy CS18 of the Council's adopted Core Strategy Development Plan Document.

The applicant has advised that this is a 100% affordable housing scheme and as such there will be no requirement to deliver 35% affordable housing without public subsidy. This is on the proviso that all 45 dwellings are delivered as affordable housing as defined by the NPPF and agreed affordability outputs.

- The provision of 35% Affordable Housing in accordance with comments above.
- Confirmation that the Wheelchair standard unit will meet Part M4(3)(2a) with regard to external arrangements
- The size of the car space allocated for flat 29 being amended to a suitable size for a wheelchair unit
- Noise insulation between the wheelchair flat and the bin store.
- There needs to be a shower and not a bath in the wheelchair unit
- Suitable fire escape / rear access and private garden space for the wheelchair unit.

Updated comments:

Following discussions and the submission of additional information to cover the above points, there are no objections to the proposal.

- 4.3 Landscape
Better planting needed

Updated comments:

No objections following submission of revised plans.

- 4.4 Tree Officer
No objection subject to condition

- 4.5 Public Art
Public art strategy requested

Updated comments:

No objection – subject to compliance condition

- 4.6 Public open space
Better plan required.

Updated comments:

No objection to the proposal

- 4.7 Highway Structures
No objection

- 4.8 Waste management
Bin areas adequate. Ensure collection vehicle can access and collect with ease.

Tracking plan now provided showing appropriate layout.

- 4.9 Sustainability officer
A revised Energy Statement should be provided which demonstrates how the development has responded to the Climate Emergency.

4.10 Avon Fire and Rescue

The additional residential and commercial developments will require additional hydrants to be installed and appropriately-sized water mains to be provided for fire-fighting purposes. This additional infrastructure is required as a direct result of the developments and so the costs will need to be borne by developer.

Avon Fire & Rescue Service has calculated the cost of installation and five years maintenance of a Fire Hydrant to be £1,500 + vat per hydrant. Importantly, these fire-fighting water supplies must be installed at the same time as each phase of the developments is built so that they are immediately available should an incident occur and the Fire & Rescue Service be called.

Statutory / External Consultees

4.11 Transport

No objection subject to condition

4.12 Drainage

No objection. Compliance condition to be used.

Other Representations

4.13 Local Residents

11 letters of objection have been received from local residents. The points raised are summarised as:

- Location of sub-station- eye sore; should be closer to Kennedy Way; put it within the site; potential noise
- Side road leading to the site is a private road
- Path remains. Access to sub-station should be from within the site
- Potential for anti-social behaviour
- Ownership of access road remains unclear
- Staff working on site should park within the boundary
- Ensure site is enclosed with no access to Stanshawe Crescent
- Continual removal of trees
- Kitchens will be next to bedrooms which will lead to noise and confrontation between neighbours – walls are thin in new builds
- Parking area should be made semi permeable so that surface water can drain away
- Fencing between Thorns Farm and the site should be reduced in height and replaced by mature hedging
- Insufficient parking
- Who will maintain the grounds
- Changing a 1 bed to a 2 bed won't be big enough

5. ANALYSIS OF PROPOSAL

5.1 This is a reserved matters application for the consideration of matters of appearance and landscape.

5.2 Principle of Development

The principle of development on this site has already been established under previous recent planning applications.

5.3 Design and appearance:

The scheme is for two blocks of flats and 8 houses. Block 1 has a total of 17 flats and block 2 a total of 20 flats. One ground floor flat in Block 2 meets the internal layout arrangements for a wheelchair user adaptable dwelling. It is confirmed that all other units including the 8 houses would meet Part M4 (2) of the building regulations for internal layout arrangements and also the national space standards for internal measurements.

5.4 Details included with the application indicate that the proposed two-storey houses, arranged in two terrace rows would be of a simple form to complement the character of the surrounding streets. They would also have large full height window features and flat porch canopies for added interest. Materials to be used include brick and render, also a feature of the immediate area.

5.5 The 2.5 storey apartment blocks have been designed to have a contemporary feel featuring large full height glazed elements with brick and render as the external finishes. Although originally the proposed render was a creamy colour this has been changed to pale grey for the purposes of future maintenance ease.

5.6 Given the above the proposed design and appearance of the new development is considered appropriate for its location and is therefore acceptable.

5.7 Landscape:

During the course of the application, revised plans were submitted to indicate the location of the public open space and the proposed landscape scheme. Revised plans have addressed initial comments requesting additional details. One comment submitted to the LPA has raised the question of maintenance. The site will be managed by Sovereign Housing Association and therefore, the grounds and maintenance will be their responsibility.

5.8 Given the above, including the planting and soft landscaping, the proposal is acceptable in landscape terms.

5.9 Trees

Comments have been received from the Town Council and local residents criticising the removal of further trees. Whilst officers are sympathetic to the concerns raised, it must be noted that most of the trees on the site are to be retained and those that are to be lost are of poor quality or to be replaced. In addition the loss of a small number of trees must be weighed against the benefit of the development as a whole.

5.10 Officers have examined the proposal which includes an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS). Together these are considered to adequately safeguard the trees that are to be retained through the proposed development.

- 5.11 T16 (Oak) is the most important tree on this site and the methodology around the protection of this tree must be particularly closely adhered to. Section 3 of the AMS covers this matter and it must be highlighted that an Arboriculturist should be on site throughout the works near trees.
- 5.12 Given the above there are no objections to the scheme.
- 5.13 Residential amenity:
It is noted that local residents have expressed concerns regarding the proposed sub-station associated with the application site. Concerns include its position and the potential for noise.
- A sub-station of the size proposed would not have an adverse intrusive visual impact and its location would allow easy access for maintenance or servicing. Sub-stations of this sort are not unusual in residential settings. It is therefore unlikely that a sub-station, particularly of the scale proposed, would cause a noise nuisance or disturbance to neighbours. On this basis its position is acceptable.
- 5.14 Each of the new 8 houses would have private and enclosed garden space. Amenity space for the flats would be both within the grounds and the nearby facilities of Yate town centre including the leisure centre. Given the proximity to the town, the level of amenity space proposed is considered acceptable.
- 5.15 Affordable Housing:
The scheme is being provided as 100% affordable housing scheme and justification has been provided that shared ownership units cannot be delivered. All 45 units are proposed to be delivered as Social Rent which the Enabling Team have accepted based on this being the highest demand as identified by the Wider Bristol Strategic housing Market Assessment (SHMA).
- 5.16 The applicant proposes the mix of S106 units as follows:
- 5 x 1bed 2 person apartments @ 50m²
 - 8 x 2bed 4 person apartments @ 70 m²
 - 1 x 2bed 3 person apartment @ 76m²
 - 1 x 2bed 4 person house @ 79 m²
 - 1 x 3bed 5 person house @93m²
- 5.17 It is noted that the proposed scheme does not include any 4 bed houses and that it is predominantly a flatted scheme. As the proposed mix reflects the evidence provided by the Wider Bristol SHMA the Enabling Team is happy to accept the proposal. A Deed of Variation to the original S106 agreement will reflect these changes.
- 5.18 With regards to design, Affordable Homes are to be built to high quality design standards and include Lifetime Homes standard *or Part M of the Building Regulations accessibility standards M4(2)*, Part 2 of Secured by Design, and compliance with the RP Design Brief;

- I. All rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels;
 - II. All properties to have vinyl/tiles on floor in all ground floor rooms;
 - III. Ceiling height tiling to 3 sides of bathroom to be provided;
 - IV. Provide wall mounted shower (either electric or valve and kit);
 - V. Provide gas and electric points to cooker space (where gas is available);
 - VI. Painted softwood curtain battens to each window (where construction is traditional as opposed to timber frame).
- 5.19 One unit is to be wheelchair accommodation and again during the course of the application and through discussions it is has been confirmed in writing that the affordable homes will be built to meet Part M of the Building Regulations accessibility standards M4(2) and the wheelchair unit will meet M4(3)(2a) for internal layout arrangements. This was addressed through the outline permission.
- 5.20 In summary, Affordable Housing is sought in line with National Planning Policy Guidance: Planning Obligations and other requirements under Policy CS18 of the Council's adopted Core Strategy Development Plan Document. This is a 100% affordable housing scheme and as such there will be no requirement to deliver 35% affordable housing without public subsidy. This is on the proviso that all 45 dwellings are delivered as affordable housing as defined by the NPPF and agreed affordability outputs. On this basis, the scheme is considered acceptable.
- 5.21 Sustainability officer:
South Gloucestershire Council declared a Climate Emergency in July 2019, which includes the target of making South Gloucestershire as a whole carbon neutral by 2030. It is therefore important that all new development is designed and built to the highest sustainable building standards in order to demonstrate that the developments will be carbon neutral in 2030.
- 5.22 The application includes an Energy Strategy indicating a reduction in regulated emissions from energy efficiency measures. It proposes a 0.19% reduction in regulated emissions from energy efficiency measures. However, a 10% reduction in emissions is regarded as an indication of good design.
- 5.23 The Energy Statement refers to current Building Regulations (Part L) as 'a very demanding standard' however, given the need to completely decarbonise heat and in the light of proposed amendments to Part L in 2020, and the Future Homes Standard due to be introduced in 2025, future standards/requirements are likely to rise. This application however can only be determined in accordance with current policy and cannot enforce likely future policy requirements.
- 5.24 It is possible that under the proposed energy strategy the dwellings will require retrofitting and the installation of some form of renewable heating to achieve zero carbon heat. This will be at considerably greater cost and will be more disruptive than designing the dwellings now with some form of renewable heat. This however is a decision for the applicant and there is no policy reason to require a greater degree of energy saving at this stage.

- 5.25 The LPA encourages a reduction in emissions and promotes all sustainability goals to achieve carbon neutral targets. It is acknowledged that the proposed scheme falls short of some of the expected measures, however, in this case a balanced approach is required. This must be read in the context of the scheme offering 100% affordable housing. Overall the benefit of the scheme is considered to more than outweigh the identified harm.
- 5.26 Transport
Site location and Access
The site lies directly to the south of the main town, shopping and commercial centre of Yate which is situated to the north of Kennedy Way. An existing access to the site is via a junction off Kennedy Way. The access into the site is to remain from the same location – these details were agreed as part of the outline stage. There is no objection to the access. One comment received by the LPA has mentioned a potential ownership issue of this access, but this is a civil matter between the relevant parties and not to be considered under this planning application.
- 5.27 *Parking*
The total number of parking spaces proposed for the new development is 69 for the development of 45no. residential units comprising of 15no. 1-bed, 27no. 2-bed and 3no. 3-bed. When assessed against the Council's parking standards the level of parking is satisfactory for the mix of development proposed. In addition, the site is located in a highly sustainable location, within walking distance of a number of key services and facilities, as well as public transport facilities. As a consequence, future occupants are far less likely to be entirely dependent on private vehicles.
- 5.28 Public open space (POS):
The S106 signed on 22.7.19 (which will be modified by MODxxxxx) sets out the general parameters for the provision of public open space within the site. The S106 (as amended) will remain a legally binding obligation that is not amended by this RM application.
- 5.29 Planning obligations:
The outline planning permission PK18/0799/O as amended by P19/14286/RVC is subject to planning obligations securing the affordable housing and financial contributions towards the local provision and maintenance of Public Open Space (POS). When comparing the approved outline to this proposal there are slight differences in the mix of the flats and in the public open space. The changes do not alter the scope of the development and the number of units remains the same as previously approved. As such these alterations are being considered under a Deed of Variation to the original S 106 agreement and are not for consideration as part of this RM.
- 5.30 Impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination;

advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

5.31 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.

5.32 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

5.33 Other Matters

Matters relating to any anti-social behaviour should be referred to the correct authority which would be the Police Authority.

A best practice working condition for construction workers will be placed on the decision notice.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That application be approved subject to the following conditions:

Contact Officer: Anne Joseph

Tel. No. 01454 863788

CONDITIONS

1. Plans:

Development shall proceed in accordance with the following plans:

As received by the LPA on 1.11.19:

Site location plan - 6083-P-001

Existing site plan - 6083-P-110

House type floor plans - 6083-P-210

3B5P House Elevations Plots 1-3 (ref. 6083/P/710)

2B4P House Elevations Plots 4-8 (ref. 6083/P/711)

As received by the LPA on 17.3.20:
Flat Block 1 Plans (ref. 6083/P/211)
Flat Block 2 Plans (ref. 6083/P/212B)
Flat block 1 - elevations 6083-p-712 A
Flat block 2 - elevations 6083-P-713 B
Proposed site layout - 6083-P-111 A
Fencing boundaries and hard landscaping - 6083-P-112 A
Parking plan - 6083-P-113A
Proposed landscape plan - 6083-P-114A
Public open space - 6083-P-117B

Reason

To ensure a satisfactory standard of external appearance, to protect the character of the area and to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1, PSP2, PSP3, PSP16 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

2. The development hereby permitted shall be begun either before the expiration of three years from the date of the original outline permission (23.7.19), or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

3. Prior to the commencement of that part of the development details/samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

4. The development must be carried out in accordance with the Arboricultural Method Statement and the Arboricultural Impact Assessment and Tree Protection Plan ref. Bosky Trees both dated 16.01.20.

Attention is drawn to the requirement for Arboricultural Supervision for the key tasks.

Reason

For the avoidance of doubt and to ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

5. Landscape:
Development is to be carried out in accordance with submitted details as per Proposed Landscaping Plan (ref. 6083/P/114A), the Planting Schedule (ref. 6083/P/3500A) and Landscaping Maintenance and Management Plan (ref. 6083/P/3501).

Reason

For the avoidance of doubt and to protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

6. Parking:
Development is to proceed with the details as per the Parking Strategy Plan (ref. 6083/P/113A) and Surface Finishes and Kerb Types (ref. DR-C-0300-P02).

Reason

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

7. Noise assessment:
Development shall proceed in accordance with details submitted under the Noise Impact Assessment report ref 7904/JA/BL rev 2 dated 16.10.19.

Reason

For the avoidance of doubt and to ensure that adequate measures have been taken to mitigate against noise to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

8. Pedestrian access:
In accordance with the plan Proposed Site Layout, 6083/P/111 A, the scheme shall include pedestrian access connecting to the existing footpath, adjacent to the vehicular scheme access.

Reason

For the avoidance of doubt and in the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

9. CEMP:
Development shall be in accordance with the CEMP details as per the Carter Site Welfare Facilities and Storage - Construction report including Road Transport Method Statement received by the LPA on 5.11.19.

Reason

For the avoidance of doubt and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

10. Drainage:

Development shall proceed in accordance with the following details received on 17.3.20:

- Proposed Drainage (ref. DR-C-0200-P03)
- Drainage - Impermeable Areas (ref. DR-C-0201-P02)
- Drainage - Storm Tanks (ref. DR-C-0202-P01)
- Drainage Statement (ref. 3338-YATE-ICS-XX-RP-C-07.001_REV - _DRAINAGE STATEMENT.DOCX

Reason

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

11. Public art:

Development shall proceed in accordance with the details set out in the Strategy for Public Art received on 1.5.20.

