

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: 48/21

Date to Members: 03/12/2021

Member's Deadline: 09/12/2021 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

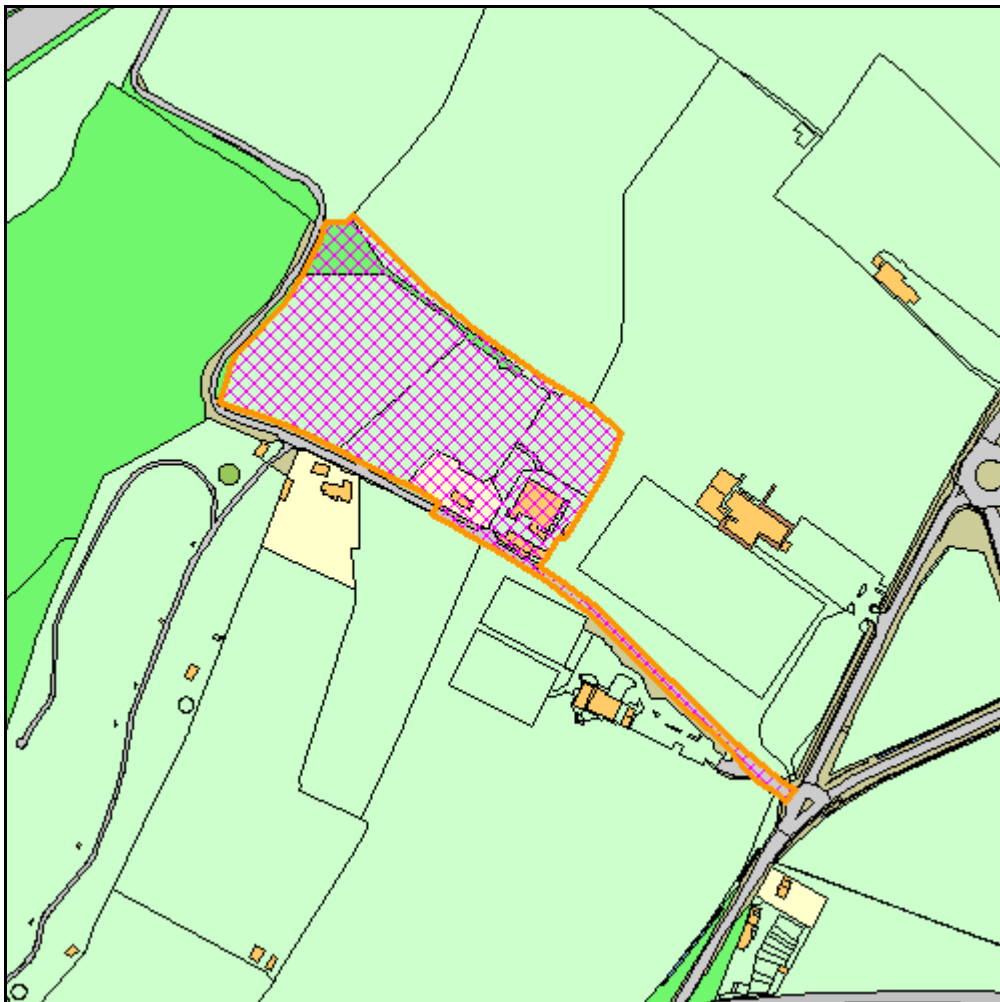
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 03 December 2021

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	PT18/6360/F	Approved Subject to Section 106	Land At Norton Farm Berwick Drive Almondsbury Bristol South Gloucestershire BS10 7TB	Charlton And Cribbs	Almondsbury Parish Council
2	P19/14883/F	Approve with Conditions	74A High Street Marshfield Chippenham South Gloucestershire SN14 8LS	Boyd Valley	Marshfield Parish Council
3	P19/14884/LB	Approve with Conditions	74A High Street Marshfield Chippenham South Gloucestershire SN14 8LS	Boyd Valley	Marshfield Parish Council
4	P20/20980/RVC	Approve with Conditions	Charlton Hayes North Field Filton South Gloucestershire	Charlton And Cribbs	Patchway Town Council
5	P21/02997/RVC	Approve with Conditions	Units 8 And 9 Britannia Road Patchway South Gloucestershire BS34 5TA	Charlton And Cribbs	Patchway Town Council
6	P21/05529/F	Approve with Conditions	Land At 190 North Road Stoke Gifford South Gloucestershire BS34 8PH	Stoke Gifford	Stoke Gifford Parish Council
7	P21/06132/F	Approve with Conditions	Little Orchard Pucklechurch Road Hinton South Gloucestershire SN14 8HG	Boyd Valley	Dyrham And Hinton Parish Council
8	P21/06386/F	Approve with Conditions	Land To The Rear Of 125 Soundwell Road Soundwell South Gloucestershire BS16 4RD	Staple Hill And Mangotsfield	
9	P21/06586/F	Approve with Conditions	4 Southsea Road Patchway South Gloucestershire BS34 5DY	Charlton And Cribbs	Patchway Town Council

CIRCULATED SCHEDULE NO. 48/21 - 3rd December 2021

App No.:	PT18/6360/F	Applicant:	Autograph Homes Ltd
Site:	Land At Norton Farm Berwick Drive Almondsbury Bristol South Gloucestershire BS10 7TB	Date Reg:	20th December 2018
Proposal:	Demolition of existing buildings and erection of 30no dwellings (including 8no. affordable homes), altered access from Berwick Drive, public open space and associated infrastructure (including foul treatment facility).	Parish:	Almondsbury Parish Council
Map Ref:	356593 180079	Ward:	Charlton And Cribbs
Application Category:	Major	Target Date:	18th March 2019



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100023410, 2008. **N.T.S.** **PT18/6360/F**

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

1. THE PROPOSAL

- 1.1 This is a full planning application for the demolition of existing buildings, erection of 30 new dwellings (including 8 affordable homes) including alterations to the vehicular access into the Site from Berwick Drive together with associated areas of public open space, highways and supporting drainage infrastructure.
- 1.2 Notably this Site also forms part of the 'Land at Cribbs Causeway' strategic allocation site (known as the 'Haw Wood' site) which forms part of the Cribbs Patchway New Neighbourhood Development ('CPNN'). Hereafter, for the purposes of this report, the residual part of the strategic allocation site (i.e. the remainder of the site, excluding the Norton Farm site subject to this application) will be referred to as 'the Strategic Site'.
- 1.3 The Strategic Site was granted outline planning permission in January 2021 (ref. PT14/0565/O) for a mixed-use development of up to 1,000 new dwellings and is currently in the process of being delivered.
- 1.4 The description of development authorised by the outline planning permission for the Strategic Site is as follows:

Mixed use development of 51.49 hectares of land comprising up to 1,000 dwellings (Use Class C3); a 36-bed Extra Care Home (Use Class C2); a mixed use local centre including a food store up to 2,000 sqm gross floor area (Use Classes A1, A2, A3, A4, A5, B1, D1, D2); a 2-form entry primary school; community facilities including a satellite GP surgery, dentist, community centre; associated public open space and sporting facilities; green infrastructure integrated with foot and cycle paths; together with supporting infrastructure and facilities including three new vehicular accesses

Holdout Land – Deed of Adherence

- 1.5 The Strategic Site is bound by the terms of the CPNN S106 Framework Agreement and its own Site Specific S106 Agreement. The Site was specifically defined in both of these S106 agreements as 'Holdout Land' because it is not within the control of the applicants for the Strategic Site, DFE TW Residential Limited ('DFE TW'). The Site was included within the outline planning application in order to meet the comprehensive development requirements of Local Plan policy for the CPNN area. As such it was always anticipated that this Site could potentially come forward under a stand-alone planning application or alternatively it could come forward as part of the extant outline planning permission.
- 1.6 As Holdout land, neither the Framework Agreement nor the Site Specific Agreement are currently binding on the Site. However, in order to meet the comprehensive development requirements, obligations were included in those agreements to ensure that Holdout Land could not benefit from access into the Strategic Site unless the Holdout Land was bound into the terms of the Framework Agreement and Site Specific Agreement by signing up to a Deed of Adherence. A Deed of Adherence has been prepared in relation to the Site which, once signed, will commit the owners of the Site. The Deed of Adherence is discussed in detail within Section 5 below.

- 1.7 The interrelationship between these proposals and the adjacent Strategic Site; the need for a comprehensive approach to development and implications for the delivery of community infrastructure are key considerations for the determination of this application, to be afforded considerable weight as a material considerations. These matters are discussed in full within the analysis section below.

Site Description

- 1.8 The Site is located off Berwick Drive, between the M5 motorway to the west and Station Road/A4018 to the east, within close proximity to the facilities of nearby Cribbs Causeway retail area.
- 1.9 The application site comprises an agricultural parcel of land, 3.04ha in size, known as 'Norton Farm'. The Site includes three undeveloped grassland fields and an area of amenity grassland surrounding a total of nine existing buildings and associated hard standing to the southern corner. There is an area of dense scrub to the east of the Site and the Site is bound on all sides by trees and hedgerows. A further line of trees and banking form a natural enclosure of the north-eastern corner of the Site.
- 1.10 The existing built development includes a residential bungalow (with associated temporary structures and garden), and vacant equestrian/storage buildings comprising of a barn and two stables on an area of hardstanding.
- 1.11 The vehicular access into the Site is located off Berwick Drive, a single-track lane in private ownership with private rights of access afforded to adjacent property ownership interests including the Site.
- 1.12 The topography of the Site rises steadily to the north-west and is bound to the north by further agricultural land which forms part of the Strategic Site; to the east by Bristol Saracens Rugby Football Club; to the south by Berwick Drive and to the west by Haw Wood.
- 1.13 Across Berwick Drive to the south east, adjacent to the junction of Berwick Drive and Station Road, is the Cribbs Sports and Social Club, associated car park and sports fields owned by the Redmaids School. Opposite the Site to the south is a large detached private residence. Further south west, running adjacent to Haw Wood is the Hallen Petroleum Storage Depot (PSD) site, a fuel storage and distribution site owned by CLH Pipeline Systems Limited.

Key Planning Designations and Constraints

- 1.14 Key planning designations related to the Site include:
- Haw Wood - Ancient Woodland, Site of Nature Conservation Interest (SNCI), to the north-west;
 - The majority of the Site lies within Health and Safety Executive (HSE) consultation zones associated with the Hallen PSD site which is categorised as a COMAH (Control of Major Accident Hazards) Upper Tier site;
 - All trees on site are covered by a site-wide Tree Preservation Order (TPO) associated with the allocation of the Haw Wood Strategic Site;
 - Berwick Drive is a Public Right of Way (OAY/71) which links Hollywood Lane to the north to Station Road to the east.
- 1.15 Key design constraints include:

- An oil pipeline easement runs west to east within the north-western portion of the Site as well as a water main that runs through the site and an easement to the south-eastern site boundary;
- A 50 yard no-development covenant exists associated with North Hill Cottage, a neighbouring property to the south-west.

1.16 The Site falls within Flood Zone 1, at the lowest risk of flooding.

1.17 The Site is not within a Conservation Area nor are there any Listed Buildings on the site or within the immediate vicinity.

Details of the Proposed Development

1.18 As detailed within the Design and Access Statement, the layout of these proposals has evolved significantly over time since the application was originally submitted in 2018. This has largely been in response to the various constraints of the Site noted above, including feedback from the Health and Safety Executive (HSE) which has restricted the amount and type of development within the Inner Consultation Zone of the neighbouring COMAH site. This is discussed within Section 5 below. It has also been in response to the need for a comprehensive approach with the adjacent Strategic Site.

1.19 The development involves the demolition of the existing buildings on the site including the residential bungalow, associated temporary structures and vacant equestrian/storage buildings.

1.20 The application proposes 30no. new dwellings comprising a mix of three-bedroom units (5no.) and four-bedroom units (17no.) together with eight affordable units:

- Social Rent:
 - o 1 bed flats (2no.)
 - o 2 bed dwellings (2no.)
 - o 3 bed dwellings (1no.)
 - o 4 bed dwellings (1no.)
- Intermediate:
 - o 2 bed dwellings (1no.)
 - o 3 bed dwellings (1no.)

1.21 The proposed dwellings are of a distinctive modern architectural style designed to be sympathetic to the local vernacular, incorporating atrium entrance screen windows, feature stone walling with decorative paving slabs on paths and patio areas and block paving to entrance and parking areas.

1.22 The development would utilise Modern Methods of Construction (MMC) to produce timber framed homes which include a range of sustainability features including fabric efficiency in construction, modern insulation, composite windows, underfloor heating, waste hot-water recovery, photovoltaic panels and air-source heat pumps. All of the properties would be fitted with 'in roof' south-facing photovoltaic solar panels with smart controls. All of the properties would have access to electric vehicle charging points.

1.23 The development is to be laid out at a net density of approximately 22 dwellings per hectare with all houses to be two storeys in height, with private gardens and dedicated parking on-plot and in garages or as frontage bays.

- 1.24 A local area of children's play (LAP) is proposed as well as community style allotments with associated parking and storage facilities.
- 1.25 The layout comprises a large area of natural and semi-natural public open space to the rear boundaries of residential gardens, demarcated by a robust fencing line. This area will comprise a mix of informal recreation space, attenuation basin, natural and semi-natural open space including an enhanced woodland planting belt.
- 1.26 The retained vegetated buffer that currently forms the northern boundary of the site, adjacent to the Haw Wood SNCI, will be increased in depth and enhanced with additional woodland planting to protect its function as an ecological corridor.
- 1.27 Two pedestrian/cycleway connections are proposed through the Site, including a connection linking Berwick Drive with the boundary of the Strategic Site enabling the new and existing residents to access the facilities on the wider Strategic Site beyond. The connection with the Strategic Site will not enable vehicles to travel between the sites to prevent the risk of rat running.
- 1.28 A north-south pedestrian footway is also proposed (leading to the children's play area) in a natural green setting that extends the length of the Site along the north-eastern boundary which provides the flexibility for further pedestrian connections with the adjacent Strategic Site in the future.
- 1.29 The existing vehicular access off Berwick Drive is to be redeveloped to ensure suitable visibility and to accommodate the new highway into the Site. A package of highway safety measures have been agreed between the applicant and the Highways Authority to improve the safety of Berwick Drive for use by pedestrians and drivers, which are detailed within Section 5 below.
- 1.30 The development plots are to be defined by a range of boundary treatments including natural stone walls and hedging surrounded with predominantly retained trees and hedgerows to form the western and southern boundaries of the Site.

S106 Legal Agreement

- 1.31 Given that this Site is defined as Holdout Land within the Site Specific Agreement for the Strategic Site, the applicant is required to sign a Deed of Adherence which will be entered into pursuant to s106 of the Town and Country Planning Act 1990 and which will contain a number of additional planning obligations specific to the development proposed by this application.

Environmental Impact Assessment

- 1.32 An Environmental Impact Assessment (EIA) Screening Request was submitted on the 16th October 2018 (ref. PT18/021/SCR) which concluded that the development proposals did not constitute EIA development and that an Environmental Statement was not required. The wider Strategic Site (which the land falls within) was subject to EIA and an Environmental Statement accompanied outline planning application (ref. PT14/0565/O).

Applicant's Submitted Information

- 1.33 The following plans/documents have been submitted with this application:
 - Planning Statement (by Pegasus Group, dated December 2018) P18-0752
 - Planning Statement Addendum (by Pegasus Group, dated May 2021) P18-0752

- Design and Access Statement (by Pegasus Group, dated November 2021) P18-0752_22D
- Affordable Housing Statement (by Pegasus Group, dated September 2021)
- Draft Heads of Terms (by Pegasus Group, dated September 2021)
- Energy and Sustainability Strategy (by JS Lewis Ltd., dated September 2021) Rev D
- Heritage Note and Statement of Significance (by Pegasus Group, dated 04.12.2018) P18-0752
- Open Space Assessment (inc. Public Open Space Plan) (by Pegasus Group, dated Oct 2021) P18- 0752
- Ecological Assessment (by Ethos Environmental Planning, dated Oct 2021)
- Biodiversity Net Gain Results (by Ethos Environmental Planning, dated Oct 2021)
- Tree Survey, Implications Assessment and Outline Protection Method Statement (prepared by Tree Maintenance Ltd., dated September 2021) Rev C

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (2021)

National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS2 Green Infrastructure

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS6 Infrastructure and Developer Contributions

CS7 Strategic Transport Infrastructure

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS15 Distribution of Housing

CS16 Housing Density

CS17 Housing Diversity

CS18 Affordable Housing

CS23 Community Infrastructure and Cultural Activity

CS24 Green Infrastructure, Sports and Recreational Standards

CS25 Communities of the North Fringe of Bristol Urban Area

CS26 Cribbs / Patchway New Neighbourhood

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

PSP2 Landscape

PSP6 On Site Renewable and Low Carbon Energy

PSP8 Residential Amenity

PSP10 Active Travel Routes

PSP11 Transport Impact Management

PSP13 Safeguarding Strategic Transport Schemes and Infrastructure

PSP19 Wider Biodiversity

PSP20 Flood Risk, Surface Water and Watercourse Management

PSP21 Environmental Pollution and Impacts

2.3 Supplementary Planning Documents

Cribbs/Patchway – New Neighbourhood Development Framework SPD (March 2014)

Trees on Development Sites SPD (April 2021)

Green Infrastructure SPD (April 2021)

Sustainable Drainage Systems (SuDS) SPD (April 2021)

Residential Parking Standards SPD (Dec 2013)

Biodiversity and the Planning process SPG

CIL and S106 SPD (March 2021)

Affordable Housing and Extra Care Housing SPD (April 2021)

3. RELEVANT PLANNING HISTORY

P21/05036/RM: Development of a local centre foodstore (Reserved matters application relating to Parcel C to be read in conjunction with Outline permission PT14/0565/O. Mixed use development of 44 hectares of land comprising: up to 1,000 new dwellings (Use Class C3); an 86-bed Extra Care Home (Use Class C2); a mixed use local centre including a food store up to 1,422sqm net internal sales area (Use Classes A1, A2, A3, A4, A5, B1, D1, D2); a 2-form entry primary school; community facilities including a satellite GP surgery, dentist and community centre; associated public open space and sporting facilities; green infrastructure integrated with foot and cycle paths; together with supporting infrastructure and facilities including three new vehicular accesses. Outline application including access, with all other matters reserved. Validated 2nd Aug 2021 - Awaiting decision

P21/04748/RM: Erection of 244 no. dwellings with appearance, landscaping, layout and scale be determined with associated works (Approval of Reserved Matters to be read in conjunction with outline permission PT14/0565/O). Validated 15th July 2021 - Awaiting decision

DOC21/00208: Discharge of condition 5 (phasing plan) and Condition 6 (design Code for the relevant geographical phase) attached to planning permission PT14/0565/O. Triangle Site Land West Of A4018 Cribbs Causeway. Validated 29th June 2021. Awaiting decision

P21/04349/RM: Erection of 258 dwellings with appearance, layout, scale and landscaping to be approved. Approval of reserved matters to be read in conjunction with outline permission PT14/0565/O. Validated 2nd July 2021. Awaiting decision

DOC21/00183: Discharge of condition 5 (phasing plan) attached to planning permission PT14/0565/O. Validated 8th June 2021. Awaiting decision

DOC21/00147: Discharge of condition 6 (Design Code) attached to permission PT14/0565/O. Validated 11th May 2021. Awaiting decision

DOC21/00143: Discharge of condition 21 (Ground Works) attached to permission PT14/0565/O. Validated 10th May 2021. Awaiting decision

DOC21/00064: Discharge of conditions 14 (trees - protective fencing), 16 (ecological and landscape management plans), 18 (veteran tree survey phasing plan), 20 (approved tree and hedgerow survey) and 24 (badgers, hedgehogs and reptiles) attached to planning permission PT14/0565/O. Validated 26th March 2021. Awaiting decision

DOC19/0124: Part discharge of conditions 5 (programme of archaeological work) and full discharge of condition 18 (fuel pipeline) attached to planning permission PT17/2562/F. Creation of new highway, drainage and associated infrastructure. Full application to facilitate development of outline application PT14/0565/O. Discharged 17th Aug 2021.

PT17/2562/F: Creation of new highway, drainage and associated infrastructure. Full application to facilitate development of outline application PT14/0565/O - Land At Cribbs Causeway Almondsbury South Gloucestershire BS10 7TB - Approve with Conditions - Mon 18 Dec 2017

PT14/0565/O: Mixed use development of 44 hectares of land comprising: up to 1,000 new dwellings (Use Class C3); an 86-bed Extra Care Home (Use Class C2); a mixed use local centre including a food store up to 1,422sqm net internal sales area (Use Classes A1, A2, A3, A4, A5, B1, D1, D2); a 2-form entry primary - Land At Cribbs Causeway Almondsbury Bristol South Gloucestershire BS10 7TE - Approved Section 106 Signed - Tue 26 Jan 2021

CONSULTATION

Response from External Consultees

Almondsbury Parish Council

3.1 *Initial comments made in January 2019:*

3.2 Objects on the following grounds:

- The Parish council are disappointed with the way the affordable housing is distributed within the development
- There is narrow access, no pavement and would not allow two cars through

3.3 *Further comments made in October 2021:*

3.4 The Council has concerns about this, as follows:

- The Public Open Spaces Officer appears to have picked up several discrepancies in the current application, which need to be resolved; there is concern about the lack of a "comprehensive plan";
- Berwick Drive is a private road, it is also very narrow with little or no footpath, therefore access and the safety of pedestrians is a concern;
- There are issues around the density of dwelling and the access to them;
- It needs to be clear what "play equipment" is to be provided, and who is going to maintain both it and the open spaces on the site;
- The Council suggests that a site visit is arranged (if not already in hand)

3.5 *Further comments made in November 2021:*

3.6 Objects for the following reasons:

- The Council reiterates the comments it made last month concerning this application. It is still concerned about the access via Berwick Drive, which is a narrow private road with little or no footpath, and the safety of road users are pedestrians in this location must be satisfactorily addressed. It is also quite a dark area which would be hazardous. Construction traffic along this road is also a concern.
- The issue of what sort of play equipment is to be provided and who should maintain it, and any open spaces on the site, also needs to be addressed.

Environment Agency

3.7 The Environment Agency has no objection in principle to the proposed development, subject to the inclusion of conditions which meet the following requirements.

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

Reason: To prevent pollution of the water environment.

Health and Safety Executive

3.9 HSE is a statutory consultee for developments in the vicinity of major hazard sites and major accident hazard pipelines. The proposed development site in planning application PT18/6360/F lies within the HSE consultation distance (CD) of a major hazard site, CLH Pipeline Systems Ltd (HSE Ref: H3591). This consultation has therefore been considered using HSE's land use planning (LUP) methodology (see <https://www.hse.gov.uk/landuseplanning/methodology.pdf>).

3.10 South Gloucestershire Council used the HSE Planning Advice Web App to consult HSE for advice on this planning application on 25 January 2019 (ref. HSL-190125132017). HSE's response was that there are sufficient reasons on safety grounds, for advising against the granting of planning permission in this case.

3.11 Since then, the applicant has sought to revise their layout to seek to address the HSE's concern with the numbers of dwellings located within the inner HSE consultation zone. This new layout proposes two houses and one garage within the inner HSE consultation zone. HSE would not advise against 1 or 2 dwelling units located within the inner consultation zone.

- 3.12 Therefore, HSE does not advise, on safety grounds, against the granting of planning permission for this planning application. Please note this advice letter supersedes the advice South Gloucestershire Council obtained using the HSE Planning Advice Web App on 25 January 2019 (ref. HSL190125132017), and the advice letter HSE provided to South Gloucestershire Council on the 28 July 2021.