Reason

For the avoidance of doubt and in the interests of visual amenity and cultural activities for new residents and to accord with Policy CS1 and CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

12. Energy statement:

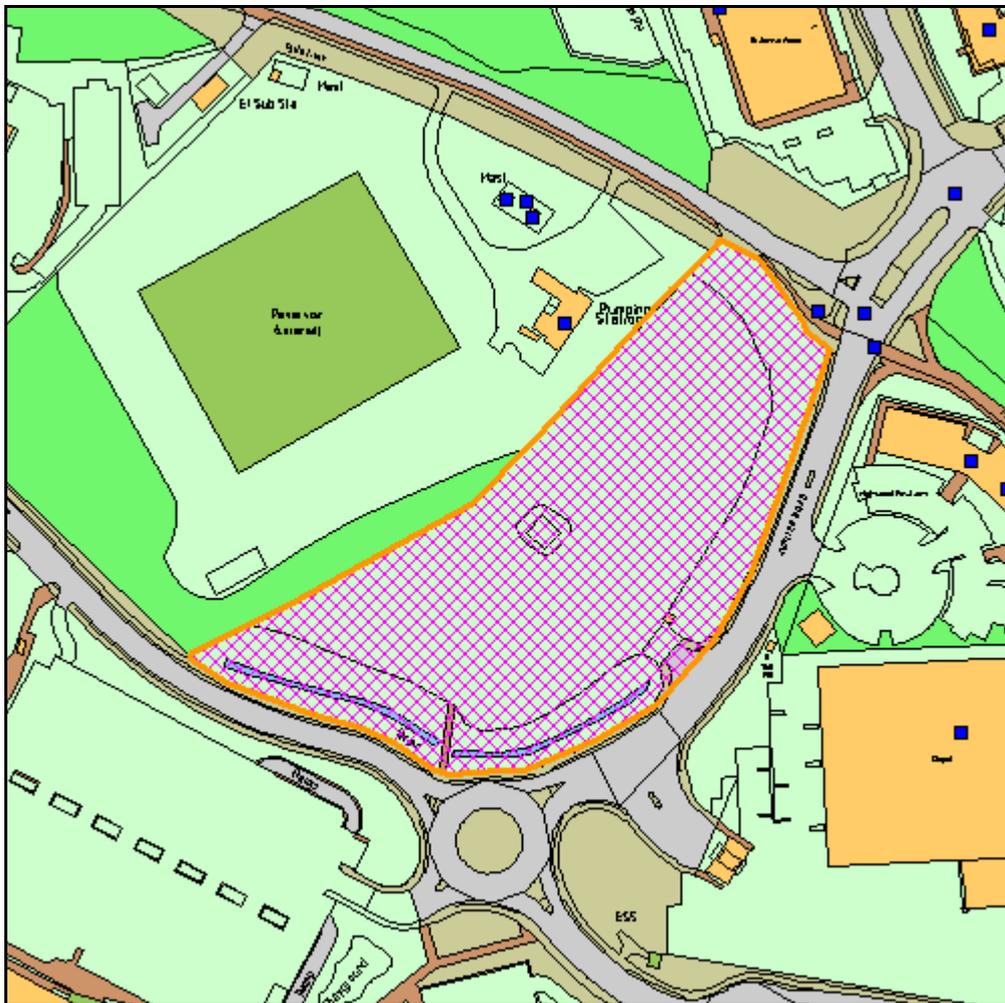
Development shall proceed in accordance with the J S Lewis Ltd Energy Strategy Revision A dated October 2019.

Reason

For the avoidance of doubt and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and PSP6 of the Policies Sites and Places Plan (Adopted) 2017 and the NPPF.

CIRCULATED SCHEDULE NO. 26/20 - 26th June 2020

App No.:	P20/00556/F	Applicant:	Baylis Estates Ltd
Site:	Land At Jupiter Road And Pegasus Road Cribbs Causeway Bristol South Gloucestershire	Date Reg:	15th January 2020
Proposal:	Construction of new business park with the erection of 5 no. buildings (Class B1), erection of 1 no. building to form 'central hub' including cycle parking facilities and flexible commercial/community floorspace (Class B1/D2) with associated access, car parking and landscaping.	Parish:	Almondsbury Parish Council
Map Ref:	359171 181369	Ward:	Charlton And Cribbs
Application Category:	Major	Target Date:	9th April 2020



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

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with procedure as an objection has been received from a Parish Council that is contrary to the officer recommendation

1. THE PROPOSAL

1.1 The application proposes the construction of a new business park with the erection of 5 no. buildings (Class B1) with the erection of an ancillary building to form a 'central hub' including cycle parking facilities and flexible commercial/community floorspace (Class B1/D2) with associated access, car parking and landscaping.

1.2 In detail the six proposed buildings will provide a total of 6,725 sqm (GIA) sqm of employment space with one of those buildings known as "the hub" providing ancillary facilities as outlined below:

Building A – 1,312 sqm with 35 car parking spaces including 2no. EV charging spaces and 3no. disabled spaces;

Building B – 2,245 sqm with 56 car parking spaces including 4no. EV charging spaces and 3no. disabled spaces;

Building C – 1,101 sqm with 28 car parking spaces including 2no. EV charging spaces and 2no. disabled spaces;

Building D (D1/D2/D3) – three units providing 246 sqm each with 20 car parking spaces in total including 2no. EV charging points and 3no. disabled spaces;

Building E (E1/E2) – two units providing 524 sqm and 612 sqm with 14 and 18 car parking spaces respectively incorporating 6no. EV charging spaces and 4no. disabled spaces;

New "cycle hub" to provide a central facility at the arrival point within the site, including community space for flexible business or leisure use (Use Class B1/D2), bike storage for 81no. bikes, 81 lockers, 8no. showers and a drying room.

It should be noted that since the application has been submitted, the applicant has determined that the application if approved and as set out above would be built in phases. A phasing plan has been submitted.

1.3 Access to the site will be from Jupiter Road. There will be two pedestrian/cycle access points, one from Pegasus Road on the southern boundary and one located roughly at the junction of Highwood Lane and Jupiter Road. A footpath

is also provided to one side of the main vehicle entrance. Limited planting is shown around the site including a replacement Oak tree.

- 1.4 The application site is 1.65 hectares in size and comprises hardstanding, some floodlighting and scrub with trees along the northern boundary. The site has been used as a temporary car park for the Mall providing space for up to 50 coaches or 400 cars or a mix of both however this was used infrequently and the Mall no longer considers it necessary, terminating its lease in January 20.
- 1.5 Within context, the site lies in an area largely characterised by retail and commercial premises, to the south and east of the site lies Jupiter Road and to the west Pegasus Road. At the north-east side lies Highwood Lane while on the northern/north-western boundary lies an area of scrub, woodland and grass beyond which lies a covered reservoir. In policy terms the site lies within the Cribbs Patchway New Neighbourhood, there are no landscape designations and the site is not in the setting of any heritage asset. The site is situated in Flood Zone 1.
- 1.6 In support of the application, in addition to plans and the design and access statement the following has been submitted in support of the proposal: Transport Assessment; Framework Travel Plan; Air Quality Assessment; Energy and Sustainability Statement; Flood Risk Assessment; Surface Water and Foul Drainage Strategy; Land Contamination Assessment; External Lighting Assessment; Arboricultural Impact Assessment; Utilities Statement; Landscape Strategy.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS3 Renewable and Low Carbon Energy Generation
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS7 Strategic Transport Infrastructure
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS11 Distribution of Economic Development Land
CS12 Interim Safeguarded Area (Area 48 – Jupiter Road)
CS25 Communities of the North Fringe of the Bristol Urban Area
CS26 Cribbs/Patchway New Neighbourhood

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP6 Onsite Renewable and Low Carbon Energy
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP26 Enterprise Areas

2.3 Supplementary Planning Guidance

Cribbs/Patchway New Neighbourhood Development Framework
Supplementary Planning Document (CPNN SPD) (March 2014)
Design Checklist 2007

3. **RELEVANT PLANNING HISTORY**

3.1 P98/2760 Construction of temporary overspill car park, to be used for coach and staff car parking in association with The Mall. Approved 1st March 2000.

PT05/3195/REP Construction of temporary overspill car park, to be used for coach and staff car parking in association with The Mall (Renewal of planning permission P98/2760 dated 22 December 2000). Approved 27th January 2006.

PT11/1165/F Continued use of site as a temporary overspill car park, to be used for coach and staff car parking in association with the Mall for 5 years. Approved 2nd June 2011.

PT16/3184/F Continued use of temporary overspill car park to be used for coach and staff car parking in association with The Mall for 2 years. Approved 6th July 2016.

4. **CONSULTATION RESPONSES**

4.1 Patchway Town Council

No comment received

Almondsbury Parish Council

Object on the grounds of:-

Lack of suitable infrastructure;

Concern about transport and traffic issues; in particular the need for traffic assessments;

Impact on local roads;

This application should be considered in conjunction with other large applications in the area so that the cumulative impact can be fairly judged.

4.2 Other Consultees

Sustainable Transport

Initial Comments

A discrepancy needs to be corrected between the proposed floor areas shown on the planning statement and the transport assessment. The TA is based upon the TRICS database and thus the floor area must be clarified before a full comment can be given.

Following the submission of the requested information the following comments have been received:

No objection subject to a condition to secure a full travel plan to be produced in accord with the content of the (draft framework). There remains a concern that locating the cycles in a central location may ensure that it (the hub) is not used. It is therefore considered that the annual monitoring of the Travel Plan should include a requirement that the use of the hub is monitored and steps taken if it is not used appropriately.

Avon and Somerset Police

Paragraphs 91, 95 and 127 of the National Planning Policy Framework July 2018 require crime and disorder and fear of crime to be considered in the design stage of a development. Other paragraphs such as 8, 104, 106, 110, 117, and 127 also require the creation of safe environments within the context of the appropriate section.

The applicant has received guidance as to the design in relation to a BREEAM application. Having viewed the information as submitted I find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

Lead Local Flood Authority

Initial Comments

No information has been submitted as to who will be responsible for maintaining the proposed drainage system

The use of the swale feature is noted, along with below ground storage however it is not clear how much attenuation that the swale will provide. Cross section drawings of this feature need to be provided in order to confirm the swales form along the southern boundary.

Following the submission of the requested information, the following comments have been received:

Additional information in relation to the proposed surface water drainage system has been provided in order to answer the two queries raised by the LLFA in previous comments. We are satisfied with the additional information provided and have no further queries to raise. As such we have no objection to this application.

In order to obtain the detailed design for the surface water drainage system we would recommend that a SUDS condition be applied to the application if approved.

Environmental Protection

Relating to Ground Contamination

Initial Comments

Regarding the submitted geo-technical and geo-environmental information (ground contamination). The report provides an acceptable desk study and includes a summary of a previous ground investigation undertaken in 1997 and a further investigation carried out in 2019. An appropriate conceptual model is included. Based on the information submitted the conclusions and recommendations appear acceptable however the full report on the ground investigation undertaken in 2019 should be submitted

Following the submission of additional information, the following comments have been received:

The report provides an acceptable ground investigation and identifies a potential low risk from ground gases (carbon dioxide) recorded in BH101 based on 3 monitoring rounds. The report recommends additional monitoring to further characterize the potential risk from ground gas or incorporation of gas protection measures in the vicinity of BH101. No information however is provided as to why it would be appropriate to zone BH101 separately from the rest of the site. Either additional monitoring and assessment; or further assessment of potential risk from ground gases should be undertaken in line with current guidance including (but not limited to) guidance such as BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

In the light of this a detailed condition is needed requiring an additional assessment for potential risk from gases prior to the commencement of development and an agreed set of actions if they are found, either prior to the commencement of development or during the construction.

Relating to Noise

No objection subject to advices being included on the decision notice

Economic Development Team

The South Gloucestershire Council Economic Development team believes that this application will have a positive impact on the local economy within South Gloucestershire, through the provision of a large number of high-quality jobs, whilst contributing to the development of a significant employment scheme in a recognised Enterprise Area. Therefore, in determining this application please take into consideration that the South Gloucestershire Council Strategic Economic Development Team supports this application.

Highway Structures

No comment

Tree Officer

There are no objections in principle to the proposal. There are only 4 trees within the body of the site, the majority of the trees are growing as a group along the Northern boundary which are to be retained. The applicant will need to submit a tree protection plan in accordance with BS:5837:2012.

The proposed tree planting is diverse and acceptable for the enhancement of the proposed site.

Landscape Officer

Initial Comment (summary)

There is the opportunity for planting within the car parking areas. It is considered that the landscaping scheme submitted is lacking and not acceptable, however it is considered appropriate to apply a landscaping condition in this case to secure an acceptable scheme, in particular on the fringes of the development.

Following the submission of further information, the Landscape Officer considers that the planting scheme is acceptable although it is regrettable more planting isn't proposed in the parking areas

Archaeologist

The site is in an area of archaeological potential and although the creation of the carpark and roadside bunds may have caused some truncation of below ground deposits, it is not considered that the impact of modern usage of the site will have negated the archaeological potential. Therefore archaeological mitigation in the form of a watching brief on all ground works should be a condition of any development (worded suggested).

Public Art and Cultural Events Co-ordinator

I am pleased to note that the developers are working with Ginkgo Projects and Freshwest and look forward to seeing their proposals in due course. It may be appropriate to apply a planning condition to ensure that the public art is delivered as the letter of intent states.

Environmental Policy and Climate Change Team

Initial Comments (summary)

Fabric Efficiency – Review of U-values required. Fabric efficiency welcomed but could be better

Air Permeability – Welcome and condition should be attached to secure evidence from air testing certificates

Space Testing - The proposed use of VRF units meets SGC policy. Details of the units to be specified and the global warming potential of the refrigerants should be included in the Energy Statement. Units should be specified with refrigerants that have the lowest available global warming potential (GWP) and where available refrigerants that comply with forthcoming changes in EU legislation on refrigerants. Details of the leak detection, monitoring and servicing of VRF units should be included in the Energy Statement.

Electric Resistive Heating – This should be minimised. Passive measures and renewable heating should be used.

Solar PV: Details of the PV systems proposed should be provided including the projected annual yield, contribution to total annual energy demand and emissions reduction. The proposed distribution and layout which should also be shown on drawings. Given the commitment made by the Council (in July 2017) to provide the leadership to enable South Gloucestershire to become carbon neutral by 2030, the applicant is strongly encouraged to maximise on-site renewable energy generation. This includes maximising the use of roof mounted PV from the outset.

EV charging: The provision of EV charge points is noted and welcome. It is strongly recommended that the percentage of charging points is increased to 20% of the spaces available ie 39 spaces.

Ventilation and Resistance to overheating: Details of the ventilation strategy should be provided. This should stretch to a 60 year life span. The use of green infrastructure for seasonal shade, to reduce external temperatures and provide shaded external spaces is strongly encouraged. The use of brown/green roofs are also strongly encouraged and should be considered on account of the multiple benefits which include: increased biodiversity, reduction in summer solar gain and local air temperature making them suitable for use in combination with roof-mounted PV, rainwater attenuation and reduction in surface water run-off, and creation of amenity space.

BREEAM: That the scheme has the potential to achieve BREEAM 'Excellent' is very welcome. The applicant is strongly encouraged to commit to achieving BREEAM Excellent, and as per the Conclusions of the Pre-assessment report ensure that all parties, including sub-contractors, support this objective.

Following the submission of further/revised information the following comments have been received:

No objection subject to appropriate conditions (recommended)

Urban Design Officer

Initial Comments (summary)

Landscape Officer comments critical. The perimeter planting should be enhanced as part of the process of enhancing the quality of landscape corridors as part of providing a more attractive route to none car users.

The surrounding area is not of high quality. The site can create its own identity rather than referencing existing styles. The design is considered to be of a high standard. The design could allow for alternative uses over the lifetime of the buildings. Lighter red brick with paler toned render would be preferable.

The layout is broadly acceptable but the site is dominated by the parking and the access. This emphasises the need to enhance the perimeter.

In detail:

Block A – Window frames should be looked at.

Block B – Good design. The building is broken down into distinct parts which reduces the massing and adds interest. The strong brick 2-storey section anchors the glazing and zinc cladding/roof material. The setback top floor adds depth and provides some useful balcony space for workers. The zinc standing seam roof form adds a strong element and encloses the sides and rear and helps bring the style together. The chamfered precast concrete window reveals are a positive element and will help to break up the elevations and add interest. However, the windows set within these features clutter the appearance and reduce the potential for a clean and refined finish. I would suggest that the three sections are rationalised and simplified. The top spandrel colour should be simplified. The projecting window frame surrounds are interesting and add depth and interest but it would be far more refined to specify a non-corporate colour and material which is designed to complement the palette of materials and style. I would suggest either keeping the yellow colour (and altering the signage to suit individual tenants), or using something like a bronze or the zinc, which would either relate to the red brick or the roof material.

Block C: Similar to block A, generally positive.

Block D1-3: The form and massing is positive and the style offers something different to the two other approaches in the other blocks. The visuals show a fairly clean finish, where the form of the building frames the recessed faces of each unit.

Block E: Similar to Blocks A and C.

The Hub: The elevations plan indicates that the roof material is 'metal seam'. But I would suggest that this material should match the zinc standing seam material applied to the roof of Block B. I support the use of vertical timber cladding and the blackened timber. The yellow steel columns and metal frames do stand out against the natural elements but possibly not in a positive way. We would need to see samples of all the key external materials, including bricks, stone veneer, concrete panels, timber cladding, roofing materials, louvres, paving, edging and kerbs.

Ecologist (Summary)

A walkover Phase 1 survey identified that the site predominantly consisted of hardstanding (disused car park) sparsely colonised by ephemeral vegetation and

surrounded by amenity grassland and ruderal vegetation. Dry ditches follow two of the site boundaries and the northern boundary is demarcated by an overgrown hedge with mature trees. Semi-mature ash, sycamore and oak are present with a mature dead oak tree located in the centre of the site. No issues relating to protected or notable fauna except in relation to bats.

The dead mature oak on site has been assessed as having high potential for use by bats due to it displaying numerous holes and splits.

The tree therefore needs to be subject to further survey effort to establish whether or not it is used by bats in accordance with the recommendations made in Section 4.6 of the Ecological Assessment by Tyler Grange. That the above information is provided prior to determining the application.

The site plan shows an area of stippling annotated as 'permeable surfacing' and 'piazza seating area' between the grass verge with Hayes Way and the built form of the development. This would seem to possibly present an opportunity of creating an area of species-rich grassland instead of this surfacing, augmented by a mosaic of mixed native shrub species, along the frontage with Hayes Way.

This would offer valuable new habitat for local biodiversity and should form the basis of a landscape planting plan drawn up under an appropriately worded planning Condition.

Following the submission of the additional information, the following comment has been received:

There is no ecological objection to the proposal subject to conditions relating to bats, birds and lighting plan and a Landscape and Ecological Management Plan.

Other Representations

4.3 Local Residents

No comments have been received

5. ANALYSIS OF PROPOSAL

5.1 **Principle of Development**

The application proposes the construction of a new business park with the erection of 5 no. buildings (Class B1), erection of 1 no. building to form 'central hub' including cycle parking facilities and flexible commercial/community floor space (Class B1/D2) with associated access, car parking and landscaping.

Phasing - It should be noted that since the application has been submitted, the applicant has determined that the application if approved and as set out above would be built in phases. A phasing plan has been submitted. The phasing is considered acceptable (and forms a condition attached to the decision notice). Conditions attached to the decision notice requiring the submission of further information as set out on the decision notice (and below) reflect this phasing.

5.2 Policy CS5 considering the location of development indicates that “most new development will take place within the communities of the North and East Fringes of the Bristol Urban Area”

Policy CS11 which seeks to secure a total of 355 hectares of employment land in the North Fringe of the Bristol Urban Area of which 50 hectares is identified in Policy CS26 Cribbs/Patchway New Neighbourhood. The North Fringe policy area is recognised by South Gloucestershire Council as one of the areas which will be supported to maintain a supply of economic development land, in which there are plans for significant investment, to increase the area’s economic activity, and to maintain its role as a major employment area and as a hub for commercial activity.

The application site is within the Filton Enterprise Area, as designated in the West of England City Region Deal and as set out in Policy PSP26 of the Policies, Sites and Places Plan. This means that it is recognised as an area where the authority would expect to see significant employment growth. This proposed development will generate up to 6,826sqm B1a employment space. The applicant has indicated that once occupied, this development could create up to 650 FTEs. The proposal will therefore result in the fulfilment of employment opportunities on this land designated as an Enterprise Area.

The application site is listed in Table 2 of Policy CS12 (No.48 – Jupiter Road) as an interim Safeguarded Area for employment. This is policy is in accordance with the aims and objectives of the National Planning Policy Framework which seeks to ensure that there is an adequate supply of employment land to meet business need. Policy CS12 sets out specific criteria for development that is proposed on such land. The relevant criteria are follows:

The proposal would not prejudice the regeneration of B uses classes elsewhere within the defined employment area;

The development would not have such an impact upon the wider employment area, the use is compatible with the remaining area.

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

The application site is, as set out above a site that falls within the Filton Enterprise Area and the Bristol North Fringe. These areas have been appraised in terms of meeting the sustainable criteria (i.e. there is a range of jobs and services, transport and accessibility and a relationship to town and local centres). The use is therefore considered appropriate to the location.

The proposal would improve the range of jobs and services available in the local area;

With the provision of up to 650 FTE jobs and possible D2 space the proposal meets this criteria

The proposed development is considered acceptable in principle subject to consideration of the following material planning considerations.

5.3 **Transportation**

Policy CS8 of the Core Strategy, indicates that priority will be given to providing the users of new development with a range of travel options other than the private car. The policy indicates a variety of options such as integration with the local walking, cycle and public transport network through siting development in an appropriate location, providing on-site facilities for non-car users and the promotion travel plans that provide a strategy for the reduction in private car travel (cycle use, car share, encouragement and incentives to use public transport). This approach is further set out in detail in Policy PSP11 of the Sites Policies and Places Plan 2017.

It is noted that concern has been raised regarding the impact of the development upon the local network. It is considered however that the location of the site is appropriate. Policy (CS5, CS12, CS26 and PSP26), support development both in the North Fringe and in safeguarded employment/enterprise areas with these area chosen for their sustainable credentials near to residential areas, a range of local services and public transport.

Notwithstanding the location being one that in principle is deemed acceptable for this form of development, it is necessary to consider the impact upon the wider network. To this end the submission of a workable travel plan is considered essential and a framework for the submission of future plans has been agreed after some negotiation. The framework nature reflects that this is a speculative development with no end users in place so a degree of flexibility is required. Officers have reviewed this plan which includes:

Measures/initiatives to promote sustainable travel, travel information on site, information packs to all new employees, provision of cycling in a dedicated space with associated facilities, liaising with local cycle shops to secure discounts, provided discounted public transport, car share schemes with a travel coordinator, electric vehicle spaces. In addition there will be a monitoring and review process for at least three years with submission to the Council.

The framework plan is detailed and accepted by officers. It is considered necessary to apply a condition to the decision notice to ensure that full travel plans are submitted prior to the occupation of each part of the development by the end users to the Council for approval. These full Travel Plans for each occupier shall reflect the requirements of the Framework Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use. The approved full Travel Plans then be required to be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the council.

While the provision of a dedicated cycle facility within the central hub is strongly supported there is a minor concern this may be underused as some may prefer to make alternative provision at their individual workplace. The condition will therefore specify that the submitted annual monitoring report to the Council shall include details of how the hub is being used and if necessary detail alternative provision if underuse is shown.

With respect to the site itself, there are no minimum parking standards for this form of development for cars although 194 spaces are shown and 81 no. policy compliant cycle spaces and facilities are shown in the central hub. The internal manoeuvring space within the site is also considered acceptable.

Subject to the above condition the proposed development is considered acceptable in highway terms.

5.4 **Drainage/Flood Risk**

Policy CS9 of the Core Strategy indicates that development will be expected to “reduce and manage the impact of flood risk through location, layout, design, choice of materials and the use of Sustainable Urban Drainage (SUDS)”. PSP20 considering sustainable drainage indicates that the overall objective is to “*reduce surface water discharge from the site and thereby minimise flood risk*”. This objective is achieved by slowing down water flow and retaining it within the site or where it is necessary for some water to leave the site to restrict that water to a watercourse.

The site is located in Flood Zone 1 (an area with the lowest risk from flooding).

Initial concerns have been overcome in relation to future management and the form of a swale shown on plan. It is considered that an effective Sustainable Urban Drainage scheme that accords with the above policy objectives can be achieved. A detailed condition will be attached to the decision notice requiring the submission of this scheme prior to the commencement of development in the interests of flood prevention, pollution control and environmental protection.

5.5 **Landscaping/Trees**

The character assessment for this area identifies the importance of landscape “breaks” between the high density development. The site provides some features of such a break with a tree belt to the rear separating the site from the reservoir to the rear.

Policy CS1 of the Core Strategy requires a site to be well designed with a good level of canopy cover throughout car-parks. PSP3 considering Trees & Woodland, requires additional tree planting as an integral part of new development, in accordance with policy CS1 and the Landscape Character Assessment SPD, including, but not limited to, planting along arterial roads, in car parks and in the public realm.

At 3.30 PSP states that; ‘Trees and woodland have a number of important functions. They are important visual features in urban and rural settings,

contributing towards the amenity or landscape value of a locality. Trees also make a contribution in terms of adapting to a changing climate by providing cooling, capturing pollution, intercepting and infiltrating rainfall and helping to guard against the fragmentation of wildlife habitats. In line with the Council's Climate Change Strategy, Policy PSP3 aims to protect existing trees and encourage new planting'.

An initial scheme provided inadequate landscaping provision and inappropriate species not considered to provide a robust solution were put forward. Amendments have been secured and larger species provided. It is still considered disappointing that there is not more planting showing in the parking areas. On balance however Officers now consider that the proposal is acceptable in these terms and a condition will be attached to the decision notice to ensure that the scheme is fully implemented.

The Council Arboriculturalist has viewed the proposal and is happy with the suggested tree planting. Most of the trees on the site are on the northern fringe and will not be affected. It is noted that there are 4 no. trees within the development area and for this reason a condition will be attached to the decision notice requiring a tree protection plan.

5.6 **Climate Change**

PSP6 states that all development proposals will be encouraged to minimise end-user energy requirements over and above those of the current building regulations through energy reduction and efficiency measures. The policy indicates that the Council will take positive account of and support development that provides further energy reduction, efficiency, renewable and low carbon energy measures on or near site.

The applicant has submitted a detailed Energy Statement in support of the application and the Environmental Policy Team have reviewed this submission. The document sets out measures to reduce energy demand through improvements in energy efficiency and air permeability. The report splits carbon emissions into two categories those that are regulated (heating, cooling, hot water, lighting etc) and unregulated (plug in elements and plant and equipment not covered by the building regulations).

The building will utilise passive design options ie using the building form and its natural surroundings while allowing solar gain. The use of the buildings fabric to reduce heat loss and careful use of glazing is utilised. An air source heat pump will be used.

Essentially therefore the report provides a detailed assessment of the reduction of CO2 emissions for the buildings on Land at Jupiter Park and Pegasus Road, Patchway. The scheme has been designed in support of all national, regional and local sustainability policy. The scheme will minimise any negative environmental impacts associated with energy, resource consumption, waste, noise, air and light pollution.

Securing appropriate measures has been the subject of prolonged negotiations. Officers are now satisfied that the development will comply with the aims and objectives of Policy CS1 of the Core Strategy and PSP6 of the Policies Sites and Places Plan. It is considered appropriate to apply a condition to ensure that works take place in accordance with the submitted (revised as a result of negotiation), energy statement although because this document sets out broad objectives and indicates how these will be met, some further conditions are also considered necessary.

It is considered to apply conditions to secure details of an appropriate solar pv system and its installation and a condition to secure the provision of electric charging points for vehicles across the site. Subject to these conditions the development is considered acceptable in these terms.

5.7 **Ecology**

Policy CS9 of the Core Strategy and PSP17 of the Policies, Sites and Places Plan (in accord with para 170-183 of the NPPF), require development to “conserve and enhance the natural environment, avoiding or minimising impacts upon bio and geo diversity”.

The site largely comprises hardstanding but with trees along the fringes.

Following initial concerns that insufficient information had been submitted to allow an assessment against the above policies, further information has been submitted and assessed by officers, this includes a bat tree survey report in relation to a dead mature oak tree which had high potential for roosting bats. No bats were found in the survey. The tree is to be felled however a condition is recommended in the report in relation to the felling of the tree.

The submitted Ecological Assessment also recommends that the external lighting for the scheme concords with the provisions of the Institute of Lighting Professionals (ILP) and Bat Conservation Trust (BCT) Guidance Note 08/18 on Bats and Artificial Lighting to prevent light spill deterring bats from using the site, most notably the semi-natural habitat along the northern and western site boundaries. A condition will be added to the decision notice to secure this.

The Assessment also makes recommendations in regard to new mixed native shrub species and species-rich grassland which have been incorporated into the Landscape Plan for the scheme. All such habitat should be subject to a Landscape and Ecological Management Plan (LEMP) for the scheme to ensure that the site is managed in such a way as to maximise its value for biodiversity. This will also should also form the basis of an appropriately worded planning Condition.

A condition will also be attached to the decision notice to secure a scheme of new bird nesting boxes/features.

Subject to these conditions, the proposal is considered acceptable in ecological terms.

5.8 **Design**

Policy CS1 and PSP 1 indicate that development will only be permitted where the highest possible standards of design and site planning are achieved having regard to siting, form, scale, height, massing, detailing, colour and materials having regard to both the site and its context.

The surrounding area or context comprises a variety of built forms but is not considered to fall within the definition of high quality design with many box like structures. It is considered that this site is of sufficient scale to have its own identity.

The layout of the development does even accounting for the central hub and associated cycle facilities, have a dominance of parking spaces, however it is considered that this can be softened through the use of landscaping both within the car park and around the edges and thus this emphasises the necessity for a detailed landscaping condition to secure this.

Turning to the individual buildings, it is considered that Block A located on the southern edge of the site to the left of the main entrance adopts a good design. The use of brick and recessed windows provides some visual interest. The largest building situated at the north-west corner known as Block B is considered to be of a good design, although large particularly given the additional height of the top floor the massing of the building is broken down through the use of distinct elements. The lower two floors that combine brick, glazing and zinc cladding contrast with the curtain walling with grey aluminium and louvres of the top floor (with balcony). The zinc roof of this building also holds the building together. The chamfered pre-cast windows are also welcomed. Some of the colours could be improved but overall the design is considered acceptable. Block C is very similar to Block A and thus is considered appropriate on the northern boundary as it Block E to the right of the main entrance.

Turning to Block D situated at the north-east corner, the form and massing is positive and the style offers something different to the two other approaches in the other blocks. The visuals show a fairly clean finish, where the form of the building frames the recessed faces of each unit. The building could be adapted to alternative uses given its form.

The feature building might be considered the Hub with its vertical timber cladding and blackened timber and this is considered to have an appropriate design, following a change to the roofing material to match that of Block B (zinc standing seam).

Comments have been received from the Police to indicate that the development complies with crime prevention through design principles.

It should be noted that the applicant has indicated that they have been in touch with consultants with respect to the provision of public art on the site. This is welcome, and an indication of high quality design as set out in Policy CS1. A condition will be applied to the decision to require prior to the commencement

of development full details for a unique site specific integrated public art scheme including but not limited to detailed designs, timescales and triggers (for the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm).

Subject to the above condition and on to secure full details of all the key external materials (and this includes bricks, stone veneer, concrete panels, timber cladding, roofing materials, louvres, paving, edging and kerbs), the design of the proposal is considered acceptable.

5.9 **Environmental Protection**

Policy CS9 and PSP21 consider the impact from pollution from proposed development and to proposed development from existing conditions.

In this location, which is within a commercial setting away from residential properties, the key considerations will be from existing potential contamination from possible earlier uses but also noise generated during the construction to other nearby uses..

With respect to possible contamination, a report has been viewed by the Environmental Protection Team and subject to a condition to secure additional information relating to possible on site gases and a train of action required should these either be found prior to the commencement of development or during the course of the construction, the development is acceptable in these terms.

It is not considered that any significant adverse noise will result from the construction of the development.

5.10 **Archaeology**

It is considered that the site has archaeological potential notwithstanding the modern uses. It is therefore considered appropriate to apply a condition to secure a watching brief on all ground works.

5.11 **Consideration of likely impact on Equalities**

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

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the conditions set out below.