Esso Pipelines Team

- 3.13 Thank you for your e-mail, however this enquiry did not fall inside the zone of interest therefore we have no further comments to make. In future if your enquiry does not fall inside the zone of interest there will be no need to send paperwork to us.

Police

- 3.14 Having viewed the information as submitted we find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

Response from SGC Consultees

The Archaeology Officer Natural & Built Environment Team

- 3.15 Although no archaeological assessment has been submitted, evaluation nearby has shown the presence of archaeology including a road/trackway. This was originally considered to be a Roman Road but that hasn't, at present, been found in the evaluation work. Nevertheless, Roman archaeology occurs to the south and other archaeology was found in the evaluation. As such, a condition needs to be applied.
- 3.16 The following wording should be used: Prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, a programme of archaeological work and subsequent mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, must be submitted to and approved by the local planning authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

Conservation Officer

- 3.17 No comment.

Contaminated Land Officer

- 3.18 I have no objections in principle, but would recommend that you consider the information-outlined below

1068 - Informative for where contamination may be present

- 3.19 The applicant is advised that previous uses of the land and/or the buildings could have caused contamination. For example, farm buildings may have been used for storing agricultural chemicals or be constructed from asbestos cement panels. On-site storage of fuels in underground or above ground tanks may also have occurred giving rise to the potential for historic leaks or spills of fuels into the ground.
- 3.20 The applicant is strongly advised to seek independent advice from a suitably qualified and experienced contaminated land professional/consultant to assess if there could be any potential risks of contamination to the new proposed use of the site. Where a site

investigation and remedial measures are recommended these should be implemented and records of the works carried out retained on file for future reference.

- 3.21 It is the Developer's responsibility to ensure a safe development to ensure that upon completion, the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.
- 3.22 The Local Authority is unable to recommend any individual consultant. It is strongly recommended a number of comparable quotes for the work are obtained.

Ecology Officer

- 3.23 No objection. The open space is clearly landscaped for wildlife habitat. This should include a minimum 15m buffer to the Ancient Woodland site. It is suggested that woodland planting is extended down to the oil pipeline easement.
- 3.24 Lesser horseshoe and Greater Horseshoe bats (species on Annex II of the Habitats Directive) are using the site. Therefore, the hedgerows and open space must be maintained as dark areas/corridors < 0 lux. A lighting strategy, showing lux contour levels, should be submitted to demonstrate that this can be achieved.
- 3.25 *Further comments (dated 10th November) following submission of Lighting Plan:*
- 3.26 The submitted lighting plan is currently not acceptable from an ecology perspective. The issue is the lighting levels of the footpath along the northern boundary. They are currently far too high and the current proposal would not provide a sensitive lighting design for bats which have been recorded using this area. I welcome the expansion of the woodland, which would bring about gains for biodiversity, this expansion would also provide an important habitat link to the northern boundary hedgerow, making even more important to have bat sensitive lighting in this area. Peter Lendvai has recommended a solution regarding the lighting in this area, ideally, I would like to keep lux levels to below 1.

Environmental Protection

- 3.27 The Environmental Protection team notes the resubmission and the amendment set out in the supplementary Design and Access Statement 2021. On the basis this meets the HSE - Health and Safety Executive's Planning Advice Team's stipulated requirement, then no formal and sustainable objection can be made.
- 3.28 The following standard Informative for the Construction Phase applies with particular emphasis to ensure Best Practice and Due Diligence by all contractors to identify and implement safeguard measures as appropriate under comprehensive a Construction Environmental and Management Plan - CEMP, and a Construction Transportation Plan - CTP.

Highways

- 3.29 Further to my previous comments and the revised details submitted as a result I have the following comments to make:
- 3.30 This proposal for 30 dwellings is on a site that was considered as part of the 'Haw Wood' development, with the main difference being that it is now being brought forward independently of the Haw Wood development, with vehicular access to be gained via the existing access point onto Berwick Drive which is privately owned and not Public Highway. As a consequence there are limited options to improve this access route to the proposed development by virtue of land ownership. Berwick Drive is no through route that is relatively narrow in nature, serving a number of dwellings and also an outdoor activities centre at the

top of the Lane. It is characterised in the approach to the site entrance as of varying width bounded by high hedges either side.

- 3.31 Berwick Drive is identified as a safe route to school as part of the wider Haw Wood development, the consideration therefore is, to what extent will this development, with its altered access arrangements, have an impact on Berwick Drive.
- 3.32 Although Berwick Drive is identified as a safe route to school as part of the Haw Wood development no consideration was given to improving the environment of users of the Drive because of the private ownership of the lane. As part of this development although the lane is still private the applicant has rights of access over it which includes maintenance of the surface. Under the extant Outline arrangement inter-visibility down the Drive is not achievable due to the geometry of the lane. This proposal, in providing an access further down the lane overcomes this issue, whilst at the same time 'segregating' vehicles from pedestrians by virtue of road markings and a virtual footway along the lane. The applicant is also formalising and enhancing an existing informal passing bay to improve the safety of all users of the Drive. Although street lighting cannot be installed along the lane, lighting is to be provided at the pedestrian access point onto the Drive and also at the end of the lane at its junction with Station Road.
- 3.33 The consequence of the improvements to inter-visibility between passing points on the lane, the construction of the 'virtual' footway segregating pedestrians and vehicles together with illumination at the pedestrian access points along this lane materially improves the safety of vulnerable users over the extant situation. This is however balanced against the increased use of the lane by the 30 dwellings that would be proposed to be accessed from it. In terms of traffic generation from these dwellings analysis indicates that approx. 12 vehicle movements would occur in the morning peak hour (8am – 9am) when the route to school is likely to be its busiest. The applicant has submitted a letter from their solicitors that confirms that the proposed improvements can be achieved. These improvements are therefore proposed to be secured via a Grampian Style condition such that the agreed improvements (see plan details P18-0752-TR03) have to be implemented prior to first occupation, and thereafter maintained and available in accordance with the agreed scheme for all members of the public.
- 3.34 As a result, subject to the above-mentioned condition, although the proposals will increase vehicle movements along Berwick Drive it is considered that the benefits that the scheme (which has been Road Safety Audited) outweigh the traffic impact by virtue of improving safety along the lane for all users, as such no objection is made to this proposal on the basis of impact along Berwick Lane.
- 3.35 The layout has also been improved in relation to the potential linkages to the neighbouring Haw Wood development in that although the proposal will remain as private and not public highway this will go up to the boundary to enable it to be linked with the adjacent development (which although in outline, reserved matters have yet to be submitted) thus improving permeability and sustainability of this development.
- 3.36 Prior commencement of the development hereby approved; a Travel Plan shall be submitted to the Local Planning Authority for approval. The agreed scheme shall be implemented as approved; or otherwise as agreed in the Travel Plan.
- 3.37 An electric vehicle charging point will be required for each property, with each charging point capable of 32amp/7kw supply.
- 3.38 The applicant will be required to submit a CEMP for approval and implementation prior to commencement of work on site, in the interests of highway safety. The approved CEMP shall

be adhered to throughout the construction period for the development. The development shall be implemented in accordance with the approved CEMP.

Highways Structures

- 3.39 The application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner. Any proposed structures subject to this proposal will require technical approval.

Housing Enabling

- 3.40 The application site relates to a parcel of land within a strategic allocated site for residential development known as Cribbs Patchway New Neighbourhood. Outline planning consent (PT14/0565/O) has been granted for up to 1,000 dwellings with a reduced Affordable Housing contribution i.e 25.5% (due to proven viability) with a signed Framework Agreement (FA) and a Sites Specific Agreement (SSA) signed 25th January 2021.
- 3.41 Although this current full planning application falls within the red line of the outline planning permission the application site isn't bound by the FA and SSA. It is shown coloured red on plan 6 of the SSA and referred to as "The Holdout Land"
- 3.42 When this planning application was first submitted it was as a standalone planning application subject to 35% affordable housing i.e 11 affordable homes. However, the applicant submitted a Vacant Building Credit claim reducing the affordable housing provision to 8 homes. Housing Enabling did not support the VBC claim and sought a full policy compliant scheme of 35% i.e 11.
- 3.43 The applicant has subsequently withdrawn the VBC claim and now proposes that this application and "Holdout Land" be determined in accordance with the Affordable Housing obligations of the FA and SSA subject to the signing of a Deed of Adherence which is currently being drafted by the Council's appointed legal officer. Due to proven viability a reduced affordable housing contribution of 25.5% is required i.e. 8 affordable homes.
- 3.44 The following Housing Enabling comments are based on the Affordable Housing Obligations within the FA and SSA and the following revised drawings on the public website dated 22.10.2021:
- Tenure Plan
 - Housepack Dwgs.

Quantum

- 3.45 25.5% of 30 dwellings generates a requirement of 8 Affordable Homes without public subsidy which is being proposed.
- 3.46 To be provided on-site and distributed throughout the development in clusters of not more than 12 (twelve) Affordable Housing Units are grouped together in any one (1) Cluster. The latest revised layout plan complies with the clustering requirement.

Tenure and Type

- 73% Social Rent
 - 5% Affordable Rent
 - 22% Shared Ownership
- 3.47 As 8 affordable homes will only generate 0.4 Affordable Rent homes; Housing Enabling require the following:
- 73% Social Rent equates to 6 Social rent homes

- 27% Shared Ownership equates to 2 Shared Ownership homes.

- 3.48 The proposed affordable house types are largely in line with the below house type breakdown for each tenure type except for the 1-bedroom flat (Shared Ownership) which will be provided as 1 x 3 bed house and is deemed acceptable.
- 3.49 Housing Enabling would like to take this opportunity to flag up that generally RP's prefer Shared Ownership homes to be positioned next to one another. In this instance bot units are on separate parts of the site.
- 3.50 All eight affordable homes comply with the minimum size requirements as set out in the below tables:

Social Rent

Percentage	Type	Min Size m ² or ft ² GIA
24%	1 bed flats	50/538
7%	2 bed flats	70/753
41%	2 bed houses	79/850
18%	3 bed houses	93/1001
10%	4 bed houses	106/1141

Shared Ownership

Percentage	Type	Min Size m ² or ft ² GIA
20%	1 bed flats	50/538
30%	2 bed flats	70/753
31%	2 bed houses	79/850
19%	3 bed houses	93/1001
0%	4 bed houses	106/1141

Design - Development Standard

- 3.51 Affordable Homes to be built to meet the standards set out in the definition of Development Standards of the SSA. Housing Enabling request written confirmation that those standards will be complied with e.g., Lifetimes Homes, Secured by Design Part 2 and Code Level 3.
- 3.52 *Follow up note:* Written confirmation has now been provided. A condition has been placed to secure compliance with Part M4(2) of the building regulations which has replaced Lifetimes Homes.

Wheelchair Provision

- 3.53 5% of Affordable Homes shall be Wheelchair Units. In this instance as 5% generates a requirement for 0.4 unit there won't be a requirement.

Summary of comments and recommendation

- 3.54 Affordable Housing is sought in line with the Affordable Housing obligations secured as part of the Sites Specific Agreement i.e. 25.5% affordable housing.
- 3.55 All other Affordable Housing Obligations of Schedule 3 of the SSA i.e Quantum, distribution, tenure and type, Delivery, Affordability, Shared Ownership Units, Social Rented Units, Occupation, Management Standards, Charges, Transfer and Application of Staircasing Receipts shall be complied with, except for:
- **Restriction of Use:** This wording will be amended to reflect current updated wording.
 - **Submission of Affordable Housing Scheme for approval:** Based on legal advice this obligation is not relevant as a full planning application with all affordable housing details i.e quantum, tenure, housetypes etc has been submitted for approval.
- 3.56 **Recommendation:** No objection subject to the above.

Landscape Officer

- 3.57 *Comments (dated 7th October 2021):* The post and rail fence the Urban Design Officer has suggested to enclose the allotment area would benefit from planting a low hedge outside the fence, as added security and to provide a green edge to the road.
- 3.58 The rear gardens to Plots 21 and 22 should be reduced in line with the western boundary of the oil pipeline easement (so within the garden) and the woodland planting extended to cover the whole area to the west, down to the pipeline easement. This would enclose the site, reduce the amount of boundary hedgerow needed and provide an improved buffer to the ancient woodland to benefit the wider landscape and biodiversity of the site.
- 3.59 *Final comments following amendments (dated 8th November 2021):* A hedge has now been added; all now acceptable.
- 3.60 *Comments (dated 7th October):* All plans need to be coordinated; at the moment there are too many discrepancies between plans, with tree retention plan not matching the landscape proposals plans and site layout, conflicts of services with retained and proposed vegetation. The conflict between the 3 proposed new trees over the new sewer run (rear of plot 21 and smaller tree in front of plot 15 over attenuation tank) needs amending. The trees shouldn't be lost to the scheme, but rather moved to a more suitable location; one of the Pyrus c. could be moved to the other side of the road where there is space for a larger tree within the grass area, currently shown as an Amelanchier (smaller tree) and the other Pyrus c. moved to within the rear garden of plot 21, away from the sewer? The smaller tree in the front garden of plot 15 and the one replaced by the Pyrus should be relocated to a suitable location elsewhere on the site. Lighting and services layouts should be shown on the planting plans, to demonstrate there are no conflicts.
- 3.61 *Final comments following amendments (dated 8th November):* The lighting layout would appear to have taken note of proposed tree positions and the drainage is now indicated on the planting plans. I note that the exact location and extent of root barriers is to be supplied by condition.

- 3.62 The dividing rear garden fencing is now proposed with trellis, as per my previous comments.
- 3.63 Overall, the improvements requested have been incorporated and the proposals are considered acceptable, with regard to landscape.

Lead Local Flood Authority

- 3.64 The Flood and Water Management Team (Engineering Group - Street Care) has no objection in principle to this application subject to the following advice and informatives.
- 3.65 **SUDS:** No development shall commence until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.

Full planning application – A detailed development layout showing surface water and SUDS proposals is required as part of this submission. No public surface water sewer is available.

- 3.66 **Ordinary Watercourse Consent (OWC):** The application involves works, and/or structures to, in or affecting an ordinary watercourse/ditch. These works, which include but may not be limited to, 2 x surface water outfalls with formal headwalls, a culverted access crossing, and remedial maintenance and re-profiling of the existing ditch within Berwick Drive, may require formal consent from South Gloucestershire Council. Application forms and guidance can be obtained by emailing LeadLocalFloodAuthority@southglos.gov.uk
- 3.67 **Supplementary. Note:** An ordinary watercourse is any passage through which water flows which is not part of a main river. This includes rivers, streams, ditches, drains, cuts, culverts, dykes, sluices and sewers (other than public sewers). South Gloucestershire Council is responsible for consenting works that affect the flow of an ordinary watercourse.
- 3.68 It is acknowledged that the OWC process is separate from the planning process, however the two elements are reliant on each other in the wider proposed context.
- 3.69 For the avoidance of doubt, we would expect to see the following details when discharging the above conditions:
- The maximum overall discharge rate will be **Qbar 3.0l/s** based on **0.692ha** (impermeable area).
 - Confirmation and acceptance of an agreed connection point and/or discharge route for foul water disposal from Wessex Water.
 - Confirmation or the 'in principle' acceptance of 'ordinary watercourse consent' from the LLFA.
 - A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds and flow control devices where applicable.
 - 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) in line with the current industry accepted allowance 40% up to and including the 10080 minute scenarios.
(Preferably in the MicroDrainage format to include the MDx file for auditing).
 - 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) in line with the current industry accepted allowance.

- A plan showing the cross sections and design of the attenuation pond and its components (to include an all-around access track which should be a minimum 3 – 5 Metres for the allowance of relevant suitable equipment to conduct maintenance activities).
- There is to be no planting of trees over, or within close proximity (3 metres) of any existing or proposed drainage infrastructure, which may include but not limited to, pipework, gullies and attenuation features such as ponds, basins and tanks (3 metre offset from top of bank including access track).
- 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.
- 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 for the lifetime of the development.

If privately maintained, the document should also consider any future sale scenarios and how tentative purchasers will also be made aware of their jointly vested highway and drainage assets.

Informatives

- 3.70 Environment Agency Risk of Surface Water Flooding map show ground profiles in this development area as being subject to overland flow or flood routing in the event of high intensity rainfall (i.e. non-watercourse and non-sewer surcharging). The development area is shown as category 1 in 1000yr surface water flooding. In line with Flood Risk Standing Advice the developer must consider whether he has appropriately considered surface water drainage and flood risks to and from the development site which could occur as a result of the development. NOTE: *This is separate from the watercourse Flood Zone maps and does not require submission of a Flood Risk Assessment.*

Public Open Spaces Officer

- 3.71 The following table shows the how the open space policy CS24 requirements are being fulfilled by way of on-site provision and off-site contribution:

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount proposed on site (sq.m.) <i>According to POS Plan P18-0752_14 rev G</i>	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space (IROS)	800.4	13,515	0	N/A	N/A
Natural and Semi-natural Open Space	1,044				

(NSN)					
Outdoor Sports Facilities (OSF)	1,113.6	0	1,113.6	£62,974.30	£19,060.15
Provision for Children and Young People (PCYP)	174	238.2	0	N/A	N/A
Allotments	139.2	164	0	N/A	

Off-site POS contribution

- 3.72 An index-linked off-site financial contribution is to be provided towards the provision and/or enhancement, and maintenance of Outdoor Sports Facilities. This will be set out in a S106 Deed of Adherence.

On-site POS

- 3.73 The table above shows that an adequate level of POS provision would be provided for the other categories of POS. Although the attenuation pond is shown as IROS on the POS plan and surface water infrastructure does not count towards policy requirements, as there is adequate IROS I have no problem with the plan being shaded as IROS in this instance. In addition to the policy CS24 open space categories set out in the table above and shown on the POS Plan P18-0752_14 rev G, some ancillary open space of limited use for the public, is being provided. All the areas of open space are shown in green on the Adoptable Areas Plan, P18-0752_10 rev E. All the on-site open spaces will be managed and maintained via a management entity, the provisions for which will be set out in a S106 Deed of Adherence.

LAP

- 3.74 The LAP has been moved slightly south-east to ensure acceptable access gradients can be achieved. The applicant states their *“engineering team have advised that the play area itself will necessitate some very minor retaining work at its boundary, that would not impact the access gate locations, in the scale of circa 300mm. This would be detailed at construction design stage with detailed cut and fill analysis completed”*. The applicant is content for this to be conditioned. This is acceptable and could be discharged at the same time as the detail of the play area equipment. The applicant still wishes to have an option to change the play area equipment, the wording on the plan reading, *“Following the agreement of play equipment and the general arrangement the selected manufacturer’s details will be submitted to the local council for approval along with the finalised proposals and accompanying certificates and detail”*. This should therefore be conditioned.
- 3.75 The latest play area proposal shows a common walnut tree (*Juglans regia*) and a wild cherry (*Prunus avium*), outside but close to the play area. Both can grow canopies in excess of 8m wide. There should be a minimum distance of 2 metres between tree branches and any part of the equipment. Forced movement and encroachment in the fall space isn’t just about collision; it could be a child reaching out to grab a branch or twig whilst moving. There is also the issue of climbing. A low tree branch above a piece of play equipment can tempt a child to try and climb high enough on the equipment to reach out for it or to even try to jump sideways to reach a branch. I would recommend the applicant considers this carefully in conjunction with the play manufacturer and the landscape architect; this detail may be dealt with by way of condition.

Attenuation basin/access around

- 3.76 Given our concerns about access around the attenuation basin, some rear gardens have been shortened and an additional section, KK, has been provided, on revised Centreline Sections sheet 4, P18-0752_009 rev D. This shows the arrangement through the attenuation feature to the access road to the east. The applicant has achieved c.4m access width at the narrowest point between the native hedge and the 1:3 slope into the attenuation basin.
- 3.77 It is however still tight and the Management and Maintenance Scheme, which will be required by the S106 Deed of Adherence, will need to be explicit as to the maintenance and associated safety e.g. one cannot drive along the very edge of a 1:3 slope. The native hedge (field maple, hazel, hawthorn, holly and dog rose) will need to be kept clipped very tight to the 0.8m width shown on the plan along the length of the pinch point as this type of hedge would normally be maintained at a width of at least 2m and preferably 3m.

Allotments

- 3.78 Revised allotment details are acceptable.

Public Art

- 3.79 If the application is approved, the Council should apply a planning condition for a public art programme that is relevant and specific to the development and its locality. The programme should be integrated into the site and its construction plan. This application makes no reference to public art in its Design and Access statement nor has a specific document relating to public art. Therefore, the condition should require full details and designs to be agreed prior to commencement on site. The public art programme should be devised and managed by a public art professional to ensure a high-quality scheme. It should take account of the recommendations of the Cribbs Patchway New Neighbourhood public art strategy and Green Corridors Masterplan.

Public Rights of Way

- 3.80 No objection however the Public Right of Way (OAY 94 - pink dashed lines on pp2) runs around the southern and western boundary of the application site and the entrance to the development looks to open onto the right of way.
- 3.81 The application would therefore be subject to the following limitations with particular emphasis on keeping the path clear, safe and accessible for pedestrians during works at all times.

Limitations

- 3.82 The developer must also be aware of the following limitations regarding public rights of way and development:-
- 1) No change to the surface of the right of way can be approved without consultation with the Council. The developer should be aware of his/her obligations not to interfere with the public right of way either whilst development is in progress or once it has been completed; such interference may well constitute a criminal offence. In particular, the developer must ensure that:
 - a) There is no diminution in the width of the right of way available for use by members of the public.
 - b) No building materials are stored on the right of way.

c) No damage or substantial alteration, either temporary or permanent, is caused to the surface of the right of way. This includes no new gradients to be introduced and no steps are to be provided without prior discussion and approval of PROW Officers.

d) Vehicle movements are arranged so as not to unreasonably interfere with the public's use of the way.

e) No additional barriers (e.g. gates) are placed across the right of way, of either a temporary or permanent nature.

f) No wildlife fencing or other ecological protection features associated with wildlife mitigation measures are placed across the right of way or allowed to interfere with the right of way.

g) The safety of members of the public using the right of way is ensured at all times.

2) Any variation to the above will require the prior consent of the Public Rights of Way department. If the development will permanently affect the right of way, then the developer must apply for a diversion of the route under the TCPA 1990 as part of the planning application. No development should take place over the route of the path prior to the confirmation of a TCPA path diversion order. The route of a PROW is not stopped up until the coming into operation of a public path order. A Public path order may not be confirmed if a development is substantially complete.

3) If the development will temporarily affect the right of way then the developer must apply for a temporary closure of the route (preferably providing a suitable alternative route). South Gloucestershire Council will take such action as may be necessary, including direct enforcement action and prosecution, to ensure that members of the public are not inconvenienced in their use of the way both during and after development work has taken place.

4) Please note however that the Definitive Map is a minimum record of public rights of way and does not preclude the possibility that public rights of way exist which have not been recorded, and of which we are not aware. There is also a possibility that higher rights than those recorded may exist over routes shown as public footpaths and bridleways.

Sustainability

3.83 The proposal to install air source heat pumps in all units and PV is noted and supported. Further to previous correspondence on this application I suggest the following conditions:

3.84 **Development to be built in accordance with the 'Energy Strategy Revision D' (September 2021, JS Lewis Ltd)**

Prior to occupation the development shall incorporate energy saving and fabric efficiency measures, and low carbon / renewable energy technology (including Air Source Heat Pumps and Solar PV), into the design and construction of the development in full accordance with the final energy strategy provided with the application ('Energy Strategy Revision D' (September 2021, JS Lewis Ltd).

A reduction of at least 20% in residual CO2 emissions through low carbon / renewable energy technologies shall be achieved.

Reason: To ensure the development incorporates measures to minimise energy consumption and reduce carbon emissions to mitigate and adapt to climate change in accordance with South Gloucestershire Council policies [CS1 and PSP6].