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

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

Reason

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

2. Approved Plans

This decision relates only to the plans identified below:

Received 9th January 2020

PROPOSED DRAINAGE STRATEGY (SHEET 1 OF 2) C-13458-HYD-ZZ-00-DR-C-7001 P01

PROPOSED DRAINAGE STRATEGY SHEET 2 OF 2 C-13458-HYD-ZZ-00-DR-C-7002 P01

153030-STL-AA-ZZ-DR-A-XXXX-01007 PL02 PROPOSED PLANS BLOCK A
53030-STL-AA-ZZ-DR-A-XXXX-02007 PL02 PROPOSED ELEVATIONS BLOCK A

153030-STL-AA-ZZ-DR-A-XXXX-03001 PL02 PROPOSED SECTION BLOCK A
153030-STL-BB-ZZ-DR-A-XXXX-01008 PL02 PROPOSED PLANS BLOCK B - SHEET 1

153030-STL-BB-ZZ-DR-A-XXXX-01009 PL02 PROPOSED PLANS BLOCK B - SHEET 2

153030-STL-BB-ZZ-DR-A-XXXX-02008 PL02 PROPOSED ELEVATIONS BLOCK B

153030-STL-BB-ZZ-DR-A-XXXX-03002 PL02 PROPOSED SECTIONS BLOCK B

153030-STL-CC-ZZ-DR-A-XXXX-01010	PL02	PROPOSED PLANS BLOCK C
153030-STL-CC-ZZ-DR-A-XXXX-02009	PL02	PROPOSED ELEVATIONS BLOCK C
153030-STL-CC-ZZ-DR-A-XXXX-03003	PL02	PROPOSED SECTIONS BLOCK C
153030-STL-DD-ZZ-DR-A-01011	PL02	PROPOSED PLANS BLOCK D
153030-STL-DD-ZZ-DR-A-02010-	PL02	PROPOSED ELEVATIONS +
SECTIONS BLOCK D		
153030-STL-EE-00-DR-A-XXXX-01012	PL02	PROPOSED PLANS BLOCK E
153030-STL-EE-ZZ-DR-A-XXXX-02011	PL02	PROPOSED ELEVATIONS BLOCK E
153030-STL-EE-ZZ-DR-A-XXXX-03004	PL02	PROPOSED SECTIONS BLOCK E
153030-STL-HUB-ZZ-DR-A-XXXX-01013	PL03	PROPOSED PLANS THE HUB
153030-STL-HUB-ZZ-DR-A-XXXX-02012	PL02	PROPOSED ELEVATIONS +
SECTIONS THE HUB		
153030-STL-ZZ-ZZ-DR-A-XXXX-09002	PL02	SITE LOCATION PLAN
153030-STL-ZZ-ZZ-DR-A-XXXX-09003	PL02	PROPOSED SITE PLAN
153030-STL-ZZ-ZZ-DR-L-09401-PL02	PL02	TREE PIT IN SOFT DETAILS
153030-STL-ZZ-ZZ-DR-L-09410	PL02	LANDSCAPE DETAILS - PAVING
PATTERN DETAILS		
153030-STL-ZZ-ZZ-DR-L-XXXX-09301	PL02	LANDSCAPE SECTIONS
WDA79_UMP(A)_01	1	UTILITY RECORDS CONSTRAINTS PLAN ALL SERVICES

Reason

For the avoidance of doubt

3. Archaeology

Prior to the commencement of development, a desk based assessment of the archaeological potential of the site shall be submitted and approved by the local planning authority. Based on the assessment, a Written Scheme of Investigation for any programme of archaeological work for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects.

Reason:

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (Adopted) 2013.

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

4. Public Art

The public art scheme shall be developed and implemented in accordance with the approved Public Art Strategy (Ginkgo Projects, February 2020).

Reason

In the interests of the good planning and place making/shaping in accordance with the provisions of the South Gloucestershire Council's Art & Design in the Public Realm Planning Advice Note and the Cribbs/Patchway New Neighbourhood Development Framework SPD and its supporting documents the Cribbs/Patchway New Neighbourhood Public Art Plan

5. Travel Plan

Prior to occupation of each phase or part thereof of the development, a full Travel Plan shall be submitted to and approved in writing by the local planning authority. The full Travel Plan for each occupier shall reflect the requirements of the Framework Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use. The approved full Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the council. The submitted annual monitoring report shall include the use of the cycle provision within the hub and include details of alternative provisions where underuse occurs.

Reason

To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling to accord with Policy CS8 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017.

6. Materials

Prior to the commencement of development above ground on each phase or part thereof samples of the roofing and external facing materials, (for the avoidance of doubt this shall include the bricks, stone veneer, concrete panels, timber cladding, roofing materials, louvres, paving, edging and kerbs), shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

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

7. Planting Plan

All hard and soft landscape works shall be carried out in accordance with the approved details shown on the approved planting plan 153030-STL-ZZ-ZZ-DR-L-XXXX-09140 PL04. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.

Reason

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

8. Ecology (Bats)

All development shall be carried out in strict accordance with the Conclusions and Recommendations made in the Bat Tree Survey Report dated 6th April 2020 by Environmental Gain Ltd to avoid harm to bats.

Reason:

To ensure that all works are carried out in an appropriate manner and in the interests of the ecology of the site and biodiversity to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

9. Ecology (Birds)

That prior to development commencing above ground, a scheme of new bird nesting boxes/features be drawn up and agreed with the Council in writing. The scheme should include the type and location of all nest boxes and design features, to cover a variety of species. All works are to be carried out in accordance with said scheme.

Reason

To ensure that all works are carried out in an appropriate manner and in the interests of the ecology of the site and biodiversity to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

A pre-commencement condition is required in order to avoid the need for future remedial action

10. Lighting Plan

Prior to development commencing, an external lighting plan be drawn up and agreed with the Council in writing to prevent light spill over bat commuting/foraging habitat created or retained as open space (European Protected Species), most particularly along the northern and western boundaries. The lighting plan should follow the recommendations made in Section 4 of the Ecological Assessment dated 17th December 2019 by Tyler Grange; and concord with BCT/ILP Guidance Note 08/18 'Bats and Artificial Lighting in the UK'. All works are to be carried out in accordance with said plan.

Reason

To ensure that all works are carried out in an appropriate manner and in the interests of the ecology of the site and biodiversity to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

A pre-commencement condition is required in order to avoid the need for future remedial action

11. Landscape and Ecological Management Plan (LEMP)

Prior to development commencing above ground, a Landscape and Ecological Management Plan be drawn up and agreed with the Council in writing. The Plan should accord with the agreed masterplan and include details of any existing habitat to be safeguarded; any new habitat to be created (grassland, wetland); and its management. It should also include a programme of monitoring of all works for a period of 5 years. All works are to be carried out in accordance with said plan.

Reason

To ensure that all works are carried out in an appropriate manner and in the interests of the ecology of the site and biodiversity to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

A pre-commencement condition is required in order to avoid the need for future remedial action

12. SUDS (Sustainable Drainage Systems)

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

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

A clearly labelled drainage layout plan showing the pipe networks and proposed attenuation features (underground tank and swale).

Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer).

Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event (winter and summer).

Section drawings through the attenuation tank and swale confirming the detailed design of these features.

The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding (where applicable).

The plan should also show any pipe node numbers referred to within the drainage calculations.

A manhole / inspection chamber schedule to include cover and invert levels.

Confirmation of ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation features and Flow Control Devices where applicable.

Reason

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

A pre-commencement condition is required in order to avoid the need for remedial action

13. Tree Protection

Prior to the commencement of development a Tree Protection Plan (in accordance with BS:5837:2012), shall be submitted to an approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

A pre-commencement condition is required in order to avoid the need for remedial action

Reason

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

14. Ground Contamination

A) Prior to commencement an additional assessment for potential risks from ground gases should be carried out and a report submitted for the written approval of the local planning authority. The assessment may include additional monitoring and/or desk based assessment including an appropriate conceptual model.

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

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

B) Verification Strategy - Prior to first occupation, where works have been required to mitigate contaminants (under condition A) a report providing details of the verification demonstrating that all necessary remediation works have been

completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

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

A pre-commencement condition is required in order to avoid the need for remedial action

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

15. Phasing Plan

The proposed development will be phased in broad accordance with the plots shown on the Proposed Building Phasing Plan 153030-STL-XX-00-DR-A-XXXX-09004 P22 received 27th April 2020.

Reason

For the avoidance of doubt

16. Solar PV

Prior to the occupation of each part of the development, details of the proposed PV system including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO2 emissions shall be provided. Prior to the first occupation of each part of the development the development shall be carried out in accordance with the approved details.

For the avoidance of doubt, (prior to the occupation of each part of the development), the following information shall be provided:

- Evidence that the PV system has been installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.
- A calculation showing the annual contribution of the installed PV system to the reduction in residual emissions.

Reason

To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions in accordance with policies CS1 and PSP6.

Advisory note

The projected annual yield and technical details of the installed system will be provided by the Micro-generation Certification Scheme (MCS) approved installer.

The impact of shading on the annual yield of the installed PV system (the Shading Factor) should be calculated by an MCS approved installer using the Standard Estimation Method presented in the MCS guidance.

Reason

To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions in accordance with policies CS1 and PSP6.

17. Energy Statement

Prior to the occupation of each part of the development hereby approved, it shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the Sustainable energy statement (Energy and Sustainability Statement, 15th June 2020, 13458-HYD-XX-XX-RP-ME-0001).

Reason

To ensure that the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies CS1 and PSP6.

18. Provision of Electric Vehicle Charging Points

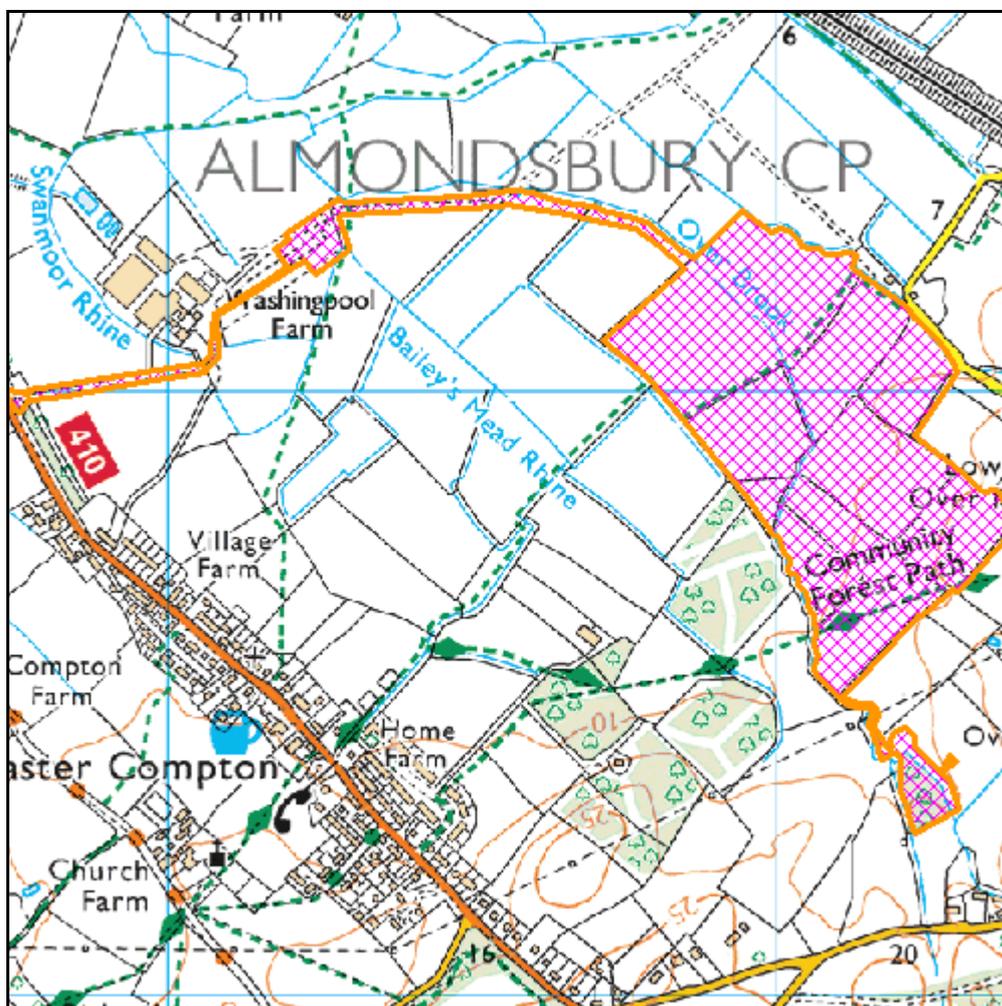
Prior to commencement of the development of each part of the on-site vehicle parking provision details of the EV charge points to be provided in 20% of the available parking spaces shall be provided, including drawings showing the location of the outlets and the technical specification and power output of the charge points. The development shall be carried out in accordance with the approved details.

Reason

To ensure that Electric Vehicle Charge points contribute to the accessibility of the scheme, functional and contribute to a high quality design in accordance with policies CS8 and CS1

CIRCULATED SCHEDULE NO. 26/20 - 26th June 2020

App No.:	P20/02386/RVC	Applicant:	The Wave / Surf Bristol
Site:	Washingpool Farm Main Road Easter Compton South Gloucestershire BS35 5RE	Date Reg:	11th February 2020
Proposal:	Variation of condition 34 (Opening hours) attached to planning permission PT17/1730/RVC (variation of condition 38 attached to planning permission PT15/4853/RVC to amend drawings and documents) to amend opening hours for proposed surfing lake.	Parish:	Almondsbury Parish Council
Map Ref:	357035 183173	Ward:	Pilning And Severn Beach
Application Category:	Major	Target Date:	8th May 2020



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N.T.S.

P20/02386/RVC

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

INTRODUCTION

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

1. THE PROPOSAL

1.1 The application is submitted under s73 of the Town and Country Planning Act seeking planning permission to vary condition 34 (opening hours) of planning permission PT17/1730/RVC to extend the opening hours of an existing surfing facilities at Washingpool Farm, Easton Compton.

1.2 Condition 34 states that

‘The proposed surfing lake and ‘Ropes and Tunnels Course’ hereby approved shall not be open for use by members of public outside the hours of **08.00 to 18.00** Mondays to Saturdays and **08.00 to 17.00** Sundays and Public Holidays. Reason: To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved Policy LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.’

1.3 The applicant originally sought to amend the wording of condition 34 as follows:

The proposed surfing lake and ‘Ropes and Tunnels Course’ hereby approved shall not be open for use by members of the public outside the hours of **07:00 to 22:00** Mondays to Saturdays and **07:00 to 21:00** Sundays and Public Holidays.

During the course of the application, the applicant was informed of the planning issues. To address the concerns, the applicant agreed to shorten the proposed extended hours: **07:00 to 21:00** Mondays to Saturdays and **07:00 to 19:30** Sundays and Public Holidays, and no change is made to the opening hours for ‘Ropes and Tunnels Course’.

1.4 The site benefits extant planning permissions PT13/4756/F, PT15/4853/RVC and PT17/1730/RVC and such permission has been implemented. The site is located in the open countryside and outside the settlement boundary of Over, Easton Compton and Almondsbury. The site is also situated within the Bristol/Bath Green Belt, and part of the site is within Flood Zone 3. Moreover, 3 no. of public footpaths run across the application site, but not the surfing lake itself. The

application site also lies within the North Avon (South Gloucestershire) Levels an area of potentially national archaeological significance.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019 'NPPF'
National Planning Practice Guidance

2.2 Development Plans

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

CS1	High Quality Design
CS2	Green Infrastructure
CS3	Renewable and Low Carbon Energy
CS4A	Presumption in favour of sustainable development
CS5	Location of Development
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and cultural activity
CS24	Green Infrastructure, Sport and Recreation Standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP9	Health Impact Assessment
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wilder Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Development in Green Belt SPD

3. RELEVANT PLANNING HISTORY

The Wave and the Withy Bed

- 3.1 PT18/5172/NMA Non material amendment to PT17/1730/RVC to allow waste management plan and operational management plan to be

submitted prior to occupation of the approved development. No objection 26.04.2019

- 3.2 PT18/3264/NMA Non-material amendment to planning permission PT17/1730/RVC to substitute approved plans with amended plans 855-WAVB-100-B, 855-WAVB-101-B, 855-WAVB-102-B, 855-WAVB-103, 855-WAVB-104, 855-WAVB-105, 855-WAVB-106 and 855-WAVB-107. No objection 12.10.2018
- 3.3 PT17/1730/RVC Variation of condition 38 attached to planning permission PT15/4853/RVC to amend drawings and documents. Approved 25.08.2017
- 3.4 PT16/0828/NMA Non material amendment to PT15/4853/RVC to remove the 'lake structure' (ref 855-103A) and substitute the high ropes amendment drawing (Rev C) for the layout and drawing (Rev E). Approved 15.03.2016
- 3.5 PT15/4853/RVC Variation of condition 38 attached to planning permission PT15/3532/RVC to amend drawings and documents. Approved 05.02.2016
- 3.6 PT16/009/SCR Variation of Condition 38 attached to planning permission PT15/3532/RVC to amend drawings and documents. Screening Opinion for PT15/4853/RVC. EIA is not required 28th January 2016.
- 3.7 PT15/3532/RVC Variation of conditions 3, 6, 8, 14, 18, 27, 28, 29, 30, 31, 32, 33, 40, 41 and 43 attached to PT13/4756/F to allow the development and use of the 'Ropes and Tunnels Course' phase (Partially Retrospective) prior to the development of the larger scheme. Approved 24.11.2015
- 3.8 PT13/4756/F Construction of surfing lake with associated landscaping, ancillary buildings, campsite, ropes and tunnels course, parking and access (sui generis use class). Approved 22.07.2014
- 3.9 PT13/028/SCR Provision of surfing and swimming lake with associated access, landscaping and infrastructure. EIA is not required 19 September 2013

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
Olveston Parish Council
Almondsbury Parish Council
No response from the above Parish Councils

4.2 Other Consultees

Sport England:	The proposed development does not fall within our statutory remit.
Sustainable Transport:	No objection.
Environmental Protection Team:	Recommend to delay the increase in opening hours while they assess the true impact during the summer months. The application can then be supported with evidence of its impact including any measures to be put in place to mitigate concerns raised.
Listed Building and Conservation Officer:	No comment.
The Landscape Officer:	No objection.
The Public Rights of Way Officer:	No objection.
The Ecology Officer:	Raised concerns that the change in hours will affect commuting and foraging bats, particularly summer months.

Other Representations

4.3 Local Residents

21 letters of objection and 20 letters of support have been received and their concerns and comments are summarised as follows (Full comments are available in the Council website)

Objecting comments:

- The facilities only operates few months in winter, i.e. not fully operational.
- Lack of information, e.g. noise measurement
- There are inadequate information / evidence to justify the proposed extended hours, e.g. Why the late opening hours would be beneficial to certain groups of people?
- Light pollution – there are already a lot of lighting within the site
- Noise nuisance – particularly, noise from the users
- Constant smell of food and fast food constantly on the wind
- Excessive hours
- Not provide any sustainable travel options
- No travel plan
- Increase traffic to the area
- A lot of complaints have been made to the Wave directly (via community@thewave.com) as they were told not to make complaints to the Council.

- The Community Liaise Group only has 6 individuals, and they cannot truly represent the local residents in the nearby village.
- Viability – it is a private business, and it is not a charity or Community Interest Company, or not-a-profit company
- The High Rope and Tunnel Course is also close to the local residents, the potential impact upon the nearby residents
- The High Rope and Tunnel Course is owned and operated by Mojo Active.

Supporting comments:

- Positive addition, no negativity, no behavioural issues
- Provides employment and enjoyment
- Expected increase in traffic made no substantive impact
- Later / earlier opening hours help people with jobs to still be able to surf
- Support local businesses
- Encourages people to be active, get outdoors and keep fit
- The machinery is quiet
- Positive effect on mental health
- Help secure the financial viability of this business

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is to vary the conditions under section 73 of the Town and Country Planning Act 1990 (as amended) in order to extend the opening hours of the existing surfing lake. In deciding this application, the Council should primarily confine their scope to the conditions that the subject of this application; it is not a complete re-consideration of the principle of the scheme, and the original consent will still stand.

5.2 In assessing this application, it is also necessary to assess whether the conditions would satisfy the requirements of planning conditions as set out in paragraph 55 of the NPPF, which states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Therefore the issue to be considered is whether or not the proposed variation to the condition would meet the above tests. Secondly it is necessary to consider if any further conditions need to be attached to any new consent. Should this application be approved, it would have the effect of a granting a further planning permission subject to revised conditions and additional conditions if necessary. In any event the original permission remains intact.

5.3 Policy PSP44 of the PSP generally supports development proposals for the development, expansion or improvement of outdoor sports and recreation the development, expansion or improvement of outdoor sports and recreation (including water related recreation) outside the existing urban area and the boundaries of settlements. Therefore, there is no

objection in principle to the proposal. The main considerations of this application are whether or not the proposed variation would have an unacceptable impact on the nature environment, wildlife habitat, the amenity of the nearby residents and public highway safety. Other material planning considerations, such as design, landscape, drainage, public rights of way, archaeology and heritage, and waste management would also be discussed.

5.4 Green Belt policies

National Planning Policy Framework clearly states that the Government attaches great importance to Green Belts. The proposal is to extend the opening hours of the existing surfing lake and no proposal is made to extend the existing structures / buildings or carpark. Therefore, the proposed extended hours would not result in a material adverse impact upon the openness of the Green Belt. Given that the planning permission has been granted for the proposal, and there is no material change to the green belt policy to the National Planning Policy Framework, the adopted Core Strategy and PSPP since the grant of the previous planning permission, therefore, there is no objection from the green belt perspective.

5.5 Given the nature of the proposal, the main considerations, i.e. residential amenity and the nature environment would be firstly discussed.

5.6 Residential Amenity

This application seeks to vary the hours of opening from **08:00 to 18:00** Mondays to Saturdays and **08:00 to 17:00** Sundays and Public Holiday to **07:00 to 21:00** Mondays to Saturdays and **07:00 to 19:30** Sundays and Public Holidays. Residents' concerns regarding the noise and light nuisance were noted.

5.7 The applicant's justification for these changes is that no complaints have been received since they started operating in October 2019. Whilst the Environmental Protection Team may not receive formal complaints from residents, officers are mindful that the facilities has only operated during the winter months when people have doors and windows closed. The nearby residents have not experience a summer period where the facilities are fully operational to notice the noise from the equipment and the users of the facilities.

5.8 Furthermore, the background noise level in this location drops off during the evening and therefore any noise from this facility would be more noticeable and has the potential to be detrimental to the nearby residential receptors. As the existing surfing lake has only opened for few months, there is insufficient information or evidence to demonstrate that the residential amenity would be adequately protected.

5.9 In this instance, it is considered that it would be more appropriate to only allow the existing facilities to be operated for the proposed extended hours temporarily. Taking into consideration of the nature of the proposal and other relevant material considerations including the recent

pandemic lockdowns, officers consider that 18 months would be appropriate, so that that the applicant would be able to collect comprehensive information and data for the Local Planning Authority to consider if the extended hours would be acceptable on a permanent basis.

5.10 In addition, it would be necessary to impose a condition seeking a full detailed acoustic report including noise levels measurement during the proposed temporary extended hours, to allow the Local Planning Authority to review the situation. The existing condition restricting the noise level from all fixed plant, opening hours, would still be applicable. Subject to conditions securing the above, there is no objection to the proposed opening hours on a temporary basis.

5.11 Natural Environment

Policy CS9 of the adopted Core Strategy, Policy PSP19 and PSP44 of the adopted PSPP seek to protect the environmental resources. The Ecology Officer concerns that the proposed extended hours would affect the communing and foraging bats from April to October. To address the concerns, the applicant confirmed that no floodlighting or additional external lighting are proposed. The existing low level lighting scheme around the lake and grounds and clubhouse are only for the wider site operations. In addition, the agent has indicated that the surfing lake would not be used late in evening in early spring, late autumn or winter due to the lack of natural light. After reviewing the applicant's clarification, Officers consider that the proposed hours should not cause an unacceptable impact provided that there is no additional lighting, no music playing throughout the evening and past sunset. As planning conditions have already been imposed securing no floodlights or uplighters, no use of amplified, music system or tannoy within the site, there is no ecological objection to the proposal subject to these conditions still apply.

5.12 Transportation

Policy CS1 of the adopted Core Strategy, PSP11 and PSP44 of the adopted PSPP states that new development will be permitted provided that the new development would not prejudice public highway safety. Local residents' concerns were noted. In terms of the access and parking arrangement, the proposal would not change the existing or approved arrangement. In addition, all planning conditions of PT17/1730/RVC would still apply, therefore no highway or transportation objection is raised to the proposed extended hours.

5.13 Design, Visual Amenity and Landscaping considerations

Policy CS1 and CS9 of the Core Strategy and Policy PSP1, PSP2 and PSP44 of the adopted PSPP require any development proposal to achieve good design and seek to protect and enhance the quality of the landscape. As the proposal is only to extend the opening hours of the surfing lake, therefore, there is no objection from the design, visual amenity or landscape perspective. The conditions relating to building

materials, lake edging, have been discharged under DOC18/0420, therefore the relevant conditions are amended accordingly, and other relevant conditions would still apply.

5.14 Flood Risk and Drainage

The proposed extended hours would not materially affect the flood risk or the drainage method of the existing facilities. Drainage details were submitted and considered acceptable, therefore, there is no objection from this perspective.

5.15 Public Rights of Way

There are three public footpaths, i.e. OAY61, OAY58 and OAY63, crossing within the site and the proposed amendments would not involve any changes to the existing public footpaths, officers therefore have no objection to the proposal subject to original relevant condition is imposed.

5.16 Waste Management

The proposed amendments would not result in material difference in terms of the waste management perspective, therefore there is no objection to the proposal subject to the original conditions are imposed.

5.17 Historic and Archaeological Interests

The proposed extended hours would not result in any material impact upon the historic and archaeological interests of the site, therefore there is no historic or archaeological objection to the proposal. Details requested by the relevant conditions were submitted and considered acceptable. Therefore no objection is raised from the historic or archaeological perspective, and the original conditions are amended accordingly.

5.18 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant temporary planning permission to extend the opening hours for 18 months 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.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

1. Detailed Phasing Scheme with key development targets

The development shall be carried out in accordance with the approved phasing scheme, Drawing No. 855-WAVB-APG-XX-YY-DR-A-0012-A-C01 (Phase 2A-Enabling Works), Drawing No. 855-WAVB-APG-XX-YY-DR-A-0013-A-C01 (Phase 2B) and Drawing No. 855-WAVB-APG-XX-YY-DR-A-0014-A-C01 (Phase 2C).

Reason:

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved Policy LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. Details of construction compound

The works of construction compound for Phase 2A, 2B and 2C shall be carried out in accordance with the approved details, Phase 2A - Enabling Works Drawing No. 13302-HYD-XX-XX-DR-TP-0101 Revision P1 received on 19 July 2018, and Drawing No. DR-A-0012-A-C01, Phase 2B - Main construction DR-A-0013-A-Rev C01 and Phase 2C - replaced by DR-A-0014-A-Rev C01 received on 29 November 2018.

The Construction Environmental Management Plan (dated October 2015) for Phase 1, shall be implemented in accordance with the approved details.

Reason:

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved Policy LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Sample of the materials

The development shall be carried out in accordance with the approved details and thereafter retained as such.

The development shall be carried out in accordance with the approved detailed building material sample schedule WAVB-APG-XX-BD-SH-A-0405-D2-P01 and thereafter retained as such.

Reason

To protect the character and appearance of the locality and in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP1 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

4. Details of Boundary Treatment

Prior to the commencement of the Further Phases development shown on Drawing No. 855-phase 01 dated July 2015 and agreed in the 'Phasing Plan' under condition 1, a plan indicating the positions, design, materials and type of boundary treatments to be erected within Phase 2B and 2C shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be fully completed for each phase before the commencement of the operation of any use within that phase. Development shall be carried out in accordance with the approved details for all phases and thereafter retained as such.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP1, PSP2, PSP10 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

5. Archaeological Watching Brief

All works shall be strictly carried out in accordance with the submitted Written Scheme of Investigation for a programme of further archaeological investigation dated February 2018 dated and Post-Excavation Assessment Report, CA Project: 9279 Report 18374 dated June 2019.

Reasons:

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013 and Policy PSP17 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

6. Details of Surface Water Drainage

The development shall proceed in accordance with the agreed drainage details, which were submitted on 14th November 2018 and thereafter be retained as such.

Reason

To minimise the effect of any flooding which may occur and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy

(Adopted December 2013), Policy PSP20 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017)

7. Details of External Illuminations

Notwithstanding the submitted details, no floodlighting or uplighters shall be installed within the site including Phase 1 Development (Ropes and Tunnels Course) and the Further Phases development shown on Drawing No. 855-phase 01 dated July 2015.

Prior to the commencement of the Further Phases development shown on Drawing No. 855-phase 01 dated July 2015 and agreed in the 'Phasing Plan' under condition 1, details of any external illuminations including the length and the level of the illumination shall be submitted to and approved in writing by the Local Planning Authority. All external lighting shall comply with the relevant British Standards and ILP's guidance. The development shall proceed in accordance with the agreed details and thereafter be retained as such.

Reason

To protect the residential amenity of the neighbouring occupiers and in the interest of wildlife habitats and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8, PSP19, PSP21 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

8. Details of protection of both banks of any watercourse

The development shall proceed in accordance with the agreed details relating to the protection of both banks of any watercourse, submitted on 19 July 2018 and thereafter be retained as such.

Development shall be carried out in accordance with the submitted document - the Wave Bristol Ecology Management Plan, Elder Ecology, dated 6 July 2018. Eight metres wide strip of land shall be left clear of any building or obstruction along both banks of any watercourse within the site to ensure the stability of the bank and banks may not be endangered thereby, and for maintenance purposes.

The development for Phase 1 shall be carried out in accordance with the supporting letter dated 22 October 2015.

Reason

To protect the watercourse and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), Policy PSP20 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

9. Details of surface and sub-surface water drainage systems

The development shall proceed in accordance with the agreed surface and sub-surface water drainage details, which were submitted on 19 July 2018 and 14 November 2018.

Reason

To protect the watercourse and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), Policy PSP20 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

10. Local Drainage Ditch

No local land drainage ditch within the site shall be filled in or culverted.

Reason

To protect the watercourse and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), Policy PSP20 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

11. Details of Rhine Crossing, Access Bridge or Culvert

The development shall proceed in accordance with the agreed details, which were submitted on 19 July 2018, and thereafter be retained as such. For Phase 1 development, there shall be no rhine crossing, access bridge or culvert crossing the adjacent fields into the woodland.

Reason

To protect the watercourse and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), Policy PSP20 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

12. Details of Hard and Soft Landscaping Works

Notwithstanding the submitted details, prior to the commencement of the Further Phases development shown on Drawing No. 855-phase 01 dated July 2015 and agreed in the 'Phasing Plan' under condition 1, full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure including the fencing to the public rights of way; hard surfacing materials including car park surfacing; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, bird hides and information boards); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines indicating lines, manhole); soft landscape works shall include the protection of trees within the hedgerows, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

Reason

To protect the landscape character of the locality and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policies PSP2, PSP3, PSP19 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

13. Details of Lake Edging

The development shall proceed in accordance with the agreed details relating to the lake edging, which were submitted on 14 November 2018.

Reason

To protect the landscape character of the locality and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policies PSP2, PSP3, PSP19 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

14. Schedule of Landscape Maintenance

Prior to the commencement of the Further Phases development shown on Drawing No. 855-phase 01 dated July 2015 and agreed in the 'Phasing Plan' under condition 1, a schedule of landscape maintenance for that phase for a minimum period of 5 years shall be submitted to the Local Planning Authority for approval. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

To protect the landscape character of the locality and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policies PSP2, PSP3, PSP19 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

15. Details of construction method of the footpath

The development shall proceed in accordance with the approved details relating to footpath transection RPA28, Drawing No. WAVB-LHC-LS-YY-DR-L-0501 Rev P01, received on 19 July 2018 showing the proposed bound gravel footpath outside the protection area of the existing T28, T29 and T30, and thereafter be retained as such.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), Policy PSP2, PSP3 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

16. Ecological Management Plan

The development and the requirements of the ecological management plan shall be commenced for all phases prior to the commencement of the operation and carried out in accordance with the approved documents - the Ecology Report submitted on 19

July 2018 and the Construction Environmental Management Plan submitted on 9 November 2018.

For Phase 1 development, the submitted Ecological Management Plan Phase 1 (Ropes and Tunnels Course) dated October 2015 shall be implemented accordingly.

Reason

In the interest of ecology and wildlife habitats of the site and in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP19 and PSP 44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

17. Construction and Environmental Management Plan

The development shall proceed in accordance with the agreed Construction and Environmental Management Plan submitted on 9 November 2018.