3.85 **Building fabric performance over and above Building Regulations**

Evidence of energy performance data post-construction shall be provided to the local authority, prior to occupation, in order to demonstrate that the fabric specifications set out in

the Energy Strategy submitted with the application are achieved in practice. A copy of the 'as built' Energy Performance Certificate (EPC) shall be provided for each dwelling.

Reason: To ensure the development 'as built' achieves the energy performance set out in the energy information submitted and complies with the requirements of South Gloucestershire Council policies [CS1 and PSP6].

3.86 Renewable energy – air source heat pumps

Prior to occupation, details of the Air Source Heat Pump installed in each dwelling (including make/technical specification, and rated output) shall be submitted to the Local Planning Authority and approved in writing.

The low carbon / renewable energy technology shall be installed prior to occupation of the dwellings and thereafter retained.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and meeting targets to reduce carbon dioxide emissions, and complies with the requirements of South Gloucestershire Council policy [PSP6].

3.87 Solar PV – final specification

Prior to implementation, final 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 in writing to the local planning authority or as an amendment to the final Energy and Sustainability Strategy.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

3.88 Solar PV – evidence of installed capacity

Prior to occupation the following information shall be provided:

- Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.
- A calculation showing that the projected annual yield of the installed system is sufficient, in combination with the installed air source heat pumps, to reduce residual CO2 emissions by at least 20%.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

3.89 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.

Tree Officer

3.90 Following updates to the Arboricultural report and site layout I can confirm that there are no objections to the proposal. Although there are some tree losses proposed it appears that there is significant proposed planting which will mitigate for the loss of the existing trees.

3.91 The proposed tree protection plan and arboricultural method statement are satisfactory for the protection of the existing trees and allowance has been made for the installation of drainage on the site. Therefore, please condition the proposal in accordance with the submitted Tree Maintenance Arboricultural report dated September 2021 and add this document to the list of approved documents.

Urban Design Officer

3.92 *Urban Design comments on revised plans (21st & 24th Sept 2021):*

3.93 Further to my previous comments (set out below) I understand that discussions with the HSE have resulted in an exclusion zone as demarcated by the arced orange dashed line along the rear elevations of plots 25-30. I also understand that the resultant open space to the rear of these plots (and 23 & 24) is to be designed such that it discourages large congregations of people. As stated in the previous comments it is not best practice to back properties onto areas of public open space as the lack of direct overlooking (surveillance) can consequently leave such spaces feeling unsafe and therefore attract anti-social behaviour. This in turn can leave rear boundaries exposed to criminal activity. Hence, in order that this scheme can be made acceptable, the design of that space, rear boundaries and in particular plot 24 (that potentially provides some surveillance over the space) is critical. To this effect I would request that:

1. More of the open space is clearly landscaped for wildlife habitat. It is suggested that woodland planting is extended down to the oil pipeline easement.
2. The mown path that spurs to the rear of plots 28 & 29 is deleted, as this seems to invite persons onto the site that do not live there, and if there is a break in the hedge here it is gapped up.
3. Rear and side boundaries to plots 22-30 are replaced with wall. The hedge treatment along these boundaries is also reviewed and thickened to create an impenetrable barrier (hawthorn and other similar species etc).
4. Plot 24 should be reviewed so as to maximise windows from habitable rooms on its southern and eastern elevations. The garage will need to be relocated to the other side of the plot, effectively handing it. Dormers should be used as opposed to velux. The plot's southern side boundary treatment should be carefully considered (a low stone wall) so as not to obscure overlooking from the groundfloor windows of the adjacent POS etc.

3.94 Other:

5. The 1.8m stone wall should be extended to the rear of plots 4/5 at the entrance to the scheme where it is likely that existing hedge will be lost.
6. Hedging/shrubs etc would be better extended around the front edge of the front gardens to plots 1, 6 & 13 so creating a clear demarcation between private and public space on these corners.
7. The southern elevation of plot 30 would benefit from the addition of some stonework just to enliven the elevation here at this key point. Similarly the western elevation of plots 9 & 21 would benefit from an additional window or two.
8. Timber post and rail gates or similar barrier should be provided at either end of the easement to the side of plots 6 & 13 and to the side of plot 14 to discourage access to these landscape belts.
9. A timber post and rail would be sufficient around the allotments, given they are quite discreet and well overlooked.

3.95 Further to the above amendments I would have no further objection.

3.96 *Final comments following amendments (dated 2nd November):*

3.97 I note amendments have been made broadly in accordance with previous comments. I have no objection to agreement of a 'robust fence' by condition along the rear of properties 22-30 and side of properties 22, 24, 25 (for consistency) & 30. This should be specified. I would also request that the fence is stained dark brown or similar as long sections of timber fence can look very unsightly. Please add into the condition.

3.98 Otherwise I have no further objection.

Waste Officer

3.99 Waste issues have been considered. Could tracking of the site using an RCV also be carried out to ensure the vehicle can gain access unimpeded.

Other Representations

Redmaids School

3.100 A letter was received by representatives of Redmaids School (dated 11th June 2019, with follow up letter dated 20th October 2021) raising concerns over the accuracy of the site location plan (red line plan) and ownership certificates as follows:

- The submitted red line plan includes land owned by my client, Redmaids' High School (land at the entrance to The Lawns near the junction of Berwick Drive and the B4055); you will note that the submitted red line deviates at the point of access into The Lawns and at that point includes land owned by Redmaids' High School. Notice has not been served on my client and as such the submitted information appears to be incorrect.
- It seems that this matter could be rectified by amending the red line to omit any land owned by my client. My client does not object to the principle of the proposed development but does request that the details of the application are updated to reflect the true position. I would be grateful for a response to this matter before the application is determined.

3.101 Officers investigated this matter earlier this year and informed the applicant that to rectify this situation, the appropriate notice certificate should be served. This notice certificate was sent to Redmaids High School with covering letter on 14th May 2021. Officers have had sight of this letter and consider this to be sufficient evidence that the correct procedure has been followed. Redmaids High School have been consulted on the proposals and no objections have been received.

Local Community

3.102 A total of 2 objection letters have been received by local residents, relating to North Hill Cottage. Please note that these comments were made on an earlier iteration of the plans. No public objections have been received on the final proposed layout.

3.103 Comments as follows:

- The site of this application is subject to restrictive covenants in favour of North Hill Cottage which we would seek to uphold.

- Berwick Drive is a private road, of single width, which already carries excessive, heavy traffic, ranging from cars to farm traffic. The road is subject to flooding as there is no drainage. Neighbouring sporting facilities causes parking congestion. There is a public footpath which is hazardous for the users due to the uncontrolled speed of the existing traffic usage.
- The surrounding countryside has much wildlife. The area has been subject to a number of assessments and reports on the ecology, including deer, badgers, bats and various amphibians.
- With regard to the revised application and further to our previous comments, and to reiterate the previously advised restrictive covenants on the proposed development site, in favour of North Hill Cottage, which we would seek to uphold; the public footpath; the extensive wildlife; the volume of traffic already using the drive from the existing properties and businesses located therein.
- Berwick Drive is a private access in its entire length. At no point is there an adopted highway section, as stated by Pegasus Group. Pegasus Group have failed to investigate the ownership of Berwick Drive, which is paramount to their application. It is common knowledge that Berwick Drive and Haw Wood are in ownership of YTL Group and I am surprised that Pegasus Group were unable to source this information.
- YTL have not been kept aware of this application, as far as I know. Pegasus Group has provided inaccurate information regarding the properties served by Berwick Drive and have failed to include Berwick Lodge Farm and its associated businesses and the CLH oil storage depots. There are no sewerage treatment plants on Berwick Drive!
- Historically, Berwick Drive is a single vehicle width access track, bordered on either side by grass verges and drainage ditch. Over the decades, with extended vehicular usage, unofficial passing points have developed by the encroachment of vehicles attempting to pass by each other and damaging the verges and hedgerows.
- It would appear that it is assumed there is access granted over the privately owned entrance to the Sports Ground (The Lawns), now in ownership by Redmaids High School. There is no such public access and, again, this revised application should be brought to the attention of Redmaids High School for their interest in this application, as requested by their agent (Jones Lang LaSalle).

3.104 In response to the above comments, Officers have been informed that the restrictive covenants around North Hill Cottage have been factored into the proposed layout of the site as set out within the Design and Access Statement. A no-development zone in excess of 50m from the cottage has been retained.

3.105 It is the opinion of highway officers that the package of highways mitigations now proposed for Berwick Drive should provide an overall betterment in terms of highway safety (as discussed in Section 5 below).

3.106 As owners of Berwick Drive; YTL were served notice of the application when it was originally submitted and as such were made aware and given opportunity to comment on the application in accordance with proper procedure.

3.107 The proposals do not materially impact upon the access to the Sports Ground and as noted above, Redmaids School have been served notice and no objections to the proposal have been received to date.

4. ANALYSIS OF PROPOSAL

Principle of Development

4.1 In establishing the principle of development, the starting point in primary legislation is Section 38(6) of the 2004 Act which requires applications to be determined in accordance with the

development plan, unless material considerations indicate otherwise. This is reinforced in paragraph 47 of the revised National Planning Policy Framework 2021 (NPPF). Therefore, this application has first to be considered in the context of the adopted development plan.

The Development Plan

- 4.2 The development plan includes the South Gloucestershire Local Plan Core Strategy 2006-2027 (CS) adopted in December 2013, the Policies, Sites and Places Development Plan Document (PSP) adopted in November 2017 and the Joint Waste Core Strategy. A Phase 1 Issues and Approaches consultation report for the new South Gloucestershire Local Plan 2020 was published in November 2020-March 2021.
- 4.3 The Site's location falls within the area defined in the Core Strategy as the North Fringe of the Bristol Urban Area. The priorities for this area are set out under Policy CS25. The Site falls within land that is allocated for mixed-use new residential neighbourhood development as part of the Cribbs/Patchway New Neighbourhood (CPNN) under Policy CS26 of the South Gloucestershire Local Plan Core Strategy (adopted 2013). Supplementary to Policy CS26, the provisions of the CPNN Development Framework SPD apply to the Site (adopted 2014).
- 4.4 In accordance with the allocation under Policy CS26, an outline planning application has already been approved for the wider Strategic Site which approved residential uses on this part of the Site. Residential use on this land is also shown within the CPNN SPD Framework Diagram. As such the principle of residential development on this Site has already been thoroughly assessed and considered acceptable in broad terms. As such this assessment focusses more upon detailed layout considerations, highways matters and the implications for a comprehensive delivery approach.

CPNN – Comprehensive Development

- 4.5 The development of a new neighbourhood at Cribbs Patchway has been a long-held aspiration of the Council, first formally articulated in Policy CS26 of the Core Strategy. This objective was further developed through the adoption of the CPNN SPD ("the SPD").
- 4.6 The SPD identified that where delivery of infrastructure to support the CPNN is dependent on collaboration from other individuals or organisations, applicants will be required to provide formal evidence that this can and will be achieved. In particular, the SPD states that:
- "To this end, South Gloucestershire Council are facilitating a collaboration agreement (or equivalent) as the most effective mechanism for securing coordinated delivery of sustainable development and infrastructure across the area. This agreement should...*
- *Agree a phased and collaborative approach to development and infrastructure delivery, bringing forward individual sites in a sustainable way;*
 - *Address issues where delivery of development or infrastructure is reliant on more than one landowner, and where failure in provision could prejudice or fail to positively facilitate, surrounding development or delivery of infrastructure, and identify solutions to positively facilitate surrounding development;*
 - *Seek optimum and efficient delivery of development and infrastructure to the benefit of the wider area; and*

- *Seek opportunities to equalise costs and benefits between landowners to the benefit of the nature and timing of delivery development as a whole.*
- 4.7 Notably the SPD sets out that “*Applications that do not demonstrate a commitment to comprehensive development as set out above will be refused planning permission*” (p6)
- 4.8 On the 20th of February 2018 a S106 framework agreement was completed between (1) the Council (2) YTL Property Holdings (UK) Limited (3) BAE and (4) DFE TW Residential Limited (known as “the Framework Agreement”). The Framework Agreement was initially confined to two of the three main sites within the CPNN: Filton Airfield and Haw Wood. The third main site within the CPNN is Fishpool Hill which was subsequently brought into the Framework Agreement through the completion of an Extra Site Agreement on 16 July 2020 between (1) the Council (2) Persimmon Homes Limited and (3) Ideal Homes Limited.
- 4.9 The Framework Agreement (and the Extra Site Agreement) comprise a number of key obligations on the main landowners within the CPNN including:
- Each landowner is required to enter into a site-specific agreement under S106 prior to commencing development on their land;
 - Obligations to pay a Pro Rata Contribution to the Council towards the delivery of allocation-wide infrastructure converted in to a different per unit contribution-based on the number of dwellings to be delivered on that site.
 - Obligations to deliver a minimum percentage of affordable housing (25.5% for the Haw Wood Strategic Site).
 - Obligations to participate in the CPNN Steering Group.
- 4.10 The Haw Wood Strategic Site included land which is not within the control of DFE TW Residential Limited (“DFE TW”), but which was included within the planning application in order to meet the comprehensive development requirements of Policy CS26 and the SPD. The land is defined in both the Framework Agreement and the Site Specific Agreement as “Holdout Land”. Neither the Framework Agreement nor the Site Specific Agreement are currently binding on the Holdout Land.
- 4.11 Because the Holdout Land has the benefit of the extant outline planning permission, it has always been the intention that the Holdout Land should eventually be bound by the terms of the Framework Agreement and the Site Specific Agreement. The Site Specific Agreement was therefore drafted to contain covenants on DFE TW not to permit access to or from the Holdout Land across the “Boundary Strips” (defined as strips of land coloured blue on a plan within the agreement) until such time as the Holdout Landowner has:
- entered into a “Deed of Adherence” with the Council; and
 - agreed to pay a reasonable contribution towards the “Developer’s Development Costs” (which are defined as “*the infrastructure costs incurred and to be incurred by the Developer in order to bring forward the Development described in the Planning Permission*”).
- 4.12 In accordance with the above, during determination of this application, the applicants agreed to enter into a Deed of Adherence to commit to the same set of obligations (where appropriate and relevant) within the Framework Agreement and Site Specific Agreement for the Strategic Site. This Deed of Adherence has already been drafted on behalf of the Local Planning Authority and substantially agreed by the applicant and a summary of the heads of terms is contained at Section 8 below.

- 4.13 The second requirement, for the applicant to pay a ‘reasonable contribution’ towards the ‘Developers Development Costs’ is a matter for the applicant and not for the Local Planning Authority. These costs relate to delivery of site specific infrastructure that is being provided within the Strategic Site and other items secured through the Site Specific Agreement (e.g. the cost of delivering open space and site specific highway works). The developer of the Strategic Site is prevented from making unreasonable demands on Holdout landowners in this regard because:
- the requirement is qualified with reference to payment of a “reasonable contribution”; and
 - clause 9.2 of the Framework Agreement requires the developer to ensure that all new infrastructure is fully integrated across the CPNN without any ransom between sites.
- 4.14 Given that this Site falls wholly within the Holdout Land a key consideration for the application has been the physical compatibility of the proposals with the wider Strategic Site adjacent to it. This is critical to ensure that approving this application would not give rise to adverse impacts on the Strategic Site or prevent the remainder of the Strategic Site from being delivered as intended. A key procedural consideration in this regard is the overlapping of planning permissions given that this application is effectively a ‘slot-in application’ that is submitted to replace the development authorised by the outline permission. The applicant has been required to demonstrate that the proposed development will be physically compatible with the outline permission to avoid the risk that the outline permission could become incapable of implementation following implantation of this slot-in permission.
- 4.15 Officers have worked closely with the applicant to ensure that the proposed layout will be physically compatible and complementary to the Strategic Site. Key features of the site’s layout which were identified in the outline submission for the Strategic Site have been retained, notably these include:
- Respecting the principles of the approved development parameter plans in terms of land use, building heights, density and green infrastructure;
 - Inclusion of the green corridor link (including the pipeline easement) across the northern boundary providing the additional buffer from the Haw Wood SNCI;
 - Providing pedestrian and cycle access connections between the two sites;
 - Inclusion of community allotments and play area as was identified for this part of the Strategic Site.
- 4.16 A number of conditions have now been discharged for the Strategic Site and a Design Code and Phasing Plan are in the process of being approved. The application Site is identified distinctly as Holdout land within those submissions and as such the flexibility has always been retained for the site to come forward separately (subject to meeting the S106 obligation requirements for Holdout Land sites and the comprehensive development policy tests). The land parcels within the Strategic Site that are immediately adjacent to the application site are part of the later Phase 2 delivery and as such reserved matters applications on those sites have not yet come forward. It will be within the Council’s control to ensure the compatibility of those parcels with development approved under this application site once they are submitted. The latest iteration of the Design Code for the Strategic Site identifies this Site as coming forward under this separate planning application. As such the developers of the Strategic Site are aware this site is being brought forward separately and have not raised any objections in that regard.

Health and Safety Considerations

- 4.17 Early engagement with the HSE identified that part of the Site falls within the consultation zones for the adjacent Hallen PSD COMAH site. The first round of consultation on the application resulted in the HSE issuing an 'Advise Against' recommendation given the number of dwellings that fell within the inner consultation zone within the layout at that time. Working directly with the HSE, the proposed layout has since evolved to be designed to ensure that the majority of the dwellings (all but two of the units) fall within the outer HSE consultation zones.
- 4.18 The HSE have advised that under their Land Use Planning (LUP) methodology certain land uses, such as natural areas of public open space, including footpaths and drainage infrastructure as well as private gardens are acceptable within the inner consultation zone. However, land uses that would encourage people to congregate within the inner zone (such as allotments and play areas) are advised against. As such the layout has been designed to provide a large area of open space within the inner consultation zone, which is publicly accessible, but without the inclusion of destination features such as play areas. The enhanced woodland belt across the north of the Site will also help to discourage people wandering through from the Strategic Site.
- 4.19 Following consultation on the final revised layout, the HSE has now expressed that it would not advise against the development on safety grounds.
- 4.20 There is also an oil pipeline easement (circa 5m wide) running through the Site which was originally shown to run through the rear gardens of plots 22-24. This pipeline does not fall under the jurisdiction of the HSE and they have not commented on the application in this regard. Council's Environmental Protection team have advised that if the pipeline is not proposed to be re-located it is not considered to be a significant health and safety risk as long as the easement (and associated restrictions on development activities within it) are respected during construction phase and any future operations in the vicinity. In the final revised layout, the easement is now shown outside of the private gardens within the public open space area to be managed by the Management Company. This arrangement now reflects how this easement was originally intended to be treated under the Strategic Site outline permission to reduce any potential risks arising to residents.

Highway Safety – Works to Berwick Drive

- 4.21 In accordance with Policy PSP11 *Transport Impact Management*, a Transport Statement has been submitted with the application. Key highways considerations have been connectivity with the Strategic Site as well as the appropriateness of Berwick Drive in forming the main vehicular access in to the Site and associated pedestrian safety implications.
- 4.22 The outline planning permission for the Strategic Site includes drawings that indicate a secondary internal street linking the Norton Farm Site to the residual Strategic Site. This application shows this connection as being limited to a pedestrian/cycleway route only with the only vehicular access coming off Berwick Drive. This means that residents on the Norton Farm site would not be able to drive through to the Strategic Site and vice versa. This is noted as a difference between what was shown illustratively for the Strategic Site and what is proposed under this application. However, this alternative is considered to be acceptable in highways terms as it prevents the risk of rat running through from the Strategic Site on to Berwick Drive and also promotes walking and cycling between the two sites. The level of

additional traffic on Berwick Drive that will be generated by 30 dwellings is not considered to be sufficient to warrant a highways objection in that regard.

- 4.23 The internal highway network for the Strategic Site was not fixed at the outline application stage. As such, the detail of the internal secondary highway routes for the adjacent parcel of land to the Site will be considered via subsequent applications to discharge conditions on the outline permission, such as design codes and reserved matters. Therefore, it remains within the Council's control to ensure the layout of the adjacent parcel is made compatible with the Site.
- 4.24 The delivery of the pedestrian/cycle connection between the Site and the residual Strategic Site is to be secured via planning condition. An obligation within the Deed of Adherence will ensure that the connection is kept suitably accessible, managed and maintained by the management company in perpetuity for the benefit of all members of the public.
- 4.25 The Highways Authority initially raised a number of concerns about the use of Berwick Drive as the main access given it is a single track, narrow lane and in private ownership. The applicant has since submitted a package of transport assessment information, road safety audit and proposed a package of mitigation measures for Berwick Drive.
- 4.26 It is significant to note that Berwick Drive is already a public right of way and was always intended to form a 'safer route to school' route associated with the Strategic Site. As such the principle of pedestrians using this route from the new development has already been established and considered acceptable in planning terms.
- 4.27 This route had originally been intended to run from a point much further north along Berwick Drive and run down its length towards Station Road. Given the private nature of the road, there were no associated safety features able to be delivered in association with it. This application has proposed a new additional connection point with the footway connecting to Berwick Drive much further to the south, below the proposed new access point. This will have the benefit of enabling pedestrians and cyclists to travel through the Strategic Site, into the application Site then connect on to the existing public right of way along Berwick Drive with a much shorter distance to walk along the lane itself, to reach Station Road.
- 4.28 The package of pedestrian safety measures for Berwick Drive is considered by highways officers to be a betterment on the existing situation and will enhance the safer route to school route that was always anticipated to be along this route. The proposed package of safety measures is shown on Figure 1.3 of the submitted Transport Report (document ref. P18-0752-TR03). It includes the following measures which would be secured by planning condition and must be delivered before the development can be occupied:
- Edge of carriageway markings for the entirety of Berwick Drive up to the site access;
 - "Slow" road markings, 20mph roundel and "Pedestrians in road ahead" signage at both site access and end of Berwick Drive;
 - Footway from site to Berwick Drive with tactile dropped crossing, "Look both ways" road markings and low-level advisory pedestrian signage;
 - Ghost footway with over-runnable road markings, different colour surfacing and walking symbols;
 - Passing place with change of surface;
 - Hedgerows to be cut back and trimmed only to the extents shown on the approved plans.

- 4.29 Queries have been raised over the ability of the applicant to be able to deliver the works to Berwick Drive given its private status. The Council has been provided with legal documentation by the applicant to demonstrate that the nature of the works proposed fall within their rights under their 1964 deed of access. Furthermore, a condition will be imposed so that the development will not be able to be occupied until the works to the drive are undertaken.
- 4.30 Given the small scale of the development, highway officers are satisfied that the proposal will not cause an unacceptable impact on highway safety and do not consider the traffic generation impacts arising from the 30 dwellings to be material to the extent that this would warrant refusal of the application on this basis. The safety measures to Berwick Drive that can now be delivered via this application are considered to be an overall betterment for both this development and the Strategic Site.

Sustainability

- 4.31 Climate change officers have welcomed the range of energy reduction and efficiency sustainability features that have been embedded within the design of the proposed dwellings from the outset (as summarised in Section 1).
- 4.32 The scheme will meet with the requirements of current Local Plan Policy PSP6 standards to reduce greenhouse gas emissions by a minimum of 20% on current building regulation standards via renewable and/or low carbon energy generation sources. Air-source heat pumps are going to be included as standard, thereby future-proofing the homes for when gas boilers are phased out.
- 4.33 The delivery of the various carbon reduction features would be secured by way of a series of planning conditions which will include requiring the developer to submit a compliance statement to demonstrate that all features have been installed as per the approved Energy and Sustainability Strategy (Rev D, P353-R-001).
- 4.34 The principle of the Site as a sustainable location for development has already been clearly established by way of the CPNN allocation and the extant outline permission. The development will be in close proximity to the new facilities to be delivered on and around the Strategic Site, including new schools, neighbourhood retail centres, shops, play areas, sports facilities and new railway station. The network of walking and cycle routes connecting to the surrounding new developments as well as the close proximity to bus routes as well as the new station will promote sustainable modes of transport. A Travel Plan obligation will be secured by way of the Deed of Adherence.