For Phase 1 Development, the Construction and Environmental Management Plan Phase 1 (Ropes and Tunnels Course) dated October 2015 shall be implemented accordingly.

Reason

In the interests of the residential amenity of the neighbouring occupiers, and in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policy PSP8, PSP11 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

18. Details of Air Quality Assessment

The development shall proceed in accordance with the agreed details, which were submitted on 14 November 2018, and thereafter be retained as such.

Reason

In the interest of residential amenity of the neighbouring occupiers and in accordance with Policy CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted December 2013), and Policy PSP8, PSP21 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

19. Noise Levels Restriction and Acoustic Report

All fixed plant shall be designed in compliance with BS 4142 to ensure rating levels are at least 5db below existing background levels measuring at Washingpool Farm, Ingleside, Overleaze Farm, The Lyndhurst and Wheat Hill Farm.

Within 2 months following the expiry of the temporary approved opening hours, a full detailed acoustic report to include noise levels measurement at the above properties shall be submitted to the Local Planning Authority for review.

Reason

In the interest of residential amenity of the neighbouring occupiers and in accordance with Policy CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted December 2013), and Policy PSP8, PSP21 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

20. Waste Management Audit

Development shall be carried out in accordance with the approved Construction Environmental Management Plan dated 8 August 2018, Reference No. WAVB-HYD-XX-RP-G-4002.

Reason

In accordance with Policy 37 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) 2002, and Policy 1 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

21. Details of public footpaths

Development shall be carried out in accordance with the approved details relating to the public footpaths, which were submitted on 19 July 2018.

Reason

To safeguard the public footpaths and in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP10 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

22. Construction hours

The hours of working on site during the period of construction shall be restricted to 08.30am to 18.00pm Mondays to Fridays, and 08.30am to 13.00pm Saturdays, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

23. Bird Nesting Season

Any tree/scrub clearance shall be carried out outside of the bird nesting season (between March to August) unless the appropriate survey are carried out by a qualified ecologist to demonstrate that clearance can be undertaken during this time as agreed in writing with the Local Planning Authority.

Reason:

In the interest of wildlife habitat and in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

24. Flood Risk Assessment

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated December 2013 produced by Hydrock and the following mitigation measures detailed within the FRA:

(a) Limiting the surface water run-off generated by the 1:100 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

(b) Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.

(c) Finished floor levels of all built development (cafe, shop, and clubhouse) to be set no lower than 7.76 m above Ordnance Datum (AOD) (300mm above the 1:200 year level including an allowance for climate change).

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure safe access and egress from and to the site, and in accordance with National Planning Policy Framework and Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

25. Tree Protection Works

The proposed tree protection works indicated in sections 2 and 3 in the Barrell Tree Consultancy Report shall be strictly carried out.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

26. Parking, Manoeuvring and Services Areas in Washingpool Farm

Prior to the first use of the Further Phases development shown on Drawing No. 855-phase 01 dated July 2015 and agreed in the 'Phasing Plan' under condition 1, the parking, manoeuvring and service areas in Washingpool Farm shall be completed in all respects with the approved plans and retained as such thereafter.

For Phase 1 Development, the submitted Technical Note Reference OCT02/TN/03/Iss3 and Car parking arrangement plan OCT02/T06 Revision A shall be

implemented and retained as such until and unless different parking arrangements are agreed in writing in relation to subsequent Phases under this condition.

Reason

To ensure satisfactory parking, turning and servicing areas are provided in the interests of safety and in accordance with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2015 and Policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

27. A Scheme of directional signage

Development shall be carried out in accordance with the approved details of directional signals, submitted on 30 September 2019, and thereafter be retained as such.

For Phase 1 Development, the submitted Technical Note Reference OCT02/TN/03/Iss3 and Signage Plan Drawing Reference: OCT02/T01 shall be implemented prior to the first use of the Phase 1 hereby permitted, and retained as such until and unless a different signage scheme is agreed in writing in relation to subsequent Phases under this condition.

Reason

In the interests of both highway safety and congestion by providing clear directions for visitors in accordance with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

28. Booking System

Development shall be carried out in accordance with the approved booking system, submitted on 30 September 2019 and thereafter implemented in accordance with approved scheme.

For Phase 1 Development, the submitted Technical Note Reference OCT02/TN/03/Iss3 and the booking system for the High Ropes and Tunnel Course shall be implemented and retained as such thereafter prior to the first use of the Phase 1 hereby permitted.

Reason

To reduce congestion and manage vehicle movements in accordance with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2015 and Policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

29. Prior to the relevant first use of Phase 1 Development (Ropes and Tunnels Course) and Further Phases development shown on Drawing No. 855-phase 01 dated July 2015, an updated Travel Plan including monitoring measures shall be submitted to and approved in writing by the Local Planning Authority; for the avoidance of doubt the Travel Plan should follow the lines of the submitted Framework Travel Plan, with the

exception that within 3 months of opening a travel survey of both staff and visitors is undertaken which will provide the initial base data for future iterations of the Travel Plan. The development shall proceed in accordance with the agreed details.

Prior to the first use of Phase 1 - the 'High Ropes and Tunnels Course' Development, the submitted Travel Plan, Reference OCB02/01/Iss3 dated October 2015 shall be implemented in accordance with the approved details.

Reason

In the interests of highway safety by reducing congestion and in accordance with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

30. Waste Management Plan

All works shall be carried out in accordance with the approved Waste Management Plan, submitted on 30 September 2019.

The development for Phase 1 shall be carried out in accordance with the supporting letter dated 22 October 2015.

Reason

To protect the residential amenity of the neighbouring occupiers and in the interests of the environment and to accord with Policies CS9 and CS14 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8, PSP21 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

31. Flood Warning and Evacuation Plan

The development shall proceed in accordance with the agreed Flood Warning and Evacuation Plan dated 19 July 2019 ref.: WAVB-HYD-XX-XX-PR-D-5001 and thereafter be retained as such.

For Phase 1 Development, the submitted Community Flood Plan dated October 2015 shall be implemented in accordance with the approved details.

Reason

(a) To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

(b) To ensure safe access and egress from and to the site.

(c) To reduce the risk of flooding to the proposed development and future occupants, and in accordance with National Planning Policy Framework and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

32. Operational Management Plan

The development shall proceed in accordance with the agreed Operational Management Plan submitted on 4 February 2020.

Reason

To safeguard the visual and residential amenity of the area and in accordance with Policies CS1 and CS9 of the South Gloucestershire (Adopted December 2013), Policy PSP8 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

33. No outside Storage

No outside storage of material/goods/waste or plant shall take place within the site including the Phase 1 Development (Ropes and Tunnels Course) and the Further Phases development shown on Drawing No.855-phase 01 dated July 2015.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policy PSP8 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

34. Opening Hours

For the period of 18 months from the date of this Notice of Decision, the proposed surfing lake hereby approved shall not be open for use by members of public outside the hours of 07:00 to 21:00 Mondays to Saturdays and 07:00 to 19:30 Sundays and Public Holidays. After the said period, the surfing lake shall be operated to its former approved opening hours, i.e. the proposed surfing lake hereby approved shall not be open for use by members of public outside the hours of 08.00 to 18.00 Mondays to Saturdays and 08.00 to 17.00 Sundays and Public Holidays.

Ropes and Tunnels Course' hereby approved shall not be open for use by members of public outside the hours of 08.00 to 18.00 Mondays to Saturdays and 08.00 to 17.00 Sundays and Public Holidays.

Reason

To safeguard the residential amenity of the neighbouring occupiers and in the interests of wildlife habitats and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8, PSP19 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

35. No use of amplified, music system or tannoy

No amplified or other music system or tannoy shall be used within the site including the Phase 1 Development (Ropes and Tunnels Course) and the Further Phases development shown on Drawing No.855-phase 01 dated July 2015.

Reason

To safeguard the residential amenity of the neighbouring occupiers and in the interests of wildlife habitats and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8, PSP19 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

36. Number of Tents Restriction

The campsite shall only be occupied by no more than 25 tents at any one time. For the avoidance of doubt, no caravans shall be parked within the camping area. No caravans and tents shall be used outside the camping area.

Reason

To safeguard the visual and residential amenity of the area and in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8, PSP19 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

37. List of approved plans and documents

Development shall be strictly carried out in accordance with the following drawings and documents:

Unchanged documents / plans:

- Phase 1 diagram, Drawing No. 855-01, dated July 2015
- Mojo Active Outdoor Activity Centre (Full Travel Plan), OCB02/01/Iss3 dated October 2015
- Technical Note Reference: OCT02/TN/03/Iss3 dated 13 October 2015
- Construction and Environmental Management Plan Phase 1 (Ropes and Tunnels Course) of PT13/4756/F dated October 2015
- Community Flood Plan dated October 2015
- Ecological Management Plan Phase 1 (Ropes and Tunnels Course) of PT13/4756/F dated October 2015
- Site location plan, Drawing No. 855-00, received on 23 December 2013
- Topographic Survey, Drawing No. HC13011D-D001 Rev A, received on 23 December 2013
- Gate house with car parking layout, Drawing No. 855-WGC-107, received on 23 December 2013
- High Ropes Arrangement Rev E and Individual Structures and Open Fronted Shelters, under PT16/0828/NMA, received on 24 February 2016
- Proposed Plan and elevations for the Storage Cabin (Mojo High Ropes), received on 10 January 2014
- Key Plan, Drawing No. 855-S73-050, received on 10 November 2015, under PT15/4853/RVC

The following documents submitted on 11th April 2017:

- Vegetation to be retained and removed, (Drawing 1 of 2), Drawing No. 13702_L01_03 Rev E
- Vegetation to be retained and removed (Drawing 2 of 2), Drawing No. 13702_L01_04 Rev C

- Landscape Sections F-J, Drawing No. 13702_L01_11, Rev C

The following documents submitted on 4 May 2017:

- Landscape Masterplan (Drawing 1 of 2, showing the revised landscape), Drawing No. 13702_L01_01 Rev N
- Landscape Masterplan (Drawing 2 of 2), Drawing No. 13702_L01_02 Rev J
- Hardworks Layout Plan (drawing 1 of 2), Drawing No. 13702_01_05 Rev E
- Hardworks Layout Plan (drawing 2 of 2), Drawing No. 13702_01_06 Rev B
- Landscape Sections A-E, Drawing No. 13702_L01_10 Rev F
- Seeding Plan (drawing 1 of 2), Drawing No. 13702_L01_12 Rev E
- Seeding Plan (drawing 2 of 2), Drawing No. 13702_L01_13 Rev B
- Planting Plan (drawing 1 of 2), Drawing No. 13702_L01_14 Rev E
- Planting Plan (drawing 2 of 2), Drawing No. 13702_L01_15 Rev D

The following document submitted on 28 September 2018:

- Illustrative Masterplan, Drawing No. 855-WAVB-100B
- Masterplan Details, Drawing No. 855-WAVB-101-B
- Lake and Building Layout, Drawing No. 855-WAVB-102-B received on 28 September 2018

The following document submitted on 13 July 2018:

- Lake Structures, Drawing No. 855-WAVE-103
- Clubhouse Layout, Drawing No. 855-WAVE-104
- Clubhouse Elevation, Drawing No 855-WACE-105
- Camping Facilities, Drawing No. 855-WAVE-106
- Beach Hut, Drawing no. 855-WAVE-107

Reason

In the interests of proper planning and to ensure that the development is carried out in accordance with the approved plans in order to comply with the policies in the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013); and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

38. Details of cycle parking

Prior to the first use of the Phase 1 Development (Ropes and Tunnels Course), the proposed cycle parking detailed in the submitted Technical Note Reference OCT02/TN/03/Iss 3 dated 13 October 2015 shall be implemented and retained as such thereafter.

Prior to the first occupation of the development at the Further Phases development shown on Drawing No. 855-01 phase 1 dated July 2015 details of the cycle parking for the Further phases 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 and thereafter retained as such.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Adopted January 2006 and Policy

PSP11, PSP16 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

39. Residents Community Liaison Group

Prior to the first use of the Further Phases development shown on Drawing No. 855-phase 1 dated July 2015 hereby approved, the operator shall establish a residents / community liaison group for the local community.

Reason

In the interests of the safety and security of users of the site and local residents and in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

40. Ancillary use

The proposed structures, buildings and campsite, including the cafe, clubhouse (and associated facilities including shop), gatehouse, storage building and lifeguard hut shall be used strictly ancillary to the use of the surfing lake hereby permitted and for no other purposes.

Reason

To safeguard the visual and residential amenity and public highway safety, to accord with Policies CS1 and LC5 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8, PSP11, PSP16 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

41. Details of security fence and access gates

Prior to the commencement of the 'Further phases development shown on Drawing No. 855-phase 01 dated July 2015, details of the security fence and any necessary access gates for Public Rights of Way crossing the site for Phase 2B and 2C 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 and thereafter retained as such.

Reason

In the interests of the visual amenity of the site and the surrounding locality; and in the interests of the amenity of the local Public Rights of Way network and to comply with PSP10 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

42. Emergency Entrance Restriction

The Emergency Entrance from Badger Lane as shown on plan number 855-100 Rev A (as received on 4 May 2017) shall be used only for emergency access to the development hereby approved and shall not be used for general access purposes.

Reason

In the interests of highway safety and amenity and to accord with Policy CS1 of the South Gloucestershire Core Strategy Local Plan (Adopted) December 2013 and Policy CS8 of the South Gloucestershire Local Plan, Policy PSP11 and PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

CIRCULATED SCHEDULE NO. 26/20 - 26th June 2020

App No.:	P20/07622/F	Applicant:	Nick Nelson
Site:	Brook Way Activity Centre Brook Way Bradley Stoke South Gloucestershire BS32 9DA	Date Reg:	4th May 2020
Proposal:	Siting of 1no shipping container for use as storage facility for a period of two years.	Parish:	Bradley Stoke Town Council
Map Ref:	361188 182513	Ward:	Bradley Stoke North
Application Category:	Minor	Target Date:	25th June 2020



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

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

1. **THE PROPOSAL**

- 1.1 This application seeks planning permission for siting of 1no. shipping container for use as a storage facility for a period of 2 (two) years.
- 1.2 The application site relates to the plot of land next to the Brook Way Activity Centre.
- 1.3 This is a retrospective application as the aforementioned container already present on site.

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
CS25	Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP5	Undesignated Open Spaces within Urban Areas and Settlements
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP32	Local Centres, Parades and Facilities

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. **RELEVANT PLANNING HISTORY**

- 3.1 P19/15019/F

Siting of 1no shipping container for use as storage facility.

Refused: 10 December 2019.

3.2 PT10/0516/F

Siting of steel shipping container for a temporary period of 2 years.

Approved: 27 April 2010.

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

None received.

Stoke Lodge and The Common

None received.

Councillor Hardwick

Objection. The container is big and can be seen from the car park and recreation area; can be subject to vandals, teenagers climbing on top, which is a safety issue.

4.2 Other Consultees

Sustainable Transport

No objection.

Lead Local Flood Authority

No objection.

Highway Structures

Wish to make no comment.

Other Representations

4.3 Local Residents

1no. objection comment has been received with key point summarised below:

- The container still in place after previous temporary permission expired.
- The container is on public open space, which should be returned to the public.
- Children climb on top and underneath the container.
- It is an eyesore; does not fit with the surrounding and will attract antisocial behaviour.
- Unlikely the container will be removed after two years if permission granted.

4.4 A number of comments have been submitted in support of this application. However, all the support comments were received outside the consultation period.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for siting of 1no. shipping container for use as a storage facility for a period of 2 (two) years. As already stated above, this is essentially a retrospective application, as the proposed container is present on site.
- 5.2 The original planning permission (PT10/0516/F) was granted in April 2010 for temporary siting of a shipping container for 2 (two) years. The imposed planning condition required the applicant to remove the container on or before 31st May 2012. It is evident that the container still remains in its place as of June 2020.
- 5.3 The original officer's report pointed out that a steel storage container would not be considered appropriate as a long term solution.

5.4 Design and Visual Appearance

It has already been determined in previous planning applications that siting of permanent container at this location is inappropriate. This planning application seeks temporary permission only.

- 5.5 The container is located on an open grass area and is visible from the adjacent public footpath. The adverse impact the container is causing upon the character and appearance of the area is considered to be significant. Previous application for a permanent permission has been refused and the officer's report suggested to consider a more permanent solution.
- 5.6 The proposed container is not considered to meet the high quality design requirements. Officers are of the opinion that the applicant should develop plans for a permanent storage solution at this location, which would be more sympathetic to the surrounding area. Officers also consider that on this occasion, as an exception, a temporary permission for 1 (one) year can be granted in order for the applicant to develop and progress the proposal for a permanent storage unit. Planning conditions will be attached in order to make sure that the container will be removed. It is the responsibility of the applicant to provide the Local Planning Authority with evidence of compliance with the imposed conditions.

5.7 Residential Amenity

Given the container's proximity to nearby residential properties, it is considered that it will not cause an unacceptable impact.

- 5.8 The applicant contested that refusal of planning permission would negatively impact the Scout Group; and that the current storage facility provides benefits to the local Scout community. The officers do not dispute the benefits provided by the current storage unit to the Scout Group. However, it is important that any development on public open space benefits all parts of the community, and not only the ones who will be utilising it. Therefore, it is important to provide a

structure that is sympathetic to the area without causing the adverse visual impact on the local distinctiveness.

5.9 Access and Parking

This proposal considered to be acceptable from the transportation perspective.

5.10 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 container hereby permitted shall be removed and the land restored to its former condition on or before 31st July 2021 in accordance with the scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason

The overall design and appearance of the container is out of character with the surrounding area and is permitted for a limited period only because of the special circumstances of the case.

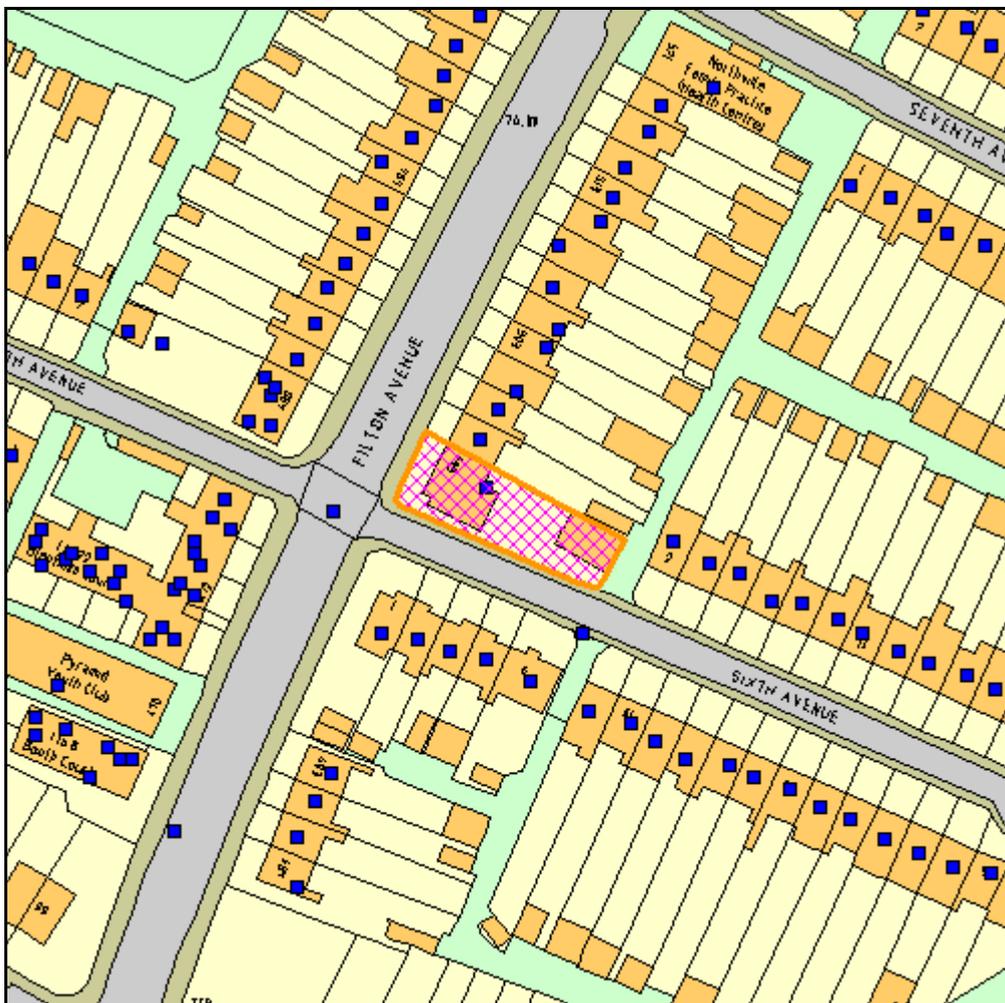
2. Evidence of the removal of the container must be submitted to the Local Planning Authority no later than 31st August 2021.

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 26/20 - 26th June 2020

App No.:	P20/07642/F	Applicant:	Bright Star Living Ltd
Site:	495 Filton Avenue Horfield South Gloucestershire BS7 0LR	Date Reg:	4th May 2020
Proposal:	Change of use from garage to form 2 no. additional bedrooms within existing 8no. bedroom HMO (Sui Generis), to form 10no. bedroom HMO (Sui Generis) as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) with associated works.	Parish:	Filton Town Council
Map Ref:	360487 178072	Ward:	Filton
Application Category:	Minor	Target Date:	26th June 2020



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule in line with the current scheme of delegation because 3 no. representations have been received which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for a change of use from an 8 no. bedroom HMO (sui generis) to a 10 no. bedroom HMO (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) by utilising the existing previously extended garage/office outbuilding which would be incorporated in to the living accommodation.
- 1.2 The application site is a large end of terrace property on the junction of Filton Avenue and Sixth Avenue. Originally a single residential dwelling (Class C3), the current use as an 8 no. bedroom HMO (sui generis) was established previously under P19/17410/F. The site is located in a mature residential area within the North Fringe of Bristol urban area and there are no other planning constraints in place which would affect the proposed development.
- 1.3 Revised plans were received and accepted during the consideration process in order to address a matter raised by the transport officers and to address a concern raised by the case officer. The changes do not materially change the proposal to the extent that a formal re-consultation would be necessary. The description was however changed prior to revised plans being submitted and this was subject to a re-consultation with the amended description.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007
 Residential Parking Standard SPD (Adopted) December 2013

- 2.4 Additional Documents for Reference
 South Gloucestershire Council's room size and amenity standards for licensable houses in multiple occupation (HMOs) under part 2 of the Housing Act 2004 (November 2018).

3. **RELEVANT PLANNING HISTORY**

- 3.1 P20/02530/F – Approved with conditions 06/03/2020:
 Creation of vehicular access on to classified road Filton Avenue (retrospective)
- 3.2 DOC20/00027 – Discharged 03/03/2020:
 Discharge of condition 2 (bin and cycle store) attached to permission P19/17410/F.
- 3.3 P19/17410/F – Change of use from residential dwelling (Class C3) to a house in multiple occupation for up to 8no. People (Sui Generis) as defined in the Town and Country Planning (use classes) order 1987 (as amended)
- 3.4 P19/10240/F – Refused 02/10/2019:
 Demolition of existing garage/office and erection of 1no. annexe ancillary to the main dwelling.

4. **CONSULTATION RESPONSES**

- 4.1 Filton Parish Council
 No comment was received during either consultation.

- 4.2 Sustainable Transport
 A 10 bed HMO should provide 5 parking spaces. However, the site is in a reasonably sustainable location within walking/cycling distance of services and employment. As such, the 5th space can be off-set by reliance upon more sustainable travel modes.

No objection subject to a condition ensuring at least 4 spaces have been provided prior to first occupation. A 7KW/32amp EV charging point should also be provided in line with the Council's climate change obligations.

The applicant has indicated a willingness to provide an EVCP – this was amended on the plans.

4.3 Police

No objection but recommends the applicant ensures that fenestration is to British Standard PAS24:2016. The applicant must not interfere with the anti-burglary gate to the rear of the garage/office.

4.4 Private Sector Housing

No objection to the proposed increase from 8 to 10 bedrooms subject to requirements which would be need to be met.

Discussion with the private sector housing team confirmed that the facilities they have listed in their response would be required prior to a license being issued.

4.5 Economic Development

No comment was received during either consultation

4.6 Local Residents

- Strongly object to the garage/office of 495 being converted in to a 2 bed dwelling.
- Parking is difficult on Sixth Avenue – this has increased since 495 was converted to an 8 bed dwelling.
- Unruly and unlawful parking which has already started since 495 was converted would increase. Concern over emergency vehicle access.
- Dwelling in this location will result in a reduction of privacy as residents could look in to my house.
- Parking should be 5 spaces as per regulations
- Work has started before plans passed
- Occupants park on the front of the main house which hangs over on to the pavement – often 2 cars park there when only one has been allocated
- Works will cause disruption to residents.
- Builders park inconsiderately (on double yellow lines) which makes it dangerous pulling out of Sixth Avenue
- Velux roof lights would overlook property – presumably the glass would need to be opaque and windows non opening?
- Addition of 2 additional residents in addition to the current 8 will put even greater strain on the area – parking already and acute problem.

5. ANALYSIS OF PROPOSAL

5.1 The proposal is for a change of use from an 8no bedroom HMO to a 10no bedroom HMO by converting the existing detached garage/office to habitable living accommodation with associated works.

5.2 Principle of Development

Under planning law and as reiterated in p.47 of the NPPF, decisions on applications for planning permission should be made in accordance with the development plan, unless material considerations indicate otherwise. The purpose of the planning system is, at every level, to contribute to the achievement of sustainable development. Sustainable Development can be broadly described as meeting the needs of the present without compromising the ability of future generation to meet theirs. Therefore, there is a presumption

- in favour of sustainable development, which for decision makers means approving development proposals which accord with an up to date development plan without delay.
- 5.3 This application for a change of use from a sui generis 'larger HMO' to a larger sui generis 'larger HMO' stands to be assessed predominantly against policy PSP39 of the Policies, Sites and Places Plan (adopted November 2013). PSP39 is the Council's principle policy covering the creation of HMO's. For clarity, a C3 dwellinghouse can be converted to a HMO of up to 6 people under permitted development (unless there is an Article 4 Direction) and PSP39 covers 'larger HMOs' which do not fall under any use class and are 'Sui Generis', which quite literally translates to 'of their own kind'.
- 5.4 PSP39 permits HMOs where they do not impact on the character and amenities of the area in which they are located; do not prejudice the amenity of neighbours; provide adequate amenity space; provide refuse storage and servicing and; provide parking in accordance with parking standards. A previous permission has established that an 8no bedroom HMO on this site is acceptable. Consequently, the logical approach in this case is to deliberate on the addition of 2 additional rooms, taking in to account the cumulative impact.
- 5.5 Can a detached outbuilding be part of the HMO accommodation?
Before assessing whether or not a 10no bedroom HMO is acceptable, it would be prudent to establish the acceptability of using a detached outbuilding as part of the HMO. The use of a garage/office which is a detached outbuilding within the curtilage of the main building, as part of the HMO is a slightly unusual set up. Generally, a HMO contains all the living accommodation and bedrooms within the main building. However, the SGC standards for licensable HMOs do make provisions for what it refers to as 'bedsit accommodation', which it defines as accommodation occupied by person(s) living independently as others in the HMO. 'Unit of living accommodation' is defined under the same document as part of the HMO occupied by a single household, this includes (inter alia), bedsitting rooms. Therefore, whilst licensing is outside the remit of the planning system, it is of note that the Council's private sector housing officers have no objection to the use of the garage/office as part of the HMO, which is confirmed in the relevant HMO licensing detail.
- 5.6 The previously refused scheme for a substantial detached annex (P19/10240/F) is a material consideration, however, this was refused when the building was a residential dwelling (class C3). A sui generis use on the other hand is very specific and could cover a specialist accommodation type, such as a larger HMO utilising a detached outbuilding for primary accommodation. Therefore, whilst the previous annexe was refused as it was assessed as a new dwelling due to its capacity to be independent, it is considered that this proposal for a specialist type of accommodation is materially different than the previously refused annex. This is because the sui generis use class is able to be tailored to a specific use and officers are satisfied that whilst the outbuilding could be used independently day-to-day, it would remain part of the same planning unit as the main building in that it would be licensed as part of the same address and more crucially, would share amenity space, parking, refuse facilities and communal space inside the main building. This assessment is

particularly relevant to objections which have described the proposal as a 'new dwelling', which it isn't and is instead part of the HMO site. Of-course, any attempt to sub-divide the planning unit would require its own planning permission and doing so without would be unlawful and leave the applicant open to enforcement action. Following the above, the case officer would conclude that the outbuilding could reasonably form part of the HMO. As such, it now stands to be assessed against the usual criteria for such a development.

5.7 Amenities and character of the area

PSP39 does not itself go in to detail regarding amenities and should be read alongside PSP8, the Council's principle policy covering residential amenity. PSP8 permits development where it does not prejudice the amenities of or create unacceptable living conditions for both neighbours and occupiers of the development. Unacceptable impacts include (but are not limited to) loss of privacy/overlooking; overbearing/dominant impacts; loss of light/outlook and; noise or disturbance.

5.8 The proposal primarily concerns the change of use, as the building itself is already in situ and of solid construction. The changes proposed externally (addressed in 5.16) are themselves minor and unlikely to constitute development. Therefore, issues of overbearing/dominance and loss of light/outlook are not considered to be impacts that will arise in respect to neighbours. However, with occupants living in the building as part of the HMO, other issues (privacy and noise) need to be considered. In terms of noise, the building is detached, with no.6 Sixth Avenue being to the East across an access road, and the rear garden (and detached garage/office) of 497 Filton Avenue immediately North. It is not the view of officers that 2 occupants as part of the HMO occupying the building will present an unacceptable level of noise or disturbance given that it will be a residential use in an established residential setting with suitable separation distances between neighbouring residential units.

5.9 Turning to privacy, a concern is raised that the inclusion of the garage/office as part of the HMO bedroom provision would result in losses of privacy. New windows are proposed on the garage/office front elevation which fronts a blank elevation of no. 6, on the side (South) which faces across Sixth Avenue and the rear, which looks in to the garden of 495. The window on the front is to serve the bathroom of bedroom 1 so will be obscured, but in any case would not be able to impinge upon privacy. The window for bedroom 2 will overlook Sixth Avenue (the public realm) which is thus not considered to propose an issue with overlooking. The roof lights will be above head height in the roof and consequently not able to present overlooking issues. For this reason, it is not considered necessary to condition them to be non-opening or obscure.

5.10 Officers were initially concerned regarding the outlook afforded to bedroom 1, in that the window in the front elevation would face a blank elevation (of no. 6 Sixth Avenue). Consequently, the layout and window positions were amended so that the bedroom 1 window now overlooks the amenity space of 495, which is considered a more appropriate level of outlook. Overall, the case officer does not consider there to be an unacceptable impact on living conditions or

residential amenities should permission be granted. Initially, concern was raised by the case officer about the lack of essential services in the bedrooms which would result in occupants having to traverse the garden in order to access things like the kitchen. However, on consultation with the private sector housing team, it was established that they would ensure adequate services are available within the building (including cooking facilities) prior to a license being granted. It should also be noted that the rooms both meet the SGC size requirements for HMO accommodation. As such, the case officer considers this concern addressed as it falls outside the remit of this planning application.

5.11 In terms of character of the area, the proposal is for a specialist type of residential accommodation, a HMO, in an established and mature residential location. The North Fringe of Bristol Urban Area is a location which contains both a University (UWE) and multiple large employment sites (MOD, Airbus, Rolls Royce, etc.) and as such, it is not unreasonable to expect a demand for accommodation for single occupiers. In a residential area such as this it is generally expected to find a variety of housing types and the case officer would suggest that the addition of 2 bedrooms to the existing sui generis HMO would have little if any impact on the character of the area overall.