Design and Layout

- 4.35 The Urban Design Officer has welcomed the architectural approach noting the contemporary style and use of render and natural stone considered to be appropriate in the context of South Gloucestershire, in accordance with Policy PSP1. The use of natural stone walling and hedge boundary features will soften the new development into the surrounding landscape. It is considered that the architectural style now proposed on Site will have the effect of adding further visual interest and diversity to the new development across the Strategic Site.

- 4.36 Typically, new developments are designed to front dwellings on to areas of public open space to encourage natural surveillance. In this case, due to both topography and the intention to discourage congregation (due to the HSE restrictions), some of the rear gardens are backing on to the open space. The Urban Design and Landscape officers have worked with the applicant to ensure that robust fencing and hedging is provided around the back gardens backing into open space to maximise security. These features will be secured via condition. The woodland planting belt across the north of the Site will also discourage people wandering through from the Strategic Site.

Public Open Space Provision

- 4.37 As originally envisioned for this part of the Strategic Site, a community-style allotment and a children's play area (Local Area of Play – LAP) have been incorporated. The Public Open Space Officer is satisfied that an adequate amount of public open space under each category has been provided in accordance with Local Plan Policy CS24.
- 4.38 The HSE restrictions have resulted in the amount of informal recreation and natural/semi-natural open space to be provided being significantly in excess of the minimum policy requirements (13,403sqm are to be provided against a requirement of 1844sqm). This area will primarily serve a biodiversity function however it will also provide a space for residents to access and use informally as they choose, such as kickabout space, walking and exercise.
- 4.39 Given the relatively small scale of the development, outdoor sports facilities have not been accommodated on-site. Given that the Strategic Site also has an under provision of on-site outdoor sports facilities, the application cannot rely on the provision on the Strategic Site to meet its requirements. Therefore an (index-linked) off-site financial contribution has been agreed towards the provision and/or enhancement and maintenance of Outdoor Sports Facilities. This will be set out in the S106 Deed of Adherence.
- 4.40 The areas of public open space are to be retained for private management by a Management Company as opposed to being adopted by the Council. The Deed of Adherence includes an obligation for the applicant to submit a scheme detailing future management and maintenance arrangements in perpetuity for the POS areas.
- 4.41 Further details of how the children's play area is to be laid out including final specifications for equipment will be submitted via an obligation within the Deed of Adherence.

Trees and Landscape

- 4.42 Local Plan Policy PSP3 *Trees and Woodland* states that development proposals should minimise the loss of existing vegetation on a site that is of importance in terms of ecological, recreational, historical or landscape value. Development proposals which would result in the loss of, or damage (directly or indirectly) to, existing mature or ancient woodland, veteran trees, ancient or species-rich hedgerows will only be acceptable where the need for, and benefits of, the development in that location clearly outweigh the loss or damage.
- 4.43 As set out within the submitted Arboricultural Impact Assessment (AIA), a total of 38 existing trees and 13 groups/hedges were surveyed. Of the individual trees, there are 16 moderate 'B' grade trees, 19 low quality 'C' grade trees and 3 poor quality 'U' grade trees identified as existing. The groups consist of 2 moderate quality, 10 low quality groups or hedges and one poor quality group.

- 4.44 The majority of trees and hedgerows across the Site are to be retained. 10 trees are proposed to be removed, with the majority of these (7) low quality and 3 moderate quality (category B) as well as the removal and/or partial removal of 3 groups. No high quality (category A) trees or ancient woodland are to be affected.
- 4.45 The Tree and Landscape Officers have worked closely with the applicant to negotiate the acceptability of the tree removals balanced with the compensatory measures that been proposed. 55 new trees are proposed to be delivered at semi-mature specification. A significant amount of new woodland planting (circa 3,286sqm) is also to be delivered across the northern part of the site providing additional trees and environmental benefits. A condition has been applied requiring the application to be undertaken in accordance with the submitted Tree Survey, Implications Assessment and Protection Method Statement.
- 4.46 The Landscape Officer is now satisfied with the soft landscaping planting scheme proposed as well as the hard boundary treatments, incorporating robust fencing and natural stone features on key boundaries. A Landscape Ecological Management Plan will be required to be submitted via condition.
- 4.47 The landscaping across the site will be required to be laid out prior to the completion and occupation of the dwellings. The ongoing management and maintenance of the public open space and landscaped areas will be the responsibility of the site's Management Company and the details of the maintenance arrangements will be agreed with the Council via an obligation within the Deed of Adherence.

Ecological Impacts

- 4.48 Policy CS9 Managing the Environment and Heritage states that new development will be expected to *conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity and geodiversity.*
- 4.49 The Phase 1 ecology surveys identified the habitats on site to include amenity grassland, improved grassland, semi-natural broadleaved woodland, dense scrub, species-rich hedgerow with trees, species-poor hedgerow with trees, buildings and hardstanding. The hedgerows were assessed as being the key ecological features on the site.
- 4.50 The Phase 1 Habitat survey identified the potential for European hedgehog, badger, hazel dormouse, bats, nesting birds and reptiles. The structures inspection assessed that one of the structures (No. 4) had moderate potential as a roost for bats, however subsequent emergent surveys confirmed the likely absence of bats. The potential for bat foraging to continue post-development will be facilitated through maintaining the green corridors along the boundaries of the site which will act as a bat flight corridor.
- 4.51 A Lighting Plan has been submitted which is largely considered to be acceptable for the main part of the site. However, the details of lighting for the footpath area along the north-eastern boundary, which is sensitive to the presence of bats, need further consideration and as such the plan will be required to be resubmitted and revised under condition to the satisfaction of the Council's Ecologist and Lighting Engineer.
- 4.52 A condition has been applied that will require a Landscape Ecological Management Plan (LEMP) to be approved. The LEMP will be prepared in accordance with the mitigation and enhancement measures set out within the submitted Ecological Assessment (Ethos, October

2021, V2) and will include details of the following ecological features to be delivered across the site:

- Detailed design considerations to enable nocturnal mammals (badger/hedgehog) to continue to move through the site boundary
- Provision of a hibernacula
- Provision of swallow nest boxes
- Provision of integral bird nesting bricks and large nesting box
- Provision of bat boxes and bat bricks
- Planting of native species which are attractive moths and other bat prey items
- Habitat enhancement measures (in accordance with Section 8.1 of the Ecological Assessment) that would enhance the site for invertebrates
- The retention of dead wood removed during vegetation clearance
- The integration of bee bricks and bug hotels

Flood Risk and Drainage

- 4.53 The development falls within Flood Zone 1 and as such it is at the lowest risk of flooding. A Flood Risk Assessment and Drainage Strategy has been submitted.
- 4.54 Key surface water drainage features that are proposed on the site include an attenuation basin within the area of natural open space, as well as swales running alongside the highways. A new foul sewer has been proposed which will connect into the public system.
- 4.55 Details of the drainage layout plan have been approved in principle with the LLFA. A standard condition requirement has been imposed that will require full construction-level details of the drainage layout to be submitted for approval prior to commencement.
- 4.56 The surface water infrastructure on the Site will be managed and maintained by the Management Company as opposed to being adopted by the Council. The details of the maintenance arrangements will be agreed with the Council via S106 obligation.

Heritage and Archaeology

- 4.57 There are no designated or non-designated heritage assets on the site or in close proximity to it and no objections have been raised by the Conservation Officer. As a precautionary measure the Council's Archaeologist has imposed a standard condition for archaeological investigations to be undertaken prior to commencement with the requirement for a remediation and mitigation strategy depending on the findings.

Residential amenity

- 4.58 Local Plan Policy PSP8 - *Residential Amenity* – states that development proposals will be acceptable provided they do not create unacceptable living conditions or have an unacceptable impact on residential amenity of occupiers of the development or of nearby properties.
- 4.59 There are a very limited number of existing properties and users in close proximity to this Site and it is apparent that the no-development covenant around North Hill Cottage has been respected in the proposed layout.

- 4.60 To ensure adverse amenity impacts are avoided during the construction phase, a Construction Environmental Management Plan (CEMP) will be required to be submitted prior to commencement. Delivery Hours have also been restricted to outside the peak network hours (outside 7.30-9.30 and 16:00-18:00) to avoid adverse impacts for the other users of Berwick Drive.
- 4.61 When the reserved matters applications are determined for the adjacent parcels of land on the Strategic Site, it will be within the Council's control to ensure that the design of the boundaries between the two sites is suitably laid out to prevent adverse amenity effects arising, such as overlooking.

Planning Obligations and Deed of Adherence

- 4.62 As detailed above, in accordance with the requirements for Holdout Land (as set out within the Site Specific Agreement for the Strategic Site), the applicants have agreed to enter into a Deed of Adherence to commit them to adhere to the provisions of the Site specific Agreement and Framework Agreement (to the extent proportionate and reasonable). This Deed of Adherence has been prepared by solicitors in parallel with the determination of the application and has been substantially agreed by the Local Planning Authority and the applicant. The list of heads of terms is summarised in Section 9 below.

Consideration of likely impact on Equalities

- 4.63 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. Considerations of the needs of less physically able users in accessing and using the public open space areas and children's play area have been taken in account. With regards to the above this planning application overall it is considered to have a neutral impact on equality.

5. PLANNING BALANCE AND CONCLUSION

- 5.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan unless material considerations indicate otherwise.
- 5.2 The principle of delivering residential development on this Site accords with the development plan which allocates this land as part the CPNN strategic development area and the Site already benefits from outline permission for residential uses.
- 5.3 In reaching the conclusion that this application is consistent with the development plan, careful consideration has been given to the ability to deliver a comprehensive approach to the development of the whole of the Strategic Site as required by the CPNN allocation policies. The ability to deliver this development in a way which is physically compatible with the extant Outline permission, and which prevents adverse issues arising related to overlapping of permissions has been a critical consideration. Officers now conclude that the layout proposed

will be physically compatible with the development coming forward on the adjacent Strategic Site. The Deed of Adherence agreement that is now substantially agreed will secure the comprehensive approach to developer's obligations for this Holdout Land site as it was originally intended to do.

- 5.4 The final layout proposed responds to the various unique constraints of the Site whilst facilitating a connection through to the wider Strategic Site. The proposals will deliver landscape and ecological benefits through the retention of a large amount of natural and semi-natural open space and woodland buffer planting as well as betterments to Berwick Drive in terms of pedestrian safety measures.
- 5.5 The scheme will deliver 30 new dwellings, including affordable housing, contributing towards local housing needs that can be delivered right away. The same level of developer contributions expected from the Strategic Site towards community infrastructure will still be secured via the Deed of Adherence.
- 5.6 In conclusion, conditional approval of this application is recommended. The recommendation to grant full planning permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in this report.

6. RECOMMENDATION

- 6.1 That authority be delegated to the Director of Environment and Community Services to grant permission, subject to:
- (a) The conditions set out below.
 - (b) The completion of one or more agreements pursuant to S106 of the Town and Country Planning Act 1990 (as amended) between the relevant owners and the Local Planning Authority to secure the items outlined in the Heads of Terms below.
- 6.2 That authority be delegated to the Director of Environment and Community Services to (in consultation with the chair of the committee):
- (a) finalise the recommended conditions set out below including such refinements, amendments, additions and/or deletions as the Director considers reasonably necessary;
 - (b) finalise the agreement(s) referred to in paragraph 7.1 (b) above including refining, amending, adding to and/or deleting the obligations detailed in the Heads of Terms set out below as the Director considers reasonably necessary.

7. HEADS OF TERMS

1. Binding the application site with the owner obligations contained in CPNN Framework Agreement dated 20 February 2018 and Site Specific Agreement dated 20 February 2018, subject to such amendments as are necessary and reasonable given the location and nature of the application. Notably this includes an obligation to provide 8 affordable housing units (equivalent to 25.5%) as part of the development.
2. Obligation to provide not less than the following areas of public open space within the development (together with payment of Council's standard inspection fee), and obligation to manage and maintain such areas in perpetuity:

Type of Public Open Space	Minimum area (square metres)
Allotments	164
Informal Recreational Open Space and Natural and Semi-Natural Green Space	13,515
Provision for Children and Young People	238.2

3. Obligation to pay a contribution towards offsite outdoor sports facilities in the sum of £82,034.45
4. Obligation to manage and maintain the following areas in perpetuity: Public Open Space, Ancillary Open Space and Pedestrian and Cycle Link in accordance with scheme to be submitted and approved by LPA.
5. Obligation to either (i) implement a travel plan for the development and pay an annual monitoring contribution to the Council during the 5 year monitoring period or (ii) pay a travel plan contribution to the Council for the purpose of the Council implementing a travel plan for the development.
6. Pay a per dwelling contribution in the sum of £512,148.60 Index-Linked from the date of the Framework Agreement (comprised of £17,071.62 Index-Linked per dwelling) and provide a bond in respect of such contribution to the extent any amount is unpaid at the date of commencement of the development.
7. Restriction not to implement outline permission PT/14/0565/O on the application site following the implementation of the permission being applied for.

CONDITIONS

Time Limit (Compliance)

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).

Sustainability - Energy Strategy (Prior to commencement)

2. Prior to construction of dwellings above slab level; the following details shall be submitted to and approved in writing by the Local Planning Authority:
 - a) Details of the Photovoltaic system(s) to be installed including details of the location, dimensions, design/technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO₂ emissions; and
 - b) Details of the Air Source Heat Pump(s) to be installed including make/technical specification and rated output. The Heat Pumps shall be installed prior to occupation of the dwellings in accordance with the approved details and thereafter retained.

The details hereby approved shall be implemented for each dwelling prior to its occupation, alongside the relevant energy saving and fabric efficiency measures identified within the submitted Energy Strategy (Energy Strategy Revision D, September 2021, JS Lewis Ltd) to achieve a reduction of at least 20% in regulated and unregulated residual CO2 emissions through low carbon / renewable energy technologies.

Reason: To ensure the development incorporates measures to minimise energy consumption and reduce carbon emissions to mitigate and adapt to climate change in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP6 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Sustainability - Energy Strategy (Prior to occupation)

3. Prior to final occupation of all dwellings on site or for all occupied dwellings at a point 2 years from the date of this decision, whichever is sooner, the following details shall be submitted to the Local Planning Authority for its records:
 - c) A copy of the 'as built' Energy Performance Certificate (EPC), demonstrating compliance with the approved specifications; and
 - d) A copy of the MCS installer's certificates for the photovoltaic installation(s) and a calculation showing that the projected annual yield of the installed system, in combination with the installed air source heat pumps, meets the approved specification for the site as a whole.

Reason: To ensure the development incorporates measures to minimise energy consumption and reduce carbon emissions to mitigate and adapt to climate change in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP6 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Construction Environmental Management Plan (Prior to commencement)

4. No development shall commence until a site-specific Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. It shall include the following details:
 1. 24 hour emergency contact number;
 2. Delivery and construction working hours;
 3. Parking arrangements of vehicles of site operatives and visitors (including any measures taken to ensure satisfactory access and movement for neighbouring properties during construction);
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 5. Construction access details and routes for construction and delivery traffic; ensuring safety of route from Station Road to site entrance;
 6. Ecological Mitigation measures relevant to the construction phase as set out in section 8.0 of the submitted Ecological Assessment (Ethos, October 2021, V2).
 7. Tree protection measures to be put in place in respect of those trees to be retained in accordance with the submitted Tree Protection Method Statement and BS5837:2021;

8. Locations for loading/unloading and storage of plant, waste and construction materials;
9. Location and details of wheel washing facilities and methods of preventing detritus and mud from being carried onto the highway;
10. Measures to protect vulnerable road users (cyclists and pedestrians);
11. Any necessary temporary traffic management measures;
12. Arrangements for turning vehicles, to be within the site unless completely unavoidable;
13. Delivery vehicle size and frequency;
14. Arrangements to receive abnormal loads or unusually large vehicles;
15. Methods of communicating the CEMP to staff, visitors and neighbouring residents and businesses;
16. Procedures for maintaining good public relations including complaint management, public consultation and liaison;
17. Measures to minimise temporary noise and vibration impacts;
18. Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local residents who may have a particular susceptibility to air-borne pollutants;
19. Measures for controlling the use of site lighting whether required for safe working or for security purposes;
20. Procedures for emergency deviation of the agreed working hours;
21. Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained;
22. A lorry routing schedule;
23. Contact details of the main contractor;
24. Membership details for the Considerate Constructor Scheme or similar regime and site induction of the workforce highlighting pollution prevention and awareness.
25. Details for protection of pipeline corridor during construction phase.

The approved CEMP shall be adhered to throughout the construction period for the development. The development shall be implemented in accordance with the approved CEMP.

Reason: In the interests of highway safety, and to protect residential amenity, in accordance with Policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013); and Policies PSP8 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. Pre-commencement is required as the condition relates to the construction period.

Landscape and Ecological Management Plan (Prior to commencement)

5. No development (with the exception of demolition, vegetation clearance and preparatory ground works) shall commence on site until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include, but not necessarily be limited to, the following information requirements:
 - a) Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species
 - b) Description and evaluation of features to be managed; including location(s) shown on a site map

- c) Landscape and ecological trends and constraints on site that might influence management
- d) Aims and objectives of management
- e) Appropriate management options for achieving aims and objectives;
- f) Prescriptions for management actions;
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 - 10 year period);
- h) Details of the body or organisation responsible for implementation of the plan;
- i) Ongoing monitoring and remedial measures;
- j) Timeframe for reviewing the plan
- k) Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. The LEMP shall be implemented in full in accordance with the approved details.

The LEMP shall be prepared in accordance with the mitigation and enhancement measures set out within the submitted Ecological Assessment (Ethos, October 2021, V2). The LEMP shall include (not exhaustively) details of the following:

- Detailed design considerations to enable nocturnal mammals (badger/hedgehog) to continue to move through the site boundary
- Provision of a hibernacula
- Provision of swallow nest boxes
- Provision of integral bird nesting bricks and large nesting box
- Provision of bat boxes and bat bricks
- Planting of native species which are attractive moths and other bat prey items
- Habitat enhancement measures (in accordance with Section 8.1 of the Ecological Assessment) that would enhance the site for invertebrates
- The retention of dead wood removed during vegetation clearance
- The integration of bee bricks and bug hotels

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

Reason: To protect and manage wildlife and the ecological interests of site including retained and new vegetation in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013). Pre- commencement is required in order to ensure that there is no harm to ecological or landscape interests during construction works.

Landscaping – Implementation and Replacement (Compliance)

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants (shown outside of the Public Open Space and Ancillary Open Space areas on the approved Public Open Space Plan) which within a period of 5 years from the completion of the development die, are removed

or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Landscaping within the areas defined as Public Open Space and Ancillary Open Space shall be delivered, managed and maintained in accordance with S106 agreement obligations.

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

Ecology – Precautionary Methods of Working (prior to commencement)

7. No development shall commence until a method statement for a Precautionary Method of Working (PMW) with respect to vegetation and site clearance and the potential presence of nesting birds, legally protected reptiles and any other legally protected and priority species (to include badgers, hedgehogs and slowworm) has been prepared by a suitably qualified ecologist (SQE) and submitted to and approved in writing by the Local Planning Authority. The PMW shall include (not exhaustively):
 - The requirement to undertake an updated badger survey to confirm the continued absence of badger setts on site. To be undertaken by a suitably qualified ecologist immediately prior (i.e. no more than 48 hours) to the commencement of the development (including any demolition or site/vegetation clearance).
 - Measures to protect badgers during construction to prevent them from becoming trapped in excavations or open pipework. Open pipework larger than 150 mm outside diameter shall be blanked off at the end of each working day.
 - A watching brief by an ecological consultant in respect of legally protected reptiles.

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

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013). Pre-commencement is required in order to ensure that there is no harm to ecological or landscape interests during construction works.

Reptile Mitigation (Compliance)

8. If areas of scrub or long grassland are to be cleared within the reptile active season (March to October inclusive), all vegetation shall be cut using hand tools to a minimum of 15cm to avoid causing injury or mortality to any reptile present. All arisings shall be removed and the area cleared must be left for a minimum of 24 hours before vegetation is subject to a second cut to ground level, to allow any reptiles present to leave the area. Any reptiles found during site clearance shall be removed from the construction footprint and released within the area of retained scrub vegetation in the north of the site, ideally within the newly created hibernacula.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013).

Ecology – Birds Survey (prior to commencement)

9. Tree and scrub clearance shall be undertaken outside of the nesting bird season (March to August inclusive). If this is not feasible, a precautionary survey of the site by a suitably qualified

ecologist (SQE) immediately prior (i.e. no more than 48 hours) to the commencement of the development, demolition or commencement of site/vegetation clearance to check for active bird nests.

If an active nest is discovered, vegetation clearance should be suspended within the area and including a buffer zone as detailed by the SQE, until all young birds have fledged and left the area,

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013).

Ecology - Lighting Plan (Prior to commencement)

10. No development shall commence until a sensitive lighting plan to mitigate the impacts of lighting from the development on bat commuting and foraging corridors has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013). Pre-commencement is required in order to ensure that there is no harm to ecological interests during construction works.

Public Art (Prior to Commencement)

11. Prior to construction of dwellings above slab level, details of a unique site-specific integrated scheme of Public Art (including but not limited to artist's brief, commissioning process or longlist of artists, budget and timescales) to be implemented within the development site shall be submitted to the Local Planning Authority for approval in writing. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm – Planning Advice Note. Thereafter the Artwork shall be installed in accordance with the details and timescales so agreed.

Reason:

To protect the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policy CS23 - Community Infrastructure and Cultural Activity and Policy CS1 – High Quality Design Point 7 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013). Such plans to be produced prior to construction beyond slab to ensure that public art is considered at the outset of design to develop a scheme which is fully integrated into the site.

Surface Water Drainage (Prior to Commencement)

12. No development shall commence until full details of surface water and foul sewage including Sustainable Drainage Systems (SuDs) for flood prevention, pollution control and environmental protection have been submitted to and approved in writing by the Local Planning Authority. The following details shall be provided:
- The maximum overall discharge rate will be Q_{bar} 3.0l/s based on 0.692ha (impermeable area).
 - Confirmation and evidence of acceptance of an agreed connection point and/or discharge route for foul water disposal from Wessex Water.
 - Confirmation or the 'in principle' acceptance of 'ordinary watercourse consent' from the LLFA.
 - A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds and flow control devices where applicable.

- 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 on or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance 40% up to and including the 10080 minute scenarios (Preferably in the MicroDrainage format to include the MDx file for auditing).
- 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) in line with the current industry accepted allowance.
- A plan showing the cross sections and design of the attenuation pond and its components (to include an all-around access track which should be a minimum 3-5 metres for the allowance of relevant suitable equipment to conduct maintenance activities).
- There is to be no planting of trees over, or within close proximity (3 metres) of any existing or proposed drainage infrastructure, which may include but not limited to, pipework, gullies and attenuation features such as ponds, basins and tanks (3 metre offset from top of bank including access track).
- 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.
- Ownership and/or responsibility, along with details of a site-specific maintenance regime in relation to the Surface Water Network and any components such as Attenuation features and Flow Control Devices where applicable for the lifetime of the development.
- A programme and timetable for implementation
- Interim arrangements for managing surface water during the course of construction of the Development.
- If privately maintained, the document should also consider any future sale scenarios and how prospective purchasers will be made aware of their jointly vested highway and drainage assets.

Reason: To comply with Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017); Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and the National Planning Policy Framework 2021. Pre-commencement is required as the condition relates to the construction period.

Materials Details (Prior to construction above slab level)

13. Prior to construction of dwellings above slab level, details and samples of materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The following shall be submitted:
- Manufacturer specification for the robust fencing (to be stained dark brown or similar) to be implemented along rear of properties (plots 22-30 inclusive) and the sides of properties (22, 24, 25 and 30).

- Physical sample panels in accordance with the approved plans of all proposed brickwork, stonework, render types – demonstrating colours, profiles/dimensions and finishes – for both dwellings and hard landscaping surfacing materials.
- The approved sample panels shall be kept on site for reference until the relevant works are complete.

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

Reason: To ensure the good quality of external appearance and to accord with Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Plans Plan (adopted November 2017).

Archaeology (Prior to commencement)

14. Prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, a programme of archaeological work and subsequent mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, must be submitted to and approved in writing by the local planning authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

Reason: In the interests of the landscape character and heritage value and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017). Pre-commencement is required in order to ensure that any features or findings of archaeological importance are recorded and/or protected.

Pedestrian and cycle link to boundary (Prior to Occupation)

15. No dwelling shall be occupied until a pedestrian and cycle path connection is provided through the site connecting the neighbouring strategic site to the north with Berwick Drive to the south in accordance with the Design and Access Statement (November 2021) and the approved plans including Site Layout Plan; Boundaries and Surfaces Plan; Kerbs, Footways and Paved Areas Plan and Pavement Construction Plan.

Reason: To ensure effective operation and user safety in accordance with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Electric Vehicle Charging (Compliance)

16. An electric vehicle charging point shall be provided for each dwelling prior to its occupation, with each charging point capable of 32amp/7kw supply.

Reason: To ensure the development incorporates measures to minimise energy consumption and reduce carbon emissions to mitigate and adapt to climate change in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP6 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Highway Mitigations to Berwick Drive (Prior to occupation)

17. No dwelling shall be occupied until the improvement measures to Berwick Drive have been delivered in accordance with the details shown on Figure 1.3 of Proposed Access Improvement

and Visibility Splays (as described within submitted report ref. P18-0752-TR03). These measures (not exhaustively) shall include:

- Edge of carriageway markings for the entirety of Berwick Drive up to the site access;
- “Slow” road markings, 20mph roundel and “Pedestrians in road ahead” signage at both site access and end of Berwick Drive;
- Footway from site to Berwick Drive with tactile dropped crossing, “Look both ways” road markings and low-level advisory pedestrian signage;
- Ghost footway with over-runnable road markings, different colour surfacing and walking symbols;
- Passing place with change of surface;
- Hedgerows to be cut back and trimmed only to the extents shown on the approved plans.
- Any associated lighting details to be submitted and agreed in writing with the Local Planning Authority in accordance with condition 13.

The measures shall be suitably maintained thereafter.

Reason: To ensure effective operation and user safety in accordance with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Contamination (Environment Agency Condition)

18. Any contamination found during the course of construction of the development 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; a remediation and verification scheme shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason: In the interests of protecting human health from the effects of pollution in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013). To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework and in accordance with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Tree Protection (Compliance)

19. The development hereby permitted shall be implemented in accordance with the Tree Survey, Implications Assessment and Protection Method Statement (Rev C, September 2021) submitted with this application. Other than trees approved for removal by the Local Planning Authority, no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped, other than in accordance with the prior written approval of the Local Planning Authority. If any retained tree is removed, uprooted, destroyed or dies, a replacement tree shall be planted and that tree shall be of such size and species and shall be planted at such a time and in a position to be agreed with the Local Planning Authority.

Reason: To protect the arboricultural and ecological interests of the site, in accordance with Policy PSP3 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Affordable Housing M4(2) (Compliance)

20. As per approved Housing Tenure Plan (Dwg. No. P18-0752_13 Rev F) the Affordable Dwellings on plots 1,2,3,4,14,15 and 16 shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2).

Reason: To ensure inclusive design access for all in accordance with Policy PSP37 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Hours of working (Compliance)

21. Heavy plant, noisy equipment or construction-related operations shall not take place outside the hours of:

- Monday - Friday.....8.00 – 18.00
- Saturday.....8.00 – 13.00.
- No noisy activities on Sundays or Bank Holidays.
- No deliveries to the site will be permitted within the network peak hours of 7:30am-9:30am and 16:00 and 18:00 without the written permission of South Gloucestershire Council.

Reason: In the interests of residential amenity in accordance with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017).

Approved Plans List

22. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

- Site Layout (Dwg No. P18-0752_07 Rev Z)
- Materials (Dwg No. P18-0752_08 Rev F)
- Boundaries and Surfaces (Dwg No. P18-0752_09 Rev F)
- Adoptable Plan (Dwg No. P18-0752_10 Rev F)
- Refuse Strategy (Dwg No. P18-0752_11 Rev F)
- Parking Plan (Dwg No. P18-0752_12 Rev F)
- Housing Tenure Plan (Dwg No. P18-0752_13 Rev F)
- Building Heights Plan (Dwg No. P18-0752_21 Rev F)
- Public Open Spaces Plan (Dwg No. P18-0752_14 Rev G)
- Detailed Soft Landscape Plan (1 of 4) (Dwg No. P18-0752_23 Rev I)
- Detailed Soft Landscape Plan (2 of 4) (Dwg No. P18-0752_24 Rev I)
- Detailed Soft Landscape Plan (3 of 4) (Dwg No. P18-0752_25 Rev I)
- Detailed Soft Landscape Plan (4 of 4) (Dwg No. P18-0752_26 Rev I)
- General Arrangement Plan (Dwg No. P18-0752_001_GA Rev E)
- Kerbs, Footways and Paved Areas (Dwg No. P18-0752_003_KDP Rev E)
- Pavement Construction (Dwg No. P18-0752_004_SDP Rev E)

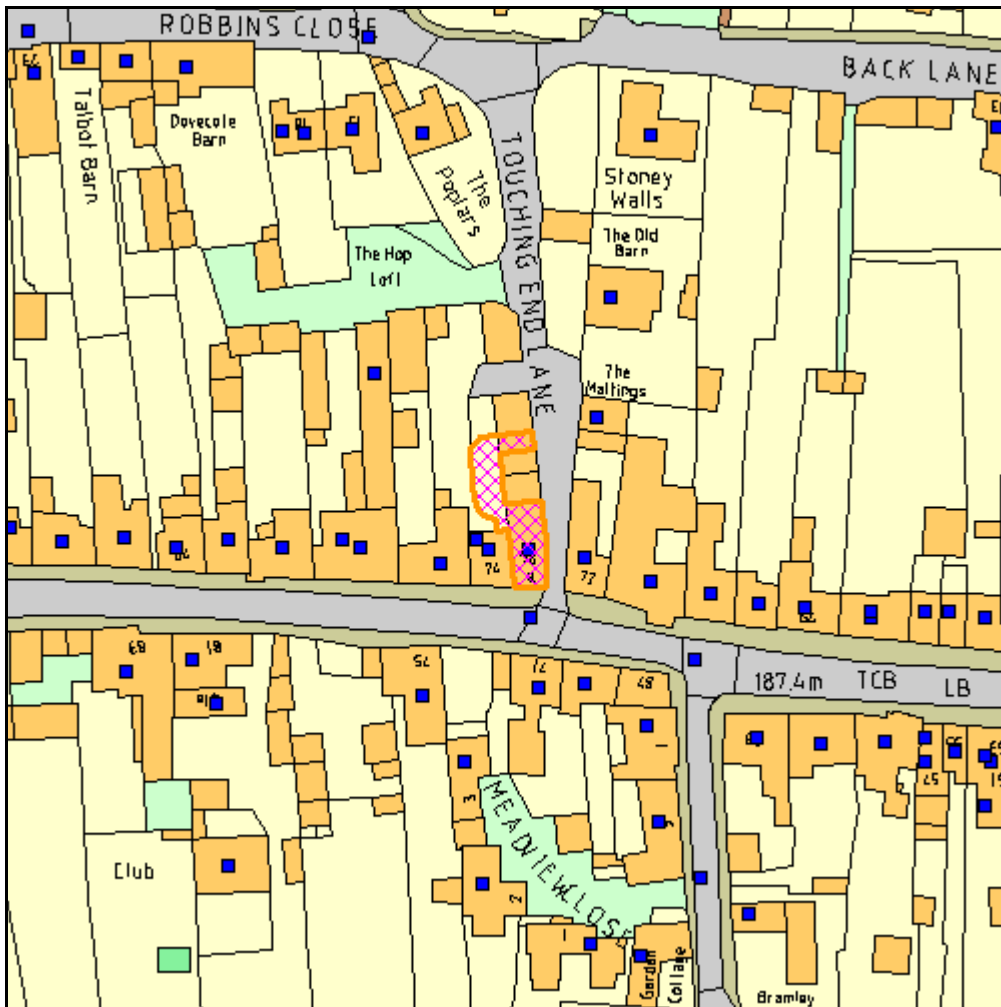
- Sections: Section Locations (1 of 4) (Dwg No. P18-0752_006 Rev E)
- Sections: Long Sections (2 of 4) (Dwg No. P18-0752_007 Rev D)
- Sections: Cross Sections (3 of 4) (Dwg No. P18-0752_008 Rev C)
- Sections: Centreline Sections (4 of 4) (Dwg No. P18-0752_009 Rev C)
- Finished Floor Levels (FFLs) (Dwg. No. P18-0752_010 Rev E)
- Detailed LAP and Allotment proposals (Dwg. No. P18-0752_31D) – *Note: Plan approved in respect of allotment details only*

Reason: For the avoidance of doubt.

Case Officer: Sean Herbert
Authorising Officer: Catherine Loveday

CIRCULATED SCHEDULE NO. 48/21 - 3rd December 2021

App No.:	P19/14883/F	Applicant:	Mr Julian Shipp
Site:	74A High Street Marshfield Chippenham South Gloucestershire SN14 8LS	Date Reg:	28th June 2021
Proposal:	Installation of 1 no. side dormer to facilitate loft conversion to form self-contained annexe over ground floor garage ancillary to main dwelling (Resubmission of PK18/2746/F).	Parish:	Marshfield Parish Council
Map Ref:	377821 173755	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	17th August 2021



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 100023410, 2008. **N.T.S.** **P19/14883/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 APPEARANCE ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of 3 objection comments from local residents, contrary to the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the installation of 1 no. side dormer to facilitate loft conversion to form self-contained annexe over ground floor garage ancillary to main dwelling at 74A High Street, Marshfield.
- 1.2 The site of the proposed works sits within the settlement boundary of Marshfield, with the host property itself comprising a two-storey dwelling. The dwellinghouse is categorised as a Grade II Listed Building that has origins dating back to the 17th century period, with it also recognised the applicant is 'washed over' by the Cotswold Area of Outstanding Natural Beauty (AONB) and Marshfield Conservation Area (CA).
- 1.3 Lastly, it is noted this full application should be read in conjunction with listed building consent **P19/14884/LB**.
- 1.4 *Procedural Matters* – Amended plans have been received by the applicant's agent which has not altered the scope of development. Nevertheless, further public and internal consultation has been carried out.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

- 2.2 Development Plans

South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS16	Housing Density
CS17	Housing Diversity

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (*Adopted 2007*)
 Residential Parking Standards SPS (*Adopted 2013*)
 SGC Householder Design Guide (*Adopted March 2021*)

3. RELEVANT PLANNING HISTORY

- 3.1 Ref: PK18/2746/F. Withdrawn, 19.11.2018
 Proposal: *Conversion of existing garage and installation of 6no. conservation rooflights to facilitate loft conversion to form self-contained annexe over ground floor garden room ancillary to main dwelling.*
- 3.2 Ref: PK18/2749/LB. Withdrawn, 19.11.2018
 Proposal: *Conversion of existing garage and installation of 6no. conservation rooflights to facilitate loft conversion to form self-contained annexe over ground floor garden room ancillary to main dwelling. Installation of 4no. lancets and folding French window.*
- 3.3 Ref: P89/3094/L. Listed Building Consent, 03.01.1990
 Proposal: *Felt and batten roof, replace existing roofing tiles.*
- 3.4 Ref: P89/2203/L. Refuse Listed Building Consent, 23.08.1989
 Proposal: *Felt and batten roof, replace existing slates on front elevation. Replace stone slates on rear elevation with double roman clay tiles.*

4. CONSULTATION RESPONSES

- 4.1 Marshfield Parish Council
 [1st Consultation]
 • No objection.
 [2nd Consultation]
 • No objection subject to completion of the necessary ecological surveys.
- 4.2 Listed Building and Conservation Officer
 [1st Consultation]
 • This scheme is considered as a resubmission of PK18/2479/LB which was subsequently withdrawn following objection.
 • No.74A High Street is identified as having origins dating back to circa 17th century with the “attached garage” appearing to represent a former stables/barn that has been subdivided via a full height concrete block wall.

- Internally, the existing garage has seen a significant amount of loss and alteration due to a new floor and staircase, which unfortunately does not hold planning history.
- Internally, the main concern is the introduction of second floor which would result in the loss of functional historic character. Whilst it is noted that access has been reallocated (to the first floor) and thus the loss of historic value previously identified would be addressed, the overall impact would fail to sustain or enhance the character of the building. The opinion is maintained that the level of subdivision is too great and not compatible. Notwithstanding this, a two-storey extension may be acceptable.
- Externally, the openings on the West elevation have been rationalised, but this would still result in harm due to the number of openings and thus impact on the existing aesthetic character.
- Large scale details of all vent and flues would be required with it recognised the submitted joinery details are considered acceptable.
- As proposed, the residential conversion (or scheme of intensified domestic use) would fail to sustain or enhance the significance of this designated heritage asset. In accordance with paragraph 196 of the NPPF (2019) the proposal would result in “less than substantial harm” in the considered middle of the spectrum to the significance of the Grade II listed property.

[2nd Consultation]

- The revised plans (Revision C of the Proposed Plans and Sections and Elevations) have omitted the second floor, along with new lancet window openings reduced to 1 on the West elevation as well as a rooflight removed from the East elevation.
- The amendments noted above are seen to address concerns regarding the loss of character and interest.
- Likewise, large scale details have been submitted for the external door (West elevation), proposed dormer, roof light and vents/flues which are all considered acceptable.
- Request that a condition be attached to application for further details relating to proposed door (East elevation), internal doors and new staircase.

4.3 Sustainable Transport Officer

[1st Consultation]

- Unable to determine number of bedrooms present within property and thus cannot accurately assess the scheme against local policy (PSP16). Further details are required as to prevent a recommendation of refusal based on parking standards.

4.4 *[Officer Comment]* The above comments are noted, with further discussion of parking and transportation found in section 5.

4.5 Ecologist Officer

[1st Consultation]

- Further information is required to confirm if the proposed work would affect existing or potential roosting suitability.

- Whilst the impact is likely to be of minor extent, a Preliminary Roost Assessment (PRA) is to be completed and submitted for further review.

[2nd Consultation]

- Several features were identified on the property that could have the potential for roosting bats, but an emergence survey was undertaken that did not record any bat activity.
- No objections subject to appropriate conditions relating to external lighting and mitigation measures.
- However, if works do not commence within a year of the survey, an updated assessment will be required.

4.6 Local Residents

3 objection letters have been received from local residents. Key points are as follows:

- The proposed development would exacerbate existing parking issues along Touching End Lane and represents over development of an already compressed area, meaning it should be refused.
- Potential highway issues from unexpected exists onto road from doorway.
- Design is out of keeping with immediate area.
- Should the annex be occupied or sold separately, occupiers would have no means of separate access.
- The application form and subsequent block plan is misleading as the area marked 'shared access' is not within ownership of the applicant.

4.7 *[Officer Comment]* The above comments are noted, with further discussion of parking, transportation and design discussed in section 5. However, an updated ownership of certificate has been received and is considered to address related concerns.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport, including the formation of an annex. Whilst the proposed alterations are acceptable in principle (and to be further examined against the analysis set out below), the proposed annex must be assessed for its function and relationship to the main dwellinghouse. This is to determine if the annex has some form of dependence on the main property, thus providing merit for it to be considered as ancillary accommodation, or, the proposal would create an annex that is tantamount to a new dwelling - each outcome requires a separate list of policies for a fair and appropriate assessment.

Annex Test

5.2 The proposed annex would consist of a two-storey self-contained unit with a separate kitchen and living area that includes 1.no bedroom and 1.no shower room. It would utilise the existing entrance and upper floors of garage associated with the host property.

- 5.3 Whilst concern is raised regarding the potential for the annex to function as a separate dwellinghouse, the case officer notes there would be shared use of existing outdoor amenity space within the applicant's site boundary, suggesting occupiers of the annex would be dependent on the main dwelling for this use. Likewise, it is noted that the structure in which the development would take place exists as a garage in current ownership of the applicant, indicating the proposed use would fall within what is broadly considered the existent class. Due to these reasons, it is judged there would be some form of functional relationship between the proposed annex and main dwellinghouse with the principle of conversion from garage to annex therefore accepted. However, the case officer notes the outcome in this circumstance has only been reached due to the unusual site arrangement and accessibility constraint (amenity space would be shared with the host property), where it would not be undue to set an appropriate condition to ensure the annex remains as such.
- 5.4 Notwithstanding the above and in regard to the sitting of the applicant site (Cotswold AONB and Marshfield CA), local policies CS9 & PSP17 and corresponding provisions of the NPPF set out strict criteria to; limit the scale and extent of development in designated Areas of Outstanding Natural Beauty; and, preserve and enhance elements which contribute to the special character of Conservation Areas. Similarly, it is recognised that the application building itself constitutes a designated heritage asset due to its historic value and subsequent external character, which indicates the main issue to assess (whilst not dismissing those highlighted by PSP38) is whether the proposed development would be considered inappropriate and excessive having special regard to constraint policies detailed in local development plans and the NPPF.
- 5.5 Cotswold Area of Outstanding Natural Beauty
As set out in paragraph 176 of the National Planning Policy Framework, great weight should be given to conserving and enhancing the scenic beauty of AONBs, with policy PSP2 stating that development within this designated asset must demonstrate it would not adversely impact upon the natural beauty of the Cotswold AONB. Given the nature of the development and the fact proposed works would be made within an existing curtilage of an established residential area, it is not considered the development would adversely impact the Cotswold AONB and as such, complies with paragraph 176 of the NPPF and policy PSP2.
- Marshfield Conservation Area
- 5.6 PSP17 states development proposal within designated conservation areas should demonstrate that their size, form and detailing have been taken with regard to the distinct character of the conservation area, and any architectural features which contribute to the appearance of the conservation area must be retained and protected.
- 5.7 The proposed development would introduce the majority of external alterations to an elevation that is largely considered enclosed, with those visible in the public domain of minor scale. This suggests the impact of development would largely be contained to the site and not obtrude to the public realm. Additionally, and due to the receipt of revised plans, the development proposal is now considered to reflect the simplistic nature of the host building with an

acceptable standard of scale and form that agrees with the established precedent of the immediate area. Therefore, the case officer considers that the character and appearance of the Marshfield CA would be preserved, meaning the requirements of PSP17 (in conservation terms) would be satisfied.

5.8 Impact on Heritage Asset

As stated in paragraph 199 of the NPPF, great weight should be given to the conservation of heritage assets. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Further to Government planning policy, PSP17 seeks to ensure that alterations, extensions or changes of use to listed buildings, or development within their setting, will be expected to preserve and, where appropriate, enhance those elements which contribute to their special architectural or historic interest, including their settings.

5.9 Whilst the case officer acknowledges the proposed development would make use of an existing and unused space, caution is raised about the most appropriate method of introducing an annex due to the unsympathetic proposals that were originally put forward for this Grade II listed building. The initial scheme (and subsequent construction) would have either resulted in demonstrable harm to the character and interest of No.74A High Street (though means to the loss of historic fabric and design of proposed works) or would have not been sufficiently justified, as so failing to meet the requirements of paragraphs 194 and 195 of the NPPF. However, the amended plans, which improve the scale of the proposed works, can now be considered to address a number of the key issues previously raised with the applicant. Most notably, the introduction of second floor (which represented a significant sub-division) has now been omitted along with the number of openings on the West elevation reduced to 1. Due to this, the impact of the existing aesthetical character is considered to be of sufficient standard that would not materially harm or diminish the significance of this listed building.

5.10 However, the case officer notes the comment of the conservation officer in which concern is raised regarding the material and finish of the remaining items; new internal doors, proposed external door and staircase. Due this, it is considered to set a condition to ensure the outstanding concerns of the Conservation Officer are mitigated and thus ensure a suitable finish as to sustain the significance of this designated heritage asset.

5.11 On the basis of the assessment set out above and subject to a condition, it is not considered that the proposed development would detract from the appearance of No.74A High Street, and as such, the proposal would comply with corresponding provisions of the NPPF and meet the requirements of PSP17.

5.12 Design and Visual Amenity

Policies CS1, PSP38 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and

local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.

- 5.13 The proposals contained within this application are expansive in number, meaning the following assessment is centred on those developments that are visible from the public realm – the most significant of works in this application are concerned within internal renovations, which has been assessed in the accompanying listed building application.

West Elevation

- 5.14 This elevation would see the introduction of 1no. modestly sized gable dormer that would project from the roof plane by approximately 1000mm, have a width of 1200mm and a maximum height of 1900mm. Likewise, 4no. roof lights (3 of which meet the parameters of a ‘conservation’ roof light) are proposed in the West facing roof plane to illuminate the bedroom and accompanying upper living room. Within the Western façade itself, 1no. lancet window and oak glazed door is sought to be installed.

East Elevation

- 5.15 This elevation would see very minor alterations which would include 1no. lancet window and new pedestrian access fitted within the existing garage door. No other works are proposed.

- 5.16 Whilst the case officer notes that the character of the site requires close examination to ensure any potential harm is limited, the preceding paragraphs (5.9 – 5.11) have sufficiently assessed the potential harm. Likewise, it is again noted that amended plans have been received from the applicant’s agent and have addressed original concerns. Due to this, it is not considered the works would result in unreasonable harm to the appearance of the site and its context and as such, has an acceptable standard of design and complies with policies CS1 and PSP38.

5.17 Residential Amenity

Policy PSP8 explains that development proposal will be permitted provided they do not create unacceptable living conditions or result in unacceptable impacts on residential amenities. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.

- 5.18 Whilst it is recognised the proposed dormer would produce views onto the neighbouring property (No.74), the angle at which there would be opportunity for inter-visibility would be of limited extent, meaning the privacy of both occupants is likely to be maintained. Due to this, the existent amenity relationship would not be significantly affected as to create unacceptable living conditions. Therefore, the proposed development would comply with policy PSP8.

5.19 Private Amenity Standards

Policy PSP43 states that residential units, including those that are subject to development (and in this case includes the proposed annex), are expected to have access to private amenity space that is: functional and safe; of a sufficient

size in relation to occupants; and, be easily accessible. Due to retaining access to existing rear garden, the case officer is satisfied private amenity space standards would be acceptable, and as such, the proposal would comply with PSP43.

5.20 Transport (Access and Parking)

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. For the purposes of clarity, the combination of annex with host property would constitute a requirement of 3no. parking spaces for the site. There has been no dedicated parking plan submitted as part of the evidence for this application, but the case officer notes the existing garage would remain accessible from the accompanying highway (Touching End Lane). However, discussions with the applicant reveal the existing garage is not currently used in a parking capacity due to the narrow width of Touching End Lane. This, as raised by concerns of local residents, could exacerbate opportunity for parking within the immediate vicinity. However, reference is made to informal comments of the sustainable transport officer who confirms if the annex is used only in connection with the host property i.e., not a separate dwelling, there would be no objection based on parking requirements. At this juncture, it is noted that paragraph 5.3 confirms that a condition relating to use as annex would not be inappropriate, suggesting concerns relating to parking could be addressed. So, whilst the proposal may not be able to satisfy the exact requirements of PSP16, the development is of modest extent that would be unlikely to markedly diminish parking opportunity as to refuse the application.