5.12 Waste facilities

Turning to the provision of refuse storage and servicing, which should be provided as per PSP39, the plans indicate that there is storage within the garden for waste receptacles. This includes 3no. 240L wheelie bins and recycling containers. The previous provision of such facilities was approved under the previous discharge of conditions (DOC20/00027). Access for waste receptacles (and cycles) is possible through a side gate on to Sixth Avenue. As such, officers consider that the provision of such facilities is acceptable.

5.13 Amenity space

The previous Officer report for P19/17410/F established that whilst there is no policy standard for HMO accommodation with regards to private amenity space, the PSP43 standard for a 1 bed flat of 5 square metres provides a suitable reference point and this should be provided per room. Officers consider this approach to be acceptable in this case. As the HMO would have 10 bedrooms, 50 square metres of amenity space would be required using this approach. Not including the ground area of the parking, bins or bike store, Officer's calculate that there is around 80 square metres of usable private amenity space within the back garden, of which both the main building and outbuilding have access. Therefore, it is considered that the proposal provides a suitable level of functional private amenity space.

5.14 Parking and access

Turning to parking and access, as per PSP16 a HMO should provide 0.5 spaces per bedroom, meaning 5no spaces should be provided. The site benefits from 4no spaces, with 1 on the frontage, 2 in a parking area created in the back garden and 1 aside the garage/office. There is, as admitted by the applicant, a shortage of 1no space. A case has been made that due to the sustainable location, the lack of an extra space can be mitigated by the use of other transport modes. Under PSP16, deviation from parking standards can be acceptable providing a suitable factual case is made. Indeed, Filton Avenue

provides regular bus services to a variety of locations and the site is in close proximity the Bristol Cycle Network. Filton Avenue also provides a variety of local amenities in local centres/parades (as defined in CS14).

- 5.15 This case has been assessed by the Councils highways Officers who concur that whilst there is an under provision of parking, the under provision of 1no space could be offset by reliance on more sustainable travel modes due to the 'reasonably sustainable' location. However, a condition is recommended to ensure that at least 4no spaces are provided prior to first occupation. It is also requested that an EV charging point is provided. The applicant has indicated that this is agreeable and as such, both can be conditioned.
- 5.16 The case officer does sympathise with residents concern regarding parking, particularly with parking on Sixth Avenue. However, in the absence of an objection from the highway authority), there would be very little chance of sustaining and defending a refusal on highways grounds at an appeal. It should also be noted that the onus is on drivers to park in a lawful and safe manner. Any such concerns about parking would fall outside the remit of the planning system and would be a matter for the relevant authority.
- 5.17 Design and visual amenity
The proposal concerns a change of use with limited external alterations. The existing garage/office has to the front (facing East) a garage/office door and a standard type door to the side. Then on the South side elevation, 1no window and 1no Door. Then to the west (front, facing the garden of 495), 1no window.
- 5.18 The changes involve 'blocking up' the garage/office door and the 2no standard doors; inserting a new window on both the rear and side; a door and window on the front and; inserting 3no roof lights on each roof slope (6 in total). The rest of the works are internal. By all accounts, these works would not constitute development under section 55 of the TaCPA 1990. Other works include the re-location of the cycle store to facilitate the window on the front of the building. Following the above, officers would raise no objections under CS1 in terms of the design or visual amenity impacts, which are considered to be acceptable in the residential setting.
- 5.19 Crime Prevention
The police 'designing out crime' officer has advised that the location is at a higher risk of crime, in particular burglary. Therefore, the applicant is reminded that doors and windows should be to British standard PAS24:2016 with 6.8mm laminated glass. The officer also reminds the applicant that the anti-burglary gate should not be interfered with. Suitable informatives can be attached the decision notice in this regard should permission be granted.

Impact on Equalities

- 5.20 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.

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

Other Matters

5.22 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.

5.23 Works having already started would be an enforcement matter should the works require planning permission. Internal works and works that are not classed as development could proceed without consent.

5.24 Concern is noted regarding parking by builders, however this would not be something that can be addressed as part of this planning application. As addressed previously, occupants parking unsafely or unlawfully would also be a matter that would need raising with the relevant highway authority.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 It is recommended that permission is **GRANTED** subject to conditions detailed on the decision notice.

Contact Officer: Alex Hemming
Tel. No. 01454 866456

CONDITIONS

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

Reason

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

2. Prior to the first occupation of the garage/office outbuilding as part of the 10no bedroom HMO hereby approved, all off street parking on the proposed site plan (3811.PL.02 C) must be fully implemented and operable so as to ensure the provision of 4no. off street parking spaces. These spaces shall be maintained and retained thereafter for their intended purpose of providing off-street parking for vehicles associated with the lawful use of the property known as 495 Filton Avenue.

Reason

In the interests of ensuring that the approved level of parking for the HMO is provided and to comply with the requirements of PSP16 and PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017 and the provisions of the National Planning Policy Framework.

3. Prior to the 10no bedroom larger HMO hereby approved being first occupied as such, 1no. electric vehicle charging point with a minimum capacity of 7 KW / 32 amp shall be provided to one of the parking spaces as indicated on 3811.PL.02 C. It shall be retained and maintained thereafter.

Reason

In order to ensure that the development hereby approved contributes to South Gloucestershire Council's climate change obligations and to accord with policy CS4a of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and the provisions of the National Planning Policy Framework.

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

3811.PL.01 - Site location plan

3811.PL.03 - Existing outbuilding floor plans and elevations

Received 01/05/2020

3811.PL.02 (C) - Existing and proposed site plans

3811.PL.04 (C) - Proposed outbuildings floor plans and elevations

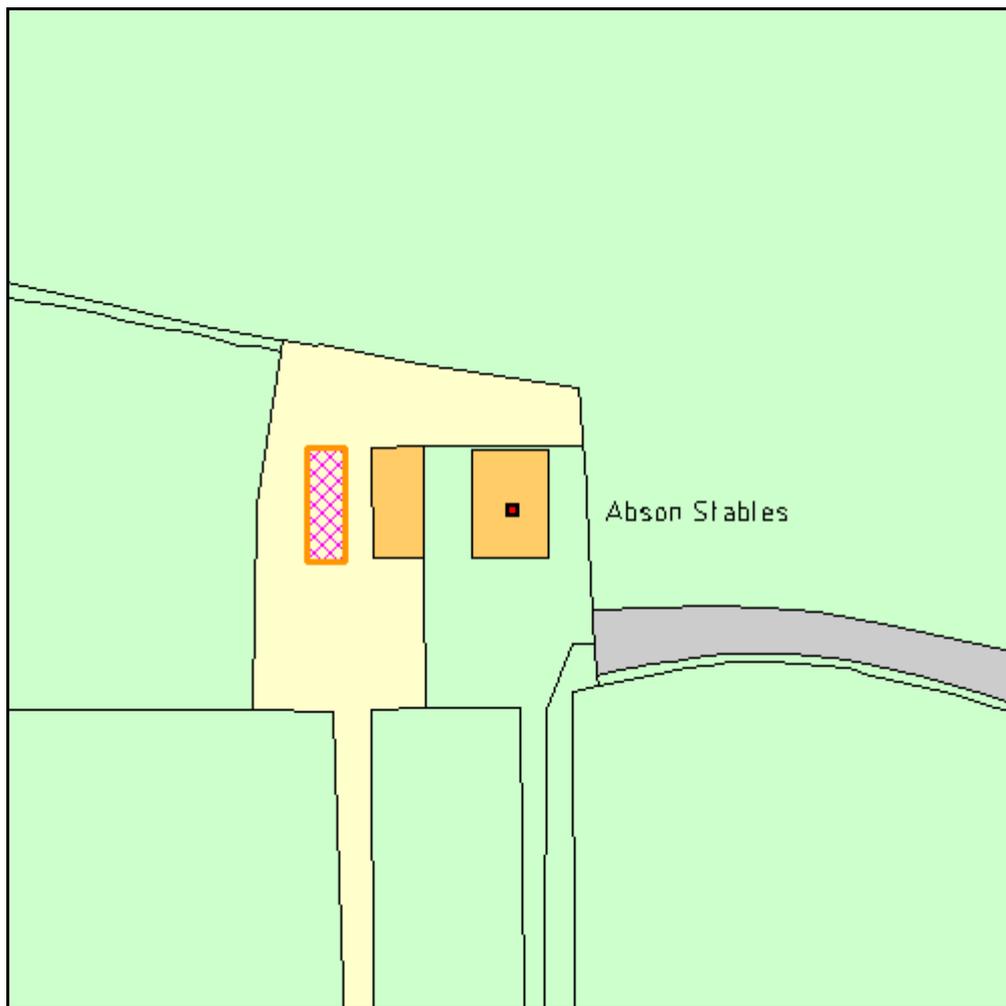
Received 18/06/2020

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 26/20 - 26th June 2020

App No.:	P20/08245/F	Applicant:	Mr And Mrs Moulder
Site:	Abson Stables Abson Road Wick South Gloucestershire BS30 5TT	Date Reg:	19th May 2020
Proposal:	Erection of 1no building to form hay barn.	Parish:	Wick And Abson Parish Council
Map Ref:	370131 175251	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	6th July 2020



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 100023410, 2008. **N.T.S.** **P20/08245/F**

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application see full planning permission for the erection of 1no. hay barn at Abson Stables, Wick.
- 1.2 The application site relates to an area of equestrian land which was granted under application ref PK03/1769/F. Previous applications, (Ref. PK11/0965/CLE and PK17/0565/F) permitted the change of use of the equestrian building to the north for residential use. The remainder of the area includes 5no. stables, a parking and turning area and an all-weather arena. The wider block of land extends to around 15 acres which is used for the production of hay and for the grazing of horses.
- 1.3 The main propose of the barn would be for the storage of hay and straw, in addition to the storage of general ancillary agricultural equipment and materials. The site sits with open countryside and the Bristol/Bath Green Belt.

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
CS9 Environmental Resources and Built Heritage
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP29 Agricultural Development
PSP30 Horse Related Development

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
South Gloucestershire Supplementary Planning Document: Green Belt
(Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/0565/F Change of use of part of remaining part of Equestrian building to residential use (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to form extension to existing dwelling.
Approved 31.3.2017
- 3.2 PK14/0811/F Change of use of part of Equestrian building to residential use (Class C3) as defined in the Town and Country Planning (Use Classes) Order 2005
Approved 16.04.14
- 3.3 PK12/2532/CLP Application for Certificate of Lawfulness for the proposed erection of a two storey rear extension.
Approved 28.09.12
- 3.4 PK11/0956/CLE Certificate of lawfulness for an existing use of stables as dwelling house
Approved 21.09.11
- 3.5 PK04/3628/F Conversion of barn to stable (retrospective) and erection of barn. Relaxation of conditions 5 and 8 attached to previously approved PK03/1769/F.
Approved 05.04.05
- 3.6 PK03/1769/F Change of use from agricultural to the keeping of horses. Erection of stable block and agricultural store and riding arena.
Approved 18.08.03
- 3.7 PK02/3242/F Change of use from agricultural to the keeping of horses. Erection of stable block and riding arena.
Refused 12.12.02

4. CONSULTATION RESPONSES

- 4.1 Wick and Abson Parish Council – Objection

“Wick and Abson request planning officer to investigate the size of the land in comparison with application. Parish Council believe that the agricultural justification for a barn of the size requested requires investigation. On previous applications for this property a business model has been annotated which provides an outline of activities at the

property. Wick and Abson also request planning to consider the acreage of the site.”

4.2 Other Consultees

Sustainable Transport – No objection.

Lead Local Flood Authority – No objection.

Landscape Officer – No objection.

Highway Structures – No comment.

Other Representations

4.3 Local Residents

No comments received.

5. **ANALYSIS OF PROPOSAL**

5.1 The application seeks to erect a hay barn which will be used for the storage of hay, straw and other ancillary items outside in the existing yard.

5.2 Principle of Development

The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved and where relevant policies are absent, silent or out-of-date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. This site is located in the open countryside and is in Green Belt.

5.3 The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

5.4 Considering that the land is already in equine use, this application needs to consider whether the provision of this facility is appropriate (in connection with the existing use), and whether it would preserve the openness of the Green Belt and does not conflict with the purposes of including land within it (Para 145, NPPF).

5.5 In this case, the designated land use is for equine. The use of the hay barn is seen to be an appropriate facility in respect to the existing use of the land for equine and it would provide a store reserve for bedding and fodder. It is also acknowledged that hay is produced on the land which would represent an agricultural use, thus the proposal could also be accepted as an exception building relating to agriculture.

- 5.6 The building would measure 18.3m by 6m, with an eaves height of 2.8m and a ridge height of 4m, with the side elevations finished in dark green profiled steel sheets with a grey fibre-cement sheet roof (with translucent panels to each bay). Whilst this is considered large, it would not be out of scale when compared to existing stable structure. The proposal would be match the adjacent stables in size and be located immediately adjacent. As such, due to its sitting, scale and design, officers are satisfied the proposal would be appropriate development in the Green Belt and would not adversely affect the openness of the Green Belt.
- 5.7 Policy PSP30 of the adopted Policies, Sites and Places Plan advises that proposals for horse related development will be permitted outside of the defined settlement boundaries and urban areas provided that the proposal would demonstrate that the character, openness and diversity of the land are preserved or enhanced, safe and convenient access to bridleway and riding routes are available, adequate provision for vehicular access, parking and manoeuvring, and no other inappropriate temporary structures or vehicles causing any harm or degradation to open countryside and rural landscape.
- 5.8 Design in the landscape/Visual Impact
It is proposed to locate the new hay barn parallel to the existing stable block which is located to the west of the main dwelling. It is considered that the proposed design as discussed in paragraph 5.7 above is appropriate given its rural/ agricultural setting.
- 5.9 With relation to the scale of the proposal, officers acknowledge the proposed barn is particularly large. Albeit, the applicant has justified the scale of the proposal as the block of land for which the proposal related extends to around 15 acres (6 hectares) which is used for the production of hay, in addition to grazing for the horses. The proposed building would have an internal volume of approx. 260 cubic metres. It has been stated by the applicant that, *based on Nix Farm Management Pocketbook data and allowing for non-productive land and for grazing by the applicants own horses, we expect the applicant to produce about 5 tonnes hay/hectare off some 5 hectares. One tonne of small bale hay = between 7 and 10 cubic metres in volume, so we expect the land to produce between 175 and 250 cubic metres of hay each year. The applicant also buys in/swaps an amount of straw for bedding.*
- 5.10 As such, the applicant has stated the barn will allow then to store hay and straw in large quantities. Otherwise, without a covered space to store this hay, it must be stored in the open, with much of it lost and spoiled before it can be used. The hay would be for the applicants own horses and would not form part of a commercial enterprise – this can be ensured via an appropriate planning condition. The barn would also be used for the storage of ancillary equipment and materials which are currently stored outside, which is untidy and unsightly. Without evidence to suggest otherwise, the justification provided is considered to be reasonable.
- 5.11 Whilst the structure is significant in length, the overall height is kept relatively low. When viewed in relation to its sitting, being closely located to the existing

stable block, the additional visual impact to the landscape would not be considered unreasonable. The comments received from the Landscape Officer support the application subject to a tree/hedgerow plan, to include a prescription for ongoing best practice of boundary hedgerows.

5.12 As such, subject to a tree/hedgerow condition, in addition for a condition for the building to be removed once the permitted use ceases to operate, (in order to protect the visual landscape and functions of the Green Belt) the proposed development complies with the policies of the South Gloucestershire Local Development Plan.

5.13 Residential Amenity

The proposed barn would stand sufficiently far away from any residential use and as such it would not impact directly on any residential uses.

5.14 Highway Safety

The proposed use of the development is unlikely to generate any additional trips to or from the site nor is it intended to alter the sites access arrangements in any way. As such, officers raise no objection in relation to highway safety.

5.15 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that planning permission is GRANTED

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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. At no time shall the hay barn and associated land be used for livery, riding school or other business purposes whatsoever.

Reason

In the interests of highway safety, and to accord with Policies PSP11 and PSP30 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

3. Should the requirement or use of the hay barn for the storage of hay, straw or ancillary equipment relating to the holding permanently cease, the building must be removed from the land, and the land must, so far as practicable, be restored to its former condition before the development took place unless otherwise approved by the local authority.

Reason

To protect the character and appearance of the area to accord with Policies CS1, CS5, CS9, PSP1 and PSP7 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.