5.21 Notwithstanding this, comments from local residents also raise concern regarding pedestrian access from Touching End Lane via the proposed inset door. As stated by policy PSP11, development proposals that generate a demand for travel will be acceptable provided that access is appropriate, safe, convenient and attractive for all modes of travel arising to and from the site. It also outlines that access should not contribute to severe congestion nor have an unacceptable effect on highway safety.

5.22 With regard to PSP11 and neighbour concerns, it is noted that the pedestrian door would not open into the highway, but rather the arc of door swing would be contained within the garage, indicating unexpected door openings – which would produce a hazard for drivers – would not take effect. As this concern has potential to poses a significant hazard, the case officer considers it appropriate to place a condition on the opening of the door.

5.23 In light of the above considerations, no transport objections are raised subject to conditions.

5.24 Ecology

A bat survey has been submitted in support of this application which has been reviewed by the Ecologist Officer. No objections were raised subject to adequate conditions to ensure roosting features remained on site, which could be adequately mitigated with a suitable roost box if none currently remain. However, it was also raised that if works did not commence within 1 year from the completion of survey, an updated assessment is to be submitted for

assessment. The current date puts the survey completion approximately 15 months prior, in which the case officer considers it unreasonable to request a further survey as it is unlikely to result in a materially different outcome. No ecology objections are raised subject to conditions.

5.25 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.

5.26 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 conditions.

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 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. All new internal doors (including frames and furniture)
 - b. Proposed new external door to east elevation
 - c. Proposed new staircase.

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

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) 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).

3. The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 74A High Street, Marshfield, Chippenham, South Gloucestershire, SN14 8LS.

Reason

The development has been permitted on the particular circumstances of the case and the development would require further assessment to be used as a separate residential dwelling with regard to internal dimensions of the annex, amenity, access, and private amenity space, to accord with policies CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; policies PSP8, PSP16, PSP38, and PSP43 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the NPPF.

4. Prior to the use or occupation of the annex hereby permitted, and at all times thereafter, the pedestrian door on the East elevation shall be capable of opening only in a direction away from the highway (Touching End Lane).

Reason

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

5. The development shall proceed in strict accordance with the Mitigation Measures provided in the Bat Survey Report (All Ecology, September 2020).

Reason

To accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

6. If additional lighting is proposed, then prior to first occupation a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - o 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

- o 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.

Reason

To accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

- 7. The works hereby permitted shall only be implemented in accordance with the following items:

(Received 15th October 2019)

- Site Location Plan (TQRQM18159102035860)
- Block Plan
- Existing Section and Floor Plans

(Received 1st November 2019)

- Dormer Details
- Roof Light Details (CR_WRPS_MB_A)

(Received 26th February 2020)

- Cast Iron Brick Specifications
- Balanced Flue Wall Terminal (60/100 Horizontal Flue)
- Double Roman Details
- Existing and Proposed Elevations (Revision C)

(Received 17th December 2020)

- Proposed Section and Floor Plans (Revision D)

Reason

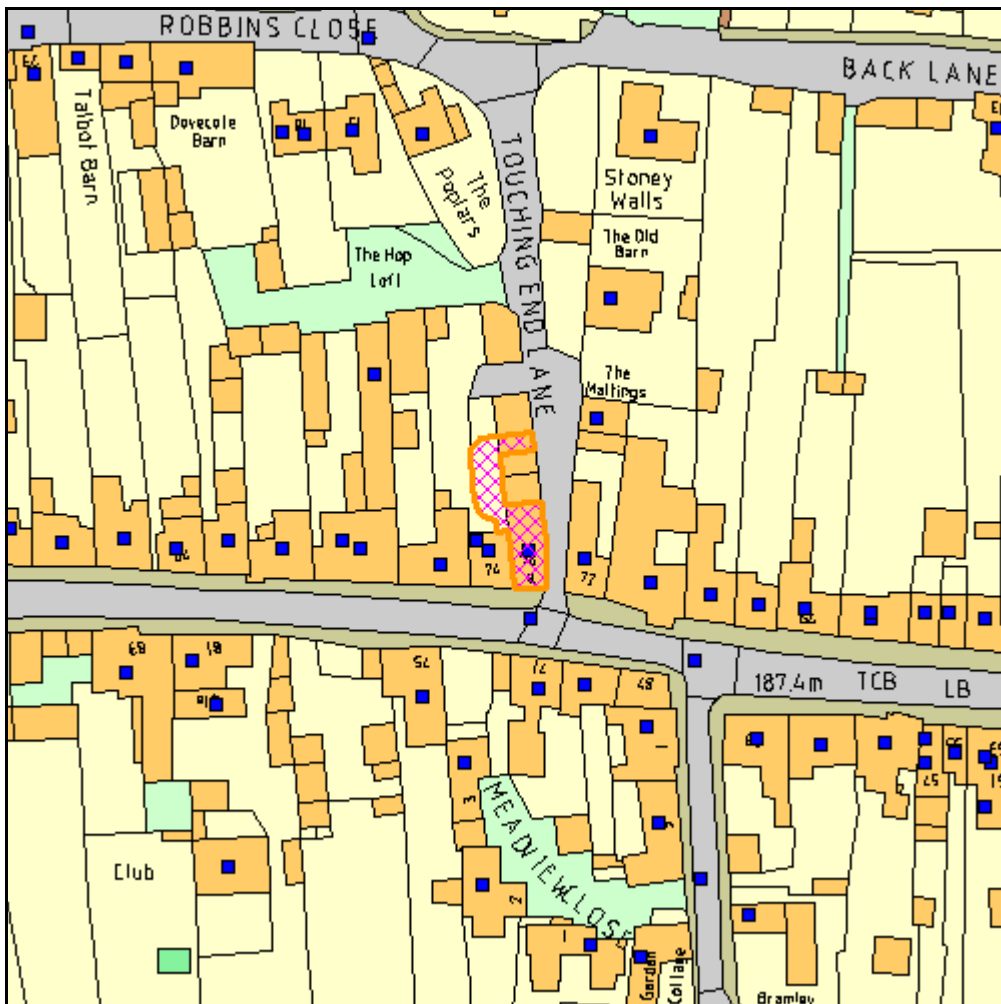
To ensure that the development is carried out in accordance with the approved plans in order to comply with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

Case Officer: Ben France

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 48/21 - 3rd December 2021

App No.:	P19/14884/LB	Applicant:	Mr Julian Shipp
Site:	74A High Street Marshfield Chippenham South Gloucestershire SN14 8LS	Date Reg:	28th June 2021
Proposal:	Internal and external alterations to include the installation of 1 no. side dormer, creation of 1 no. doorway and 1 no. lancet windows to the west elevation and creation of 1 no. lancet window and installation of door to east elevation, installation of new staircase and installation of 2 no. rooflights.	Parish:	Marshfield Parish Council
Map Ref:	377821 173755	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	17th August 2021



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 100023410, 2008. **N.T.S.** **P19/14884/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 APPEARANCE ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of 3 objection comments from local residents, contrary to the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the installation of 1 no. side dormer to facilitate loft conversion to form self-contained annexe over ground floor garage ancillary to main dwelling at 74A High Street, Marshfield.
- 1.2 The site of the proposed works sits within the settlement boundary of Marshfield, with the host property itself comprising a two-storey dwelling. The dwellinghouse is categorised as a Grade II Listed Building that has origins dating back to the 17th century period, with it also recognised the applicant is 'washed over' by the Cotswold Area of Outstanding Natural Beauty (AONB) and Marshfield Conservation Area (CA).
- 1.3 Lastly, it is noted this listed building application should be read in conjunction with planning permission application **P19/14883/F** found elsewhere on this schedule.

Procedural Matters – Amended plans have been received by the applicant's agent which has not altered the scope of development. Nevertheless, further public and internal consultation has been carried out.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

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 Ref: PK18/2746/F. Withdrawn, 19.11.2018
Proposal: *Conversion of existing garage and installation of 6no. conservation rooflights to facilitate loft conversion to form self-contained annexe over ground floor garden room ancillary to main dwelling.*
- 3.2 Ref: PK18/2749/LB. Withdrawn, 19.11.2018
Proposal: *Conversion of existing garage and installation of 6no. conservation rooflights to facilitate loft conversion to form self-contained annexe over ground floor garden room ancillary to main dwelling. Installation of 4no. lancets and folding French window.*
- 3.3 Ref: P89/3094/L. Listed Building Consent, 03.01.1990
Proposal: *Felt and batten roof, replace existing roofing tiles.*
- 3.4 Ref: P89/2203/L. Refuse Listed Building Consent, 23.08.1989
Proposal: *Felt and batten roof, replace existing slates on front elevation. Replace stone slates on rear elevation with double roman clay tiles.*

4. **CONSULTATION RESPONSES**

- 4.1 Marshfield Parish Council
[1st Consultation]
 - No objection.[2nd Consultation]
 - No objection subject to completion of the necessary ecological surveys.
- 4.2 National Amenity Society
[1st Consultation]
 - No comments received.[2nd Consultation]
 - No comments received.
- 4.3 Listed Building and Conservation Officer
[1st Consultation]
 - This scheme is considered as a resubmission of PK18/2479/LB which was subsequently withdrawn following objection.
 - No.74A High Street is identified as having origins dating back to circa 17th century with the “attached garage” appearing to represent a former stables/barn that has been subdivided via a full height concrete block wall.
 - Internally, the existing garage has seen a significant amount of loss and alteration due to a new floor and staircase, which unfortunately does not hold planning history.
 - Internally, the main concern is the introduction of second floor which would result in the loss of functional historic character. Whilst it is noted that access has been reallocated (to the first floor) and thus the loss of historic value previously identified would be addressed, the overall impact would fail to sustain or enhance the character of the building. The

opinion is maintained that the level of subdivision is too great and not compatible. Notwithstanding this, a two-storey extension may be acceptable.

- Externally, the openings on the West elevation have been rationalised, but this would still result in harm due to the number of openings and thus impact on the existing aesthetic character.
- Large scale details of all vent and flues would be required with it recognised the submitted joinery details are considered acceptable.
- As proposed, for the reasons noted above the scheme of what is a residential conversion, or a scheme of intensified domestic use would fail to sustain or enhance the significance of this designated heritage asset. In accordance with paragraph 196 of the NPPF (2019) the proposal would result in “less than substantial harm” in the considered middle of the spectrum to the significance of the Grade II listed property.

[2nd Consultation]

- The revised plans (Revision C of the Proposed Plans and Sections and Elevations) have omitted the second floor, along with new “lancet” window openings reduced to 1 on the West elevation as well as a rooflight removed from the East elevation.
- The amendments noted above are seen to address concerns regarding the loss of character and interest.
- Likewise, large scale details have been submitted for the external door (West elevation), proposed dormer, roof light and vents/flues which are all considered acceptable.
- Request that a condition be attached to application for further details relating to proposed door (East elevation), internal doors and new staircase.

4.4 Ecologist Officer

[1st Consultation]

- Further information is required to confirm is the proposed work would affect existing or potential roosting suitability.
- Whilst the impact is likely to be of minor extent, a Preliminary Roost Assessment (PRA) is to be completed and submitted for further review.

[2nd Consultation]

- Several features were identified on the property that could have the potential for roosting bats, but an emergence survey was undertaken that did not record any bat activity.
- No objections subject to appropriate conditions relating to external lighting and mitigation measures.
- However, if works do not commence within a year of the survey, an updated assessment will be required.

4.5 Local Residents

3 objection letters have been received from local residents. Key points are as follows:

- The proposed development would exacerbate existing parking issues along Touching End Lane and represents over development of an already compressed, meaning it should be refused.

- Potential highway issues from unexpected exists onto road form doorway and blocking of emergency services.
- Design is out of keeping with immediate area.
- Should the annex be occupied or sold separately, they would have no means of sperate access.
- The application form and subsequent block plan is misleading as the area marked 'shared access' is not within ownership of the applicant.

4.7 *[Officer Comment]* The above comments are noted, with further discussion of parking, transportation and design discussed in the accompanying report of P19/14883/F.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

As stated in Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Planning Authorities have special regard in the consideration as to whether or not grant listed building consent. This applies to any works associated to the desirability of preserving the listed building itself, its setting or any features of special architectural or historic interest in which it possesses. Further to this, the NPPF attaches great weight to the conservation of heritage assets to ensure their significance is maintained or enhanced. The development is acceptable in principle but will be assessed against the analysis set out below.

5.2 Impact on the Listed Building

The accompanying full planning application covers the extent of works in terms of its planning merits beyond the necessary heritage consideration, with this application (listed building consent) evaluating the consent required to extend or alter the listed building, as per section 8 (a) and (b) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.3 The full assessment of the heritage issues is set out in the accompanying planning application report. The original concerns regarding the loss of character and interest through internal subdivision have been addressed through the omission of the proposed second floor. The amendments to the external appearance would also ensure that the development proposals can be considered to be more in keeping with the aesthetic character of the building.

In addition, large scale details have been submitted for the external door to the west elevation and the proposed new openings which includes the proposed dormer which are acceptable. Details for the rooflight, vents and flues have also been submitted which are also considered to acceptable.

The only outstanding matters of detail that are considered to be required are details for the proposed door to the east elevation, all internal doors and the new staircase to be inserted.

Therefore, subject to a condition to require submission and approval of these details, by reason of scale and design, the development proposals (as amended) would ensure that the special architectural and historic interest of this Grade II Listed building is preserved. Moreover, the proposals will ensure that the existing character and appearance of the Marshfield Conservation Area is also sustained.

5.5 Consideration of likely impact on Equalities

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

5.6 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 conditions.

CONDITIONS

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

Reason

In accordance with the timescale approved on the original permission and 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. 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. All new internal doors (including frames and furniture)
- b. Proposed new external door to east elevation
- c. Proposed new staircase.

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

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) 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).

3. The works hereby permitted shall only be implemented in accordance with the following items:

(Received 15th October 2019)

- Site Location Plan (TQRQM18159102035860)
- Block Plan
- Existing Section and Floor Plans

(Received 1st November 2019)

- Dormer Details
- Roof Light Details (CR_WRPS_MB_A)

(Received 26th February 2020)

- Cast Iron Brick Specifications
- Balanced Flue Wall Terminal (60/100 Horizontal Flue)
- Double Roman Details
- Existing and Proposed Elevations (Revision C)

(Received 17th December 2020)

- Proposed Section and Floor Plans (Revision D)

Reason

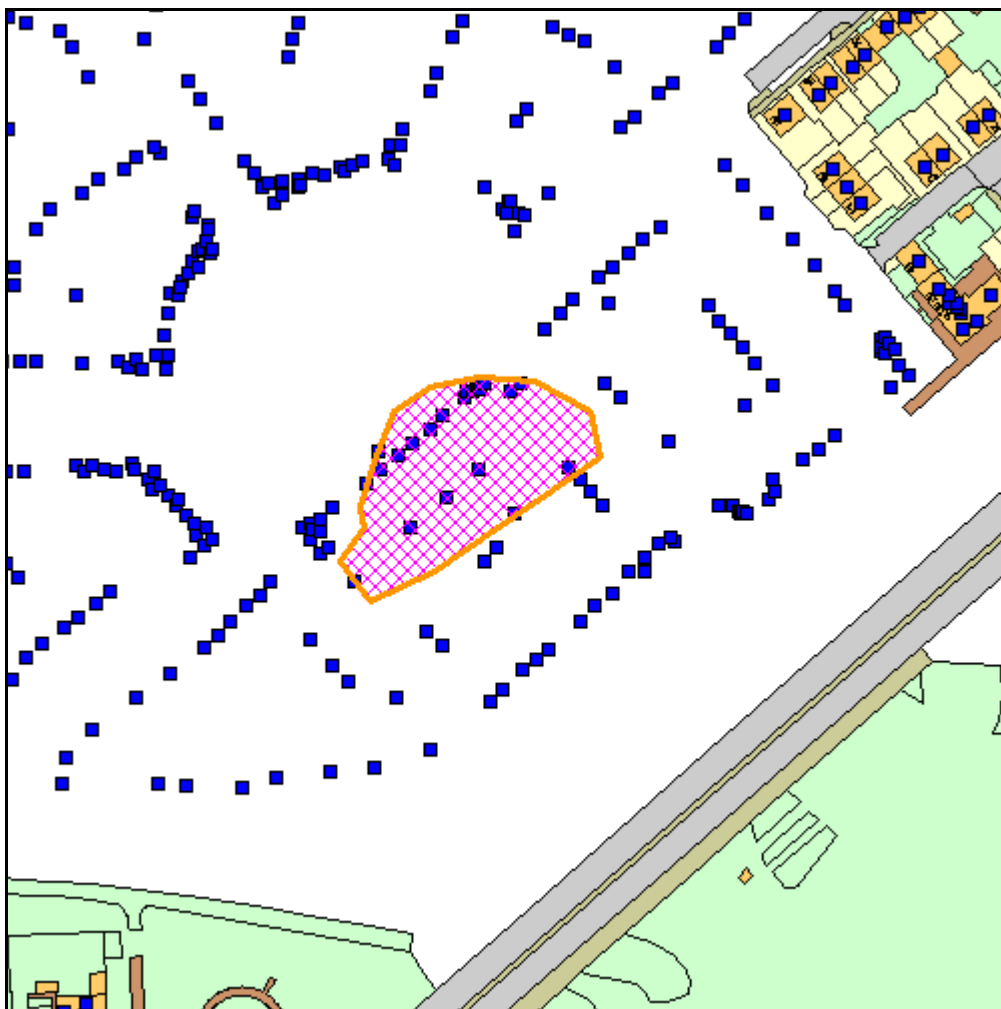
To ensure that the development is carried out in accordance with the approved plans in order to comply with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

Case Officer: Ben France

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 48/21 - 3rd December 2021

App No.:	P20/20980/RVC	Applicant:	Bovis Homes
Site:	Charlton Hayes North Field Filton South Gloucestershire	Date Reg:	29th October 2020
Proposal:	Variation of condition 1 attached to planning permission PT15/5353/RM to substitute the approved drawing JBR2356/332 Rev B with 30250-BRL-PL305 Rev C. (Laying out of the open space of The Crescent including enclosures and hard and soft landscaping. (Reserved Matters application to be read in conjunction with outline planning permission PT03/3143/O)).	Parish:	Patchway Town Council
Map Ref:	359963 180853	Ward:	Charlton And Cribbs
Application Category:	Major	Target Date:	22nd January 2021



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 100023410, 2008. **N.T.S.** **P20/20980/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.

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule due to 67no. objections from members of the public and an objection from Patchway Town Council, which are contrary to the Officer recommendation.

Please note, original plans submitted by the applicant incorrectly stated that a 'no dogs' sign would be attached to the gates. The majority of objections to this application are raised on the basis that dogs would be excluded from the open space. The error has now been removed and the applicant has confirmed that dogs would be allowed on the site. A public re-consultation was carried out following these changes for 14 days.

1. THE PROPOSAL

- 1.1 This application seeks the variation of condition 1 attached to reserved matters planning permission ref. PT15/5353/RM. This was for the laying out of the open space known as The Crescent, located on Phase 3 of the wider Charlton Hayes development, which was given outline planning permission through ref. PT03/3143/O.
- 1.2 This application proposes to make amendments to the approved plans to remove an originally proposed Croquet Lawn and for the area to instead be used as an enclosed informal open space area which will include landscaping and seating.
- 1.3 Through the course of the application process, extensive negotiations with the applicant took place. Amendments to the proposal were sought and have been received.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Policy Guidance
National Design Guide

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS24	Green Infrastructure, Sport and Recreation Standards
CS25	Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP19	Wider Biodiversity
PSP20	Flood risk Surface Water and Watercourse Management
PSP44	Open Space, Sport and Recreation

- 2.3 Supplementary Planning Guidance
Trees and Development Sites SPD (April 2021)
Green Infrastructure SPD (April 2021)
CIL and S106 SPD (March 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3143/O Approved- S106 Signed 15.03.2008
Major mixed-use development across 81.25 hectares of land comprising 2,200 new dwellings, 66,000 sq m of employment floor space (B1, B2 and B8), 1,500 sq m of A1, A2, A3, A4 and A5 floor space: together with the provision of supporting infrastructure and facilities including; new vehicular and pedestrian accesses to Highwood Road, new link road, public open space, primary school, community building, hotel (C1) (Outline). Approved on 15th March 2008.
- 3.2 PT15/5353/RM Approve with Conditions 12.04.2016
Laying out of the open space of The Crescent including enclosures and hard and soft landscaping. (Reserved Matters application to be read in conjunction with outline planning permission PT03/3143/O)

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
Objection, comments summarised as follows:
- Concerns regarding stopping of dog walking on the site and impacts this may have.
- No comments received following re-consultation.
- 4.2 Public Open Space Officer
Comments to the original proposal summarised as follows:
- Pleased to see 'no dogs' sign has been removed
- Concerns relating to the site being waterlogged, requests that applicant investigates and installs suitable drainage where necessary.
- Inconsistencies between plans
- A note on plan relating to maintenance timescale needs to be removed as the management of POS is in perpetuity.
- Concerns that some of the paths were narrower than originally proposed.
- Some details now not shown on revised plans.
- Wear pad should be installed around bins and seats
- Concerns that tree species may not tolerate conditions.

- Query whether these changes impact on the S106 obligations.

Following negotiations concerns have been rectified. The following comments are outstanding and will be considered in the report.

- A note on plan relating to maintenance timescale needs to be removed as the management of POS is in perpetuity.
- Confusion on surface and edging of the path proposed.
- Wear pads not shown around for benches on the site

4.3 Landscape Officer

The revised landscape proposals are acceptable subject to confirmation regarding the location of proposed street trees adjacent to the crescent, to be planted within the surrounding grass verge. These street trees were previously agreed under the road infrastructure application and should preferably be shown on this plan for continuity and planted to coincide with the implementation of the tree and shrub planting within the crescent, detailed in this application.

4.4 Lead Local Flood Authority

The Flood & Water Management Team have no objection to this application.

4.5 Tree Officer

There are no Arboricultural objections to this proposal.

4.6 Arts and Development

No comment

4.7 Highway Structures

The Highway Structures team has no comment.

4.8 Conservation Officer

No comment

Other Representations

4.9 Local Residents

67no. objections were received from local residents. This was prior to an error being fixed on plans which stated that a 'no dogs' sign would be erected. This has now been removed from the plans and the applicant has confirmed that dogs will be allowed on the site. Comments are summarised as follows:

- Concerns that no dogs would be allowed on the site
- It is the only safe and secure place to walk dogs in the area.
- It is currently well-used by dog owners, with various clubs taking place.
- Needs children's play area

4.10 3no. support comments were received from local residents. Comments summarised as follows:

- Enhance the space
- Support banning dogs, due to irresponsible dog owners

- More landscaping
- Improved seating
- Inclusion of paths

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application seeks planning permission to vary approved plans which were attached to a previously approved application, ref. PT15/5353/RM. Section 73 of the Town and Country Planning Act allows for applications for the variation of conditions attached to previously granted permissions. The regulations set out that when determining such applications, it is only the question of the conditions attached to the approved consent which may be considered. As such, the principle of the original scheme cannot be re-considered under this application.

5.2 Having said the above, it is noted that the amendments to the application would alter that which was envisaged as part of the Masterplan. Nevertheless, the layout of the site is largely similar with increased landscaping and seating now proposed. Whilst it is acknowledged that there will not be a Croquet lawn on the site, Croquet could still be played on the informal lawned area.

5.3 In this instance, the main reason for the submission of the application is to replace the plans previously approved with revised plans. This is to alter the open space from a croquet lawn to an informal lawned area with additional landscaping and seating. Therefore, the main considerations are whether the revised design is of an adequate quality and has sufficient accessibility to meet the needs of the occupiers of the wider development, and whether the landscaping is of a high standard of design in accordance with Policies CS1, CS24 and PSP2.

5.4 Design and Landscaping

The application site is currently laid to lawn with railings around the outside, development surrounding the open space is built out. It was noted by Officers on a site visit that the area is well used at present.

5.5 The original proposal was for a Croquet lawn with a picnic area and Croquet store, alongside pathways and 2no. trees and other landscaping. Plans submitted alongside this application show that an evergreen hedge would surround the site alongside ornamental planting beds. There would be a large lawned area, with areas of planted spring flowers. 2no. trees would be located at either end of the space. The Landscape Officer has confirmed that this is acceptable. In their comments they requested that trees approved as part of the wider development were also shown on plans. Following submission of revised plans, these trees have now been included.

5.6 Through the course of the application negotiations have taken place which have led to improvements. This includes,

- Widening of internal paths and gates to improve accessibility
- Root barriers for trees shown on plans

- Amendment to location of tree
- Additional bin proposed and wear pads installed.

5.7 Having said this, there are some outstanding concerns from the Public Open Space Officer. This includes that there is uncertainty of the proposed surface material of pathways. It is recommended that a condition is imposed in event of approval for surface material details to be submitted and agreed by the Local Planning Authority. Other concerns were raised in relation to the lack of wear pads either side of benches on the periphery of the site. This was requested from the applicant but has not been forthcoming prior to determination. Nevertheless, these were not shown on previous plans approved and therefore it is not considered that an objection can be sustained on this basis.

5.8 The revised proposals for this open space are considered to be of adequate quality and provide sufficient accessibility for the occupiers of the development, and the landscaping proposed is considered acceptable. As such, subject to the condition recommended above, the development is considered to be in accordance with Policy CS1, CS24 and PSP2.

5.9 Drainage

Through the course of the application process, the Public Open Space Officer raised concerns in relation to waterlogging of the open space in times of heavy rain, this is expected to be as a result of previous soil compaction. They expressed that this could make the area unusable. Throughout the course of the application process Officers asked the applicant to submit additional information relating to the drainage and waterlogging of the site. This has not been forthcoming prior to determination.

5.10 Officers are mindful that the Lead Local Flood Authority have been consulted and have raised no objection to the development. Nevertheless, given the potential impact on usability of the open space, an informative is recommended to be placed on the decision notice to ensure that investigations and (where necessary) remedial works are carried out.

5.11 Other conditions

The effect of an application under Section 73 is to grant a wholly new planning permission. Therefore, any conditions attached to the original consent should be replicated on the new permission, reviewed, or removed. However, in this instance, the application was approved subject to condition 1 only. Therefore, it is only the revisions to the approved plans which are considered.

5.12 Section 106

The Section 106 attached to the outline consent set out that there should be a minimum of 6.3652 hectares of open spaces on the wider Charlton Hayes site. This application proposes to alter the use of the public open space would not reduce the quantum, and therefore is considered to comply with the S106.

5.13 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty

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

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

5.15 Other matters

As confirmed above, the 'no dogs' sign has been removed from the plans and the applicant has confirmed that dogs would be allowed in this open space.

5.16 A number of support comments mentioned that they would like the area to be a 'no dog' zone. These comments are acknowledged, however, given that this is a public open space it should be accessible to all members of the community. 3no. bins will be provided on site for dog waste to be disposed of.

5.17 Comments submitted stated that a play area should be located on the site. The siting for areas for play was considered as part of the Outline planning consent and is outside of the scope of this application. It is noted that there are play areas on the wider Charlton Hayes site and nearby in Patchway.

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 Policies Sites and Places Plan (Adopted) November 2017 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 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 conditions. Condition 1 should be amended as set out below.

CONDITIONS

1. Approved Plans

The development hereby approved shall be implemented in strict accordance with the following documents:

Received by the Council on 15th December 2015
335 - Site Location Plan,
334 - Railing Detail, 333

Received by the Council 20th September 2021
27840/2052/130 Rev D - Engineering Layout and Section

Received by the Council 25th November 2021
BRL - PL305 Rev H - Proposed Setting Out

Reason
For the avoidance of doubt.

2. Surface materials

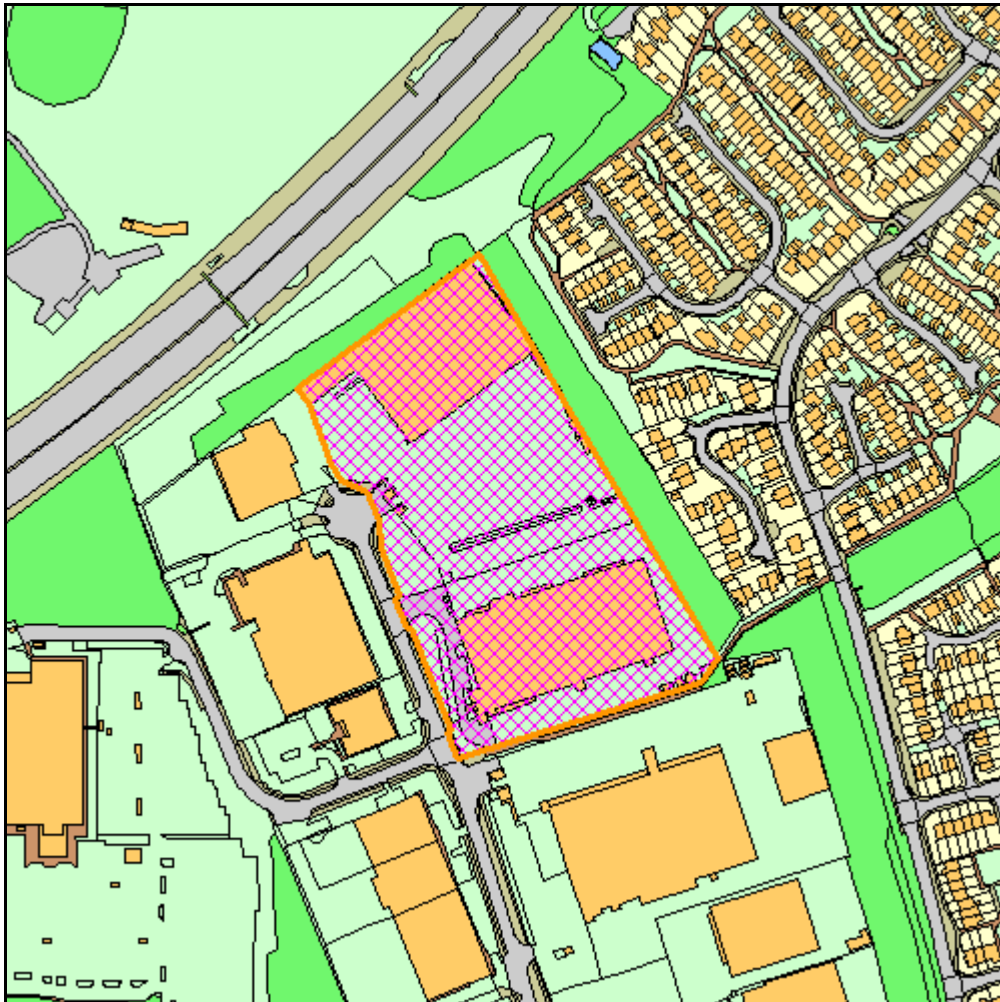
Prior to the relevant stage of development, details of the pathway surface material and edging proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason
To 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.

Case Officer: Lucy Paffett
Authorising Officer: Jonathan Ryan

CIRCULATED SCHEDULE NO. 48/21 - 3rd December 2021

App No.:	P21/02997/RVC	Applicant:	Coal Pension Properties Limited
Site:	Units 8 And 9 Britannia Road Patchway South Gloucestershire BS34 5TA	Date Reg:	28th May 2021
Proposal:	Variation of condition 15 (to amend the approved plans) (as added by P21/02356/NMA), 5 (to alter the approved landscaping plans), 7 and 10 (to amend the ecological enhancements), 13 (to amend the wording) attached to planning permission P20/08429/F and amended by P21/02356/NMA. Demolition and phased redevelopment of Units 8 and 9, comprising Phase One: 1no. new storage/distribution unit with ancillary uses (Class B8) to replace Unit 9; and Phase Two: 2no. new units for a flexible range of employment uses with ancillary uses (within Use Classes B1c, B2 and/or B8) to replace Unit 8, with new access, parking, landscaping and associated works.	Parish:	Patchway Town Council
Map Ref:	358977 181708	Ward:	Charlton And Cribbs
Application Category:	Major	Target Date:	26th August 2021



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 100023410, 2008. N.T.S. P21/02997/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 as the Parish Council and residents object to the proposal.

1. THE PROPOSAL

1.1 This application seeks planning permission to vary the following planning conditions of P20/08429/F, which was granted for the demolition and phased redevelopment of Units 8 and 9, Britannia Road, Patchway.

- Condition 15 (list of approved plan), which was added by P21/02356/NMA
- Condition 5, to alter the approved landscaping plans
- Condition 7 and 10, to amend the ecological enhancements
- Condition 13, to amend the wording of the attached to planning permission P20/08429/F and amended by P21/02356/NMA.

1.2 Planning permission P20/08429/F was granted for the demolition and phased redevelopment of Units 8 and 9, comprising Phase One: 1 no. new storage/distribution unit with ancillary uses (Class B8) to replace Unit 9; and Phase Two: 3 no. new units for a flexible range of employment uses with ancillary uses (within Use Classes B1c, B2 and/or B8) to replace Unit 8, with new access, parking, landscaping and associated works.

1.3 Since the grant of planning permission, a non-material amendment (P21/00225/NMA) was approved for the installation of some welfare and seating areas; 1 no. substation; some amendments to fenestration of Unit 9, fences, locations of CCTV columns, and dock heights. In addition, a non-material amendment (P21/02356/NMA) was also granted to (i) combine Unit 8a and 8b into a single building (which is now known as Unit 8a, and the approved Unit 8c is known as Unit 8b) and (ii) add a planning condition to list all approved plans. Applications for discharging planning condition for Unit 9 have also been submitted and some elements have been approved. The recent site visit reveals the works to Unit 9 have commenced. Therefore, the planning permission has been implemented and planning condition 1 of P20/08429/F will not be required.

1.4 The purposes of this application are to amend the approved drawings to facilitate the following key changes to the approved scheme:

- To increase the height of the approved unit 8a, 8b and 8c (from approximately 13.3 metres to approximately 15.2 metres i.e. 1.9 metres taller than the approved buildings)

- To change the footprint of Unit 8a and the position of the building to facilitate an access route and turning area for HGVs
- To relocate the buildings further away from the site boundary in order to accommodate some external equipment, e.g. gases compound, waste compound, LN2 compound, generator compound, heating compound, and sprinkler tank
- To increase the internal floorspace of Unit 8a
- To provide new access route and turning area for HGVs along the western boundary of the site
- To reduce HGV spaces at Unit 8a
- To increase 12 cycle parking spaces at Unit 8a
- To alter the landscaping arrangement
- To reduce 6 cycle spaces at Unit 8b

1.5 The site is situated within the existing employment area of Pathway and lies within the Cribbs Patchway New Neighbourhood. It is not subject to any special landscape designations. A public footway runs across the northern elevation of Unit 8, but no formal application was submitted to divert the public footpath. Since the grant of previous planning permission a separate application has been submitted to the Council's Public Rights of Way Department to rectify the current situation.

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS12	Safeguarded Areas for Economic Development

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Assessment
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts

PSP26	Enterprises Areas
PSP27	B8 Storage and Distribution Uses

2.3 Supplementary Planning Guidance

- Design Checklist SPD (Adopted August 2020)
- Waste Collection: guidance for new developments SPD (Adopted March 2020)
- Biodiversity and planning process
- Sustainable Drainage Systems Design Guide
- Trees on development sites (Adopted November 2005)

3. RELEVANT PLANNING HISTORY

The site has been subject to several planning applications in the past, the following applications are the most relevant to the determination of this application.

Unit 8 & 9

P20/08429/F Demolition and phased redevelopment of Units 8 and 9, comprising Phase One: 1no. new storage/distribution unit with ancillary uses (Class B8) to replace Unit 9; and Phase Two: 3no. new units for a flexible range of employment uses with ancillary uses (within Use Classes B1c, B2 and/or B8) to replace Unit 8, with new access, parking, landscaping and associated works. Approved 0910.2020

DOC20/00389 (Unit 9) Discharge of conditions 2 (drainage), 3 (construction management plan) and 6 (boundary treatment) attached to planning permission P20/08429/F - Demolition and phased redevelopment of Units 8 and 9, comprising Phase One: 1no. new storage/distribution unit with ancillary uses (Class B8) to replace Unit 9; and Phase Two: 3no. new units for a flexible range of employment uses with ancillary uses (within Use Classes B1c, B2 and/or B8) to replace Unit 8, with new access, parking, landscaping and associated works.

DOC21/00211 (Unit 9) Discharge of conditions 8 (lighting strategy) and 11 (parking implementation) attached to planning permission P20/08429/F. Demolition and phased redevelopment of Units 8 and 9, comprising Phase One: 1no. new storage/distribution unit with ancillary uses (Class B8) to replace Unit 9; and Phase Two: 3no. new units for a flexible range of employment uses with ancillary uses (within Use Classes B1c, B2 and/or B8) to replace Unit 8, with new access, parking, landscaping and associated works.

DOC21/00237 (Unit 9) Discharge of condition 14 (Operational Management Plan) attached to planning permission P20/08429/F. Demolition and phased redevelopment of Units 8 and 9, comprising Phase One: 1no. new storage/distribution unit with ancillary uses (Class B8) to replace Unit 9; and Phase Two: 3no. new units for a flexible range of employment uses with ancillary uses (within Use Classes B1c, B2 and/or B8) to replace Unit 8, with new access, parking, landscaping and associated works.

P21/00225/NMA Non material amendments to planning permission P20/08429/F for the inclusion of new welfare and seating areas; inclusion of 1 no. substation; amendments to the fences and CCTV column locations; inclusion of an additional window to the store room; relocation of fire doors, and amendment to the dock heights. Approved 02.03.2021

P21/02356/NMA Non material amendments to planning approval P20/08429/F to add the plans as a condition and to change the description 'Demolition and phased redevelopment of Units 8 and 9, comprising Phase One: 1 no. new storage/distribution unit with ancillary uses (Class B8) to replace Unit 9; and Phase Two: 2no. new units for a flexible range of employment uses with ancillary uses (within Use Classes B1c, B2 and/or B8) to replace Unit 8, with new access, parking, landscaping and associated works". Approved 27.05.2021

Unit 8

P95/1108 Erection of two storey modular office building. Approved 14.03.1995

PT03/2414/F Internal and external alterations to include ramp access and widening of doors. Approved 15.09.2003

Unit 9

N2783/1 Erection of warehouse extension (1,042 sq.m.) and office block (54 sq.m.) Approved 04.01.1979

4. CONSULTATION RESPONSES

4.1 Patchway Town Council – The Council have considered this planning application and object to the development due to the height, the fact the buildings are an eyesore, lack of consultation with residents and want a noise assessment to be undertaken

4.2 Other Consultees

HSE: Does not advise against the granting of planning permission on safety grounds.

Sustainable Transport – No objection subject to conditions

Environmental Protection Team (Noise) - It is a RVC application and a Noise Reporting Addendum was submitted. The proposal readily meets the BS4142, in terms of noise criterion on the submitted data and analysis. Also, further noise reports were submitted for the proposed Sprinkler tank (Condition 13). No objection in principle. A standard informative for the transient construction phases should be attached to the decision notice.

Art and Development – No comment

Listed Building and Conservation Officer - No comments.

Arboricultural Officer – No objections to the retention removal plan for the trees and the Tree protection plan is satisfactory. There are areas outside of the

RPA that appear unprotected but are within the existing hardstanding of the site therefore there are no issues relating to the protection plan.

Ecology Officer – Noted the changes to the ecological enhancement, there are no objections.

PROW Officer – No objection. An application has been submitted to divert the existing footpath to rectify the current situation.

Designing Out Crime Officer – No objection.

Drainage Engineer – It is acknowledged that P21/02997/RVC proposes the reduction of 2 buildings to 1 for Phase 2 (Unit 8) of P20/08429/F. This involves a slight increase of impermeable area which is acceptable, as the overall maximum discharge rate remains the same as that previously approved. The applicant also submitted additional drainage details regarding the entire scheme, therefore, there is no drainage objection.

Highway Structure – No comments

Environmental policy and Climate Change – A revised Energy Statement for this scheme has been submitted. The proposal is acceptable. Where VRF/VRV (heat pumps) are proposed, the applicant is encouraged to specify units using refrigerants with the lowest global warming potential (GWP) available and a refrigerant leak detection and monitor system(s) in accordance with best practice. The location of the EV charge points are shown in the Energy Statement. As per my previous comments the specification of the charge points should be provided in the Energy Statement.

Archaeology Officer – No comment.

Landscape Officer – No objection subject to condition (5) to be reworded

CLH Pipeline System – Objection as it appears that the proposed development is to be constructed within close proximity to CLH-PS apparatus. Such work would require consent from CLH-PS and the proposed development would restrict access to the pipeline for routine maintenance and in an emergency situation. The applicant submitted further information to address the concerns and the CLH PS has been informed.

Other Representations

4.3 Local Residents

3 letters of objection have been received and the comments are summarised as follows:

- Do not wish to have any trees or bank removed
- No car park behind – fumes coming from the vehicles to our home
- Even if trees are replaced, it will take a long time for them to grow to a size to provide adequate screening
- It is also home to a lot of wildlife

- Do not wish to have anything touched behind
- The bank and trees make a huge difference we cannot see the warehouses too much.
- Are there plants to remove the natural habitat?

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 of the adopted Core Strategy identified land in the Cribbs Causeway and Patchway as having the potential to accommodate residential development and associated facilities. The site for this proposal lies within the Cribbs Patchway New Neighbourhood. Policy CS26 states that within the new neighbourhood through the preparation and adopted of a Supplementary planning Document, provision will be made for major residential development, employment land, and greater diversity of commercial uses. As such in the medium to long term there is an aspiration the site is developed as part of this mixed-use development. The site is allocated as an interim Safeguarded Employment Sites within CS12. The supporting paragraph of Policy CS12 states a priority on the safeguarded sites will be given to use which fall within the B Use Classes. Given that planning permission has been granted for the redevelopment of this particular site and the current application is mainly to change the form and height of the approved buildings, therefore there is no objection in principle to the proposal.

5.2 Design / Visual amenity

The proposal is to vary several conditions in order to amend the shape and the height of the approved buildings. The height of the approved Unit 8a and 8b buildings would be increased by approximately 1.9 metres, but they would still be slightly lower than the approved building Unit 9. In terms of the shape of the buildings, a curved roof is proposed and part of Unit 8a is set back from the eastern boundary in order to provide a turning area of HGVs and a courtyard area of several compounds. A palette of metallic greys and slivers is proposed for the profile metal roofing and curtain walling cladding systems to the new units.

5.3 Although changes are proposed to the design and appearance of the approved buildings, the resulting buildings would still have an industrial appearance to meet the functional needs of the proposed uses. Officers also consider the proposal external materials are acceptable. Given the context of the wider area and the established uses of the site, it is considered that the proposed changes would not cause material adverse impact upon the character and appearance of the area. Therefore, there is no objection from this perspective.

5.4 Arboricultural consideration

The arboricultural documents including tree survey, constraints plan, tree protective plan and measures, were submitted and agreed in the previous application. Regarding the residents' concerns about the existing trees, the applicant submitted a tree retention and removal plan, which shows that the existing trees within the landscape buffer would be retained. Subject to the existing condition securing the implementation of the proposed protective measures, there is no arboricultural objection.

5.5 Landscape consideration

The site lies within the northeast part of the Patchway Trading Estate, with an existing planted bund separating it from the adjoining housing area lying further east. Unit 8 site lies closest to the M5, will be replaced two new standalone units (8a and 8b), the parallel routes of the CHL pipeline and public sewer and their associated easements crossing the site between them from east to west. Dock levellers will be located along the southern elevation of Unit 9, with the associated vehicular parking/movement area lying adjacent to the pedestrian and cycle link, which connects the residential area of Patchway and the employment area of Cribbs, and forms part of the strategic green infrastructure identified within the Cribbs/Patchway New Neighborhood Development Plan.

5.6 Whilst the proposed new buildings will be appreciably taller than those that they replaced, they would be similar in height (slightly lower) to the approved unit 9. The previous proposed planting to the east of both these units, which supplemented the screen planting on the building, will be lost due to the proposed compounds area. Nevertheless, the new buildings would still largely been screened by the existing landscape buffer in summer although it is noted the intervening bund vegetation will be less effective in winter.

5.7 In terms of soft landscape proposal, the tree planting within the car park of Unit 8a is acceptable. In terms of replacement tree planting, the proposed planting plan DLA-1981-L-06 Rev. P08 shows 78 no. new trees proposed and such amount of replacement planting would comply with the Supplementary Planning Document. Planting strategy including Tree pit details for trees planting are also submitted and the details are acceptable.

5.8 In terms of hard landscape proposal, the palette of hard landscape surface materials and fencing have been submitted, as well as further details relating to proprietary fencing, gates, bollards, and cycle stands. These details are all acceptable.

5.9 A landscape management and implementation plan 'LMIP' dated April 2021 (Rev P03) has been submitted, and clarified the individual responsibility and maintenance operations. The details are acceptable. The residents mentioned that the existing landscape buffer makes a huge difference to screen the existing industrial buildings. Therefore, it would be important the existing landscape buffer would not be affected. Therefore a planning condition is required to ensure that the proposed LM to be carried out accordingly.

5.10 In summary, there is no landscape objection, subject to condition 5 to be reworded to reflect the proposed changes.

5.11 Residential Amenity

The nearest residential properties are located to the east of the site (the site boundary would be approximately 24 – 32 metres away from the boundary of the residential properties) and residents' concerns are noted.

5.12 The proposal would increase the overall height of the approved buildings by nearly 2 metres, it however should be noted that part of Unit 8a would sit further away from the eastern boundary than the previous scheme. As discussed

earlier, the new buildings would be more visible than the previously approved scheme from the neighbouring properties, while the existing landscape buffer would provide some screening in the summer months. In terms of separation distance, Unit 8a and Unit 8b would be approximately 40 metres and 29 metres from the nearest dwelling, No. 15 Eagle Drive and No 9 Kestrel Close respectively (The approved Unit 9 is approximately 26 metres from the garden boundary of No. 13 Kestrel Close). Whilst the proposal would increase the potential overbearing impact, it is considered that such impact would not be so significant to be detrimental to the amenity of the neighbouring properties due to the existence of landscape buffer. In addition, the height of the new buildings would be very similar to Unit 9, which has been approved and built. The separation distance would not be significantly different from the existing situation to Unit 9. As such, it is considered that, on balance, the proposed changes would not cause significantly unreasonable overbearing. No windows are proposed on the rear (east) elevation of the new units, as such, there would not be any overlooking impacts upon these residents.

5.13 Residents' concerns are noted. In terms of acoustic issues, the applicant submitted an Environmental Noise Assessment report with the application and the Council's Environmental Protection Officer is satisfied with the submitted report and raised no objection subject to a condition restricting the noise level of the proposed units. Given the intensification of this employment site and the proximity to the residential area, it is considered that it would be reasonable to impose a condition to seek a detailed operational management plan for Unit 8a and 8b and further details including an acoustic report associated to any other compounds to ensure that the amenity of the residents are adequately safeguarded.

5.14 Highway and Transportation

The change from two units to one unit does slightly increase the number of vehicle movements per day when compared with the fall back position. However, it would not cause a severe transportation congestion or highway safety issue. Therefore no objection is raised to this element.

5.15 The applicant has provided a Construction Environmental Management Plan with this application and an updated version to include details of the type of wheel washing, details of enforcement on the routing of the delivery vehicles, and delivery times. The Travel plan has also been submitted and the revised document indicated the target of 10% reduction over 5 years. In terms of facilities for cyclists, the location of lockers/changing facilities are provided within the proposed unit. It is also confirmed that shower facilities would also be provided. Subsidised/low interest loans for cycle purchase and public transport provision are also offered. The proposed Electric Vehicle Charging facilities need to be in line with both emerging guidance and the declared climate emergency so that a minimum of 10% of parking spaces are Electric and the remaining spaces have ducting on place (i.e. passive) to enable them to be wired up in the future as demand increases. Officers are satisfied with the submitted details including the provision of Electric vehicles charging points, however, further details are required to ensure that ducting would be in place on the remaining spaces to increase the Electric vehicles charging as

necessary in the future. Therefore, subject to planning condition securing these details, there are no highway objection.

5.16 Public Rights of Way

This application would affect public footpath OPA13 and the legal line of this public footpath currently passes through the site and the northern elevation of existing building 8 (and 6). To address this issue, the applicant submitted an application to the Public of Way's Department to divert the existing footpath formally. On that basis, the PROW officer has no objection to the proposal.

5.17 Ecological Issues

The proposal is to make some changes to the approved buildings and it is noted that changes are proposed to the ecological enhancement. Officers are satisfied with the proposed changes, therefore, there is no ecological objection subject to planning conditions to safeguard the wildlife habitats and protected species.

5.18 Response to Climate Change

A revised Energy Statement for the proposed changes has been submitted and the officers are satisfied with the submitted details. Regarding the proposed VRF/VRV (heat pumps) are proposed, an informative will be attached to planning decision to encourage the applicant to use a refrigerants leak detection, monitor system and refrigerants with the lowest global warming potential (GWP) available in accordance with best practice. The location of the EV charge points are shown in the Energy Statement. Subject to planning conditions seeking specification of the EV charging points, there is no objection to this regard.

5.19 Other matters

It is noted that the CLHP Pipeline System objected to the proposal. Nevertheless, it is understood that a legal agreement is being prepared to be agreed by both parties. Although there would be some parking spaces along the pipeline, the submitted site plan clearly shows 'CLH No build Zone'. Given that it would be a private civil matter between two parties and planning permission has been granted for the location of the buildings, it would be unnecessary to impose any condition to secure this legal agreement. However, an informative will be attached to the decision notice to ensure that the applicant is aware that there will be future work on-site that Exolum may need to oversee to ensure the safety of the pipeline.

5.20 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 be granted subject to the following conditions:

CONDITIONS

1. Development shall be carried out in accordance with the following approved drainage details:

B05600-CLK-XX-XX-CA-0002-P03(8A_SW_NETWORK)-Fine- Received 28/09/2021,
B05600-CLK-XX-XX-CA-0003-P03(8B_SW_NETWORK)-Fine- Received 28/09/2021,
B05600-CLK-XX-XX-DR-C-0500-D4-C01(Drainage Layout)- Received 28/09/2021,
ADDENDUM_TO_FLOOD_RISK_ASSESSMENT___DS-6975594, and
DRAINAGE_DETAILS__CONDITION_-7083479.

Reason

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

2. The development hereby approved shall be carried out in accordance with the submitted Construction Environmental & Traffic Management Plan E21018 (Unit 8) received by the Council on the 09 August 2021, Construction Environmental & Traffic Management Plan, 3126 Plot 9 Britannia Road dated 09/08/21 received on 9 August 2021. For the avoidance of doubt, no lorries shall route northward via Coniston Road and any vehicle wheels shall be washed and the load shall be covered in order to keep the dust down.

Reason

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

3. The proposed development hereby approved shall be carried out in accordance with the submitted Tim Pursey Arboricultural report (Tree Survey and Constraints Plan Rev B dated 15th April 2020) and BS:5837:2012.

Reason

In the interests of the long term health of the tree, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

4. Development shall be carried out in accordance with the following hard and soft landscape drawings and the landscape maintenance plan:

Landscape Management and Implementation Plan (LMIP) April 2021 (Rev 03), and Proposed Fence and Gate details, 11200 D 104 and 11200 D 105, received on 1 May 2021

Tree pit details, Plan, DLA-1981-L-08 Rev P01,
Planting Proposals, DLA - 1981-L-06 Rev P08,
Hard Landscape Plan, DLA-1981-L-04 Rev P09,
Hard Landscape Plan, DLA-1981-L-05 Rev P09,
Tree removal and tree retention Plan, DLA-1981-L-02 Rev P03, received on 9 August 2021.

Reason

To protect the landscape character of the site and the area, and to accord with Policies PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

5. The proposed boundary treatment hereby approved shall be carried out in accordance with the following plans before the buildings are first occupied.

Proposed Fence and Gate details, 11200 D 104 and 11200 D 105, received on 1 May 2021,

Hard Landscape Plan, DLA-1981-L-04 Rev P09, and
Hard Landscape Plan, DLA-1981-L-05 Rev P09, received on 9 August 2021.

Reason

To protect the landscape character of the site and the area, and to accord with Policies PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

6. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Desktop Appraisal and Ecological Enhancement Addendum (Ecology Solutions, January and April 2020). In addition, the works to the buildings should avoid bird nesting season as per the addendum (Ecology Solutions, August 2020), and Briefing Note: Preliminary Ecology Desk-Top Appraisal dated 31 January 2020.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the wildlife habitats and protected species, and to accord with Policy PSP19 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

7. All ground disturbance in areas of terrestrial habitat that could support great crested newts is to be supervised by a suitably qualified ecologist due to local records close to the site.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the wildlife habitats and protected species, and to accord with Policy PSP19 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

8. Prior to first occupation of proposed development hereby approved, details of ecological enhancement features recommended in the Preliminary Ecological Desktop Appraisal and Ecological Enhancement's Addendum (Ecology Solutions, January and April 2021) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes and native planting, which shall be implemented prior to the first occupation of the development hereby approved.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the wildlife habitats and protected species, and to accord with Policy PSP19 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

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

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

10. Within three months following the commencement of construction works for Unit 8a or Unit 8b, a detailed site plan showing the ducting to facilitate additional Electric Vehicles charging points and detailed specifications of the proposed EV charging points shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be maintained as such thereafter.

Reason

To tackle climate change, to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and to be in line with the declared climate emergency of the Council.

11. The Rating Noise Level of any associated fixed plant/machinery shall not exceed the pre-existing LA90 Background Noise Level when measured and assessed in accordance with the British Standard 4142 as amended.

Reason

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

12. Notwithstanding the submitted drawings, including Hard Landscaping plans (Hard Landscape Plan, DLA-1981-L-04 Rev P09, Hard Landscape Plan, DLA-1981-L-05 Rev P09), Proposed Ground Floor Plan Unit 8a (No. 11200 P102) and Proposed Site Plan (No. 11200 P 101), prior to the installation of any compounds, sprinkler tanks, pump rooms, or any structures or containers, their full details including an associated acoustic assessment report 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 amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

13. Prior to the first occupation of the each unit hereby approved, a detailed operational management plan for Unit 8a and 8b safeguarding the amenity of the nearby residents shall be submitted to and approved in writing by the Local Planning Authority. All such details as approved shall be implemented.

The operational management plan for Unit 9 shall be carried out in accordance with the submitted Bristol New site Operational processes dated July 2021.

Reason

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

14. The development shall be carried out in accordance with the following plans:

The following drawings received by the Council on 1 May 2021

Site location plan, Drawing No. 11200 L 100

Proposed Site Plan, Drawing No. 11200 P101

Site Sections, Drawing No. 11200 S 103

Unit 9 Proposed Elevations, Drawing No. 11023 E 003 E

Unit 9 Proposed Ground Floor Plan, Drawing No. 11023 P 005 E

Unit 9 Proposed Roof Plan, Drawing No. 11023 P009 D

Unit 9 Proposed Site Plan, Drawing No. 11023 P 003 C7
Unit 8a Proposed Elevations, Drawing No. 11200 E 101
Unit 8a Proposed Ground Floor and First Floor Plans, Drawing No. 11200 P 102
Unit 8a Proposed Section, Drawing No. 11200 S 101
Unit 8a Proposed Plant Room and Roof Plan, Drawing No. 11200 P 103
Unit 8b Proposed Elevations, Drawing No. 11200 E 102
Unit 8b Proposed Ground Floor and First Floor Plan, Drawing No. 11200 P 104
Unit 8b Proposed Roof Plan, Drawing No. 11200 P 105
Unit 8b Proposed Sections, Drawing No. 11200 S 102, and
Proposed External Materials, Drawing No. 11200 D 101.

Reason

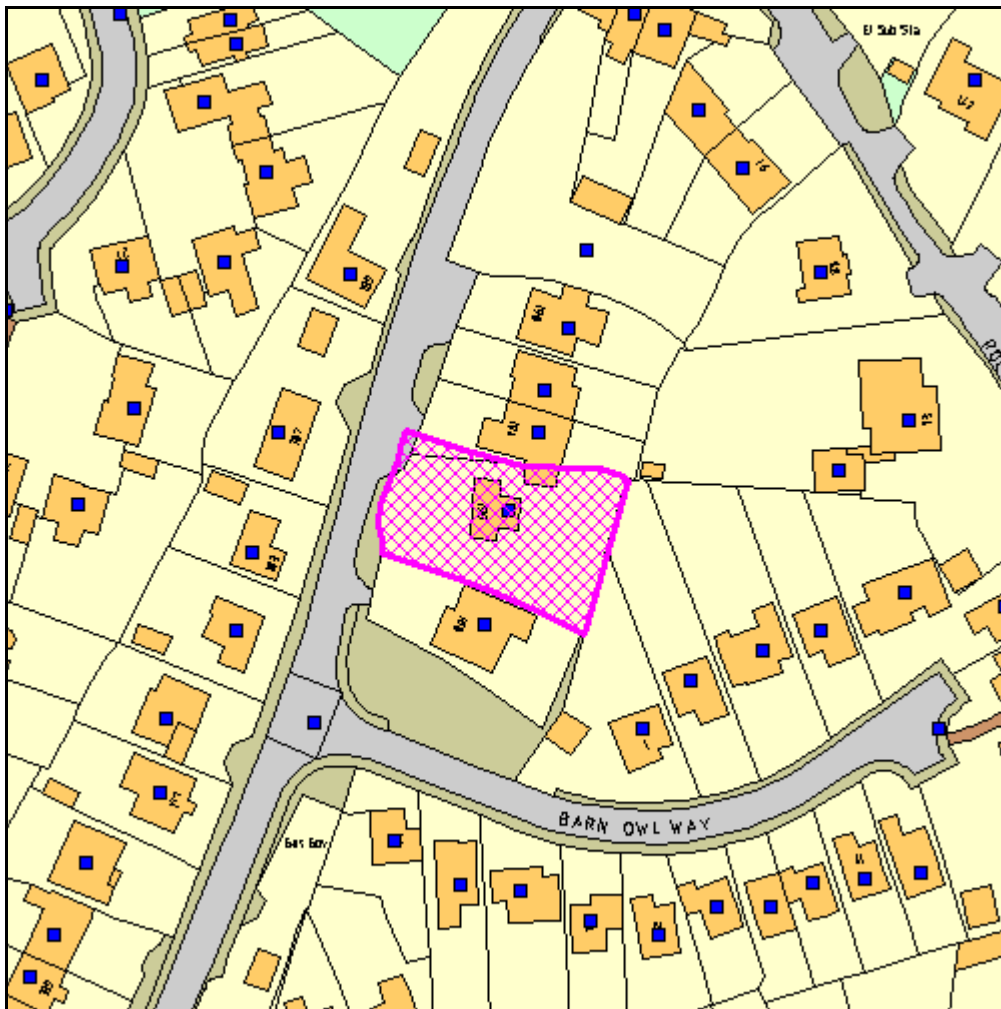
To define the terms and extent of the permission.

Case Officer: Olivia Tresise

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 48/21 - 3rd December 2021

App No.:	P21/05529/F	Applicant:	Mr Northover Pheidias Ltd
Site:	Land At 190 North Road Stoke Gifford South Gloucestershire BS34 8PH	Date Reg:	26th August 2021
Proposal:	Demolition of existing house and garage and erection of 2no. new dwellings with access, parking and associated works.	Parish:	Stoke Gifford Parish Council
Map Ref:	362666 180067	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	20th October 2021



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 100023410, 2008. **N.T.S.** **P21/05529/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 APPEARANCE ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of 3 objection comments from local residents as well as an objection raised by the Parish Council, all of which are contrary to the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the demolition of existing house and garage and erection of 2no. new dwellings with access, parking and associated works at 190 North Road, Stoke Gifford.
- 1.2 The applicant site comprises a larger plot with the host property itself forming a two-storey-detached Locally Listed property. The proposal would be situated on land that forms part of the existing plot which is recognised not to be limited by any other local plan policies.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)

3. RELEVANT PLANNING HISTORY

3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

[1st Consultation]

- The Parish council have objected to this application on the grounds of design (over-dominance and scale).

[2nd Consultation]

- No comments received.

4.2 Sustainable Transport Officer

[1st Consultation]

- No objections to the proposed scheme subject to the following conditions and informatives:
 - o Proposed dwellings shall not be occupied until the access and parking arrangements have been completed in accordance with the submitted details including the provision of 7Kw 32 Amp Electric Vehicle Charging Points.
 - o The accesses shall also be surfaced with a consolidated material (no loose stone or gravel for at least the first 5m from the back edge of the highway).
 - o The visibility splays across the site frontage shall be retained clear of obstruction in accordance with the submitted drawing.
 - o The proposed development will require alterations to the existing vehicle crossover with the provision of new access from the carriageway. Under Section 184 of the Highways Act 1980, the applicant is required to obtain the permission of South Gloucestershire Council.

[2nd Consultation]

- No objections (subject to previous comment) as there would be sufficient on-site parking for 5no. bedrooms.

4.3 Conservation and Listed Building Officer

[1st Consultation]

- 190 North Road is a locally listed building but inclusion for status is somewhat unclear – assumed due to age. Notwithstanding this, it should be considered as a non-designated heritage asset, with appropriate assessment considered against national policy.
- Proposed development would result in demolition of existing building, meaning the impact on significance would be substantial or result in total loss. However, as building is locally listed with unclear significance, further assessment of harm required.
- Age of building expected to date from inter-war period meaning historic interest is of limited extent. Likewise, nothing architecturally distinctive or

remarkable about the structure which has also suffered from unsympathetic alterations. Generally speaking, whilst this building does make a positive contribution to the street scene, the potential historic interest of the site has been eroded and lost over time by the development of neighbouring properties to the North and South.

- Due to the above, actual significance of this building is limited meaning an objection in principle would be hard to sustain. However, attention should be drawn to ensure that any considered loss is mitigated through the form and design of the new development (as per policy PSP17) than looking to make a case for retention of the building.
- Overall, the proposed loss of the locally listed building will result in a degree of harm to the character of the area, but this harm would be limited and could be offset by a high-quality design for any replacement building(s). But, if the application is to be determined as submitted, then I would recommend refusal on the grounds of loss of character, appearance and interest.

[2nd Consultation]

- Revised drawings demonstrate an improvement on quality of initial scheme, but this does not mitigate the loss of the locally listed building – further refinements could be considered, with a ‘mirrored’ design looking somewhat contrived.
- Notwithstanding the above, these are matters of urban design rather than a conservation perspective, meaning final judgement is deferred to the urban design and ultimately, the case officer.

4.4 Flood and Water Management Officer

[1st Consultation]

- No objections.

[2nd Consultation]

- No objections.

4.5 Highway Structures Officer

[1st Consultation]

- No comments received.

[2nd Consultation]

- No comments received.

4.6 Archaeology Officer

[1st Consultation]

- No comments received.

[2nd Consultation]

- No comments received.

4.7 Tree Officer

[1st Consultation]

- No objections.

[2nd Consultation]

- All foundations depths should consider the demands of the proposed trees at maturity in accordance with the NHBC guidelines.

4.8 Local Residents

[1st Consultation]

- 6 letters have been received from neighbours. Key points are as follows:
 - [3 objection comments]
 - o Character of house will be lost by replacement of modern design and would not be in keeping with surrounding area.
 - o Proposed development will result in loss of views and have an overbearing effect on outlook.
 - o Size of properties would result in over-development.
 - o Window design would lead to loss of privacy.
 - o Protection should be placed on locally listed building.
 - [3 support comment]
 - o Proposed development would improve poor condition of existing property.
 - o Design is of a sensitive nature that response to existing street scene due to size and layout.
 - o Due to large scale plot, 2no. properties can be accommodated.
 - o Suggest detailing relating to materials is taken into consideration.

[2nd Consultation]

- 3 further letters of objection have been received from neighbours and are summarised below:
 - o Concerned there wouldn't be sufficient parking for 5-bedroom property.
 - o Potential effect on local watercourse.
 - o Revised drawings have additional rear windows that do not resolve privacy issues due to direct line of sight into neighbouring properties.
 - o Likely to increase local traffic.
 - o Change in roof form would reduce open character of surrounding area.

4.8 [*Officer comment*] The above representations have been noted with further analysis relating to design, amenity and transportation found below.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy CS5 outlines the locations in which development is considered appropriate and states that most new development in South Gloucestershire will take place within the communities of the North and East fringes of the Bristol urban area as well as those locations set within a defined settlement boundary. The proposed development would be located within an area defined as the North fringe of the Bristol urban area and as such, based solely on the location of the site, is considered acceptable in principle.

5.2 Notwithstanding this, policy PSP38 states that the provision of new dwellings and extensions within existing residential curtilages are acceptable subject to an assessment of design, amenity and transport. Likewise, and with regard to the constraint identified above, the applicant building is denoted as a 'non-designated' heritage asset due to its historic origin and subsequent external

character, with policy PSP17 and the NPPF stating that weight should be given to the conservation of such assets. This suggests the main issue to assess (whilst not dismissing those highlighted by PSP38) is the degree of harm caused by the proposed works having regard to local plan policies and the NPPF.

5.3 Heritage

As stated in paragraph 203 of the NPPF, the weighing of applications that directly or indirectly affect non-designated heritage assets must demonstrate a balanced judgement in regard to the scale of any harm or loss to the significance of the heritage asset. Further to Government planning policy, PSP17 seeks to ensure that development proposals that affect non-designated heritage assets i.e., locally listed, should preserve or enhance their significance.

- 5.4 The proposed development would result in the demolition of building that is suspected to date from the inter-war period, indicating there would be a loss of historic interest. However, the case officer notes the comments of the Listed Building and Conservation officer who states that whilst the host property does make a positive contribution to the street scene, the potential historic interest of the site has been eroded and lost over time by the development of neighbouring properties to the North and South. Likewise, it is recognised there is nothing architecturally distinctive or remarkable about the structure in question, which has also suffered from unsympathetic alterations over the last century. This therefore indicates the proposed development, although clearly resulting in the loss of an established and historic building, would be of minor extent, with the case officer satisfied that corresponding provisions of the NPPF are sufficiently fulfilled.

5.5 Design and Visual Amenity

Policies CS1, PSP38 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.

- 5.6 With regard to the existing street scene along North Road, there is a varied style of housing (in terms of scale, form, and material), which typically dates from the 20th century up to the present. Notwithstanding this, there are some consentient characteristics which are described as follows:

- Two-storey.
- Front projecting gable.
- Open-sky 'backdrop views' between properties.

This therefore indicates the proposal must demonstrate an understanding of the design features listed above in order to satisfy local policy.

- 5.7 The sitting of the 2no. dwellings would replace the existing and would measure approximately 8.6 meters in height (with an eaves height of 4.9 meters), have a maximum length 15.4 meters and a width of 8 meters. A gabled roof is

proposed for both dwellings that features 2no. front and 1no. rear dormer of 'classic' design. There would also be a single-storey lean-to 'extension' at both the front and rear, with the case officer understanding each property would provide capacity for 5no. bedrooms.

5.8 Whilst concerns of local residents are recognised, the following considerations are made:

- Firstly, reference is made to the siting of the proposed dwellings in which the setting back to match No.188 effectively 'connects' the front building line of properties situated on the East side of North Road (No.188 to No.198), suggesting the development would sufficiently integrate with this row of dwellings and improve the established building line.
- Secondly, the form, massing and scale of this application is considered fairly consistent with the row of properties identified above, with specific design features – such as the proposed dormers – mirroring some of the existent characteristics of North Road. Likewise, appropriate separation distances have been put forward, thus ensuring the 'open' quality of the street via sky-views is maintained.

5.9 The proposed new dwellings are undeniably 'different' to those on either side – most notably the roof plane will be larger and the windows will be set at a lower level. However, just because the proposed dwellings are different, it does not automatically follow that they are unacceptable. This section of North Road is particularly diverse in terms of the external appearance of the dwellings. It is an eclectic mix of properties of differing ages, styles and designs. Due to the factors listed above, it is judged the development proposal would not result in unreasonable harm to the character or appearance of the site and its context and therefore represents an acceptable standard of design that complies with policies CS1 and PSP38.

5.10 Residential Amenity

Policy PSP8 relates specifically to residential amenity in which it states development proposals are acceptable, provided they do not create unacceptable living conditions or result in unacceptable impacts on residential amenities. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.

5.11 When considering the impact of the proposed development on the residential amenity of neighbouring residents, it is largely considered the proposed works would have the strongest impact on No.1 and No.2 Barn Owl Way. Here, reference is made to the comments of local residents which state a loss of privacy and overbearing effect would be created through means of the introduction of 2no. dwellings with rear facing windows.

5.12 In respect to the above and to help inform an assessment of harm, observation is made of the '20m back-to-back' rule, which informs (as per the SGC Householder Design Guide) that where windows serve one or more primary living accommodation areas in the rear of dwelling and faces another, the proposed development should demonstrate that a separation distance of 20m

is achieved, thus helping to mitigate an unacceptable loss of privacy. Although this test is considered a fairly basic assessment of amenity, it does provide a solid indication for the potential level of harm. With regard to this, the submitted site plan (*Drawing No. 2113 / 02 / B*) demonstrates the 20m distance is easily achieved, with it also noted the proposed dwelling would not directly face those on Barn Owl way (as the rule refers to). Due to this, it is not considered the development would result in an inter-visibility relationship as to severely harm existing privacy levels and should not be considered for a refusal on this basis.

- 5.13 In addition to the above, reference is again made to the SGC Householder Design Guide which states a minimum distance of 7m meters should be maintained from the façade of a new two-storey rear extension (or dwelling) to the facing garden boundary to the opportunity for overlooking is not increased materially or through perception. Here, it is noted the proposed garden distances would satisfy the above criteria suggesting it would be unlikely the development would result in severe overlooking or indeed have an overbearing effect.
- 5.14 Lastly, and although it is appreciated the development would result in the loss of views (as stated by local residents), this does not bare any planning merit and falls outside the scope of assessment.
- 5.15 In consideration of all the factors discussed above, the case officer concludes that a satisfactory level of privacy for the occupants of the proposed and residents on Barn Owl Way would be achieved, with it unlikely that an overbearing effect would be created. Therefore, it is judged that the scheme complies with policy PSP8 and the adopted SGC Householder Design Guide.
- 5.16 Private Amenity Space
Policy PSP43 states the Council's minimum standards for private amenity space for new residential units, which informs new developments are expected to have access to private amenity space that is: of a sufficient size and functional shape to meet the needs of the likely number of occupiers; and, designed to take account of the context of the development, including the character of the surrounding area.
- 5.17 The proposed dwellings would support capacity for 5no. bedrooms, meaning a requirement of at least 70 square metres of functional private amenity space is needed to satisfy the parameters of PSP43. The submitted evidence indicates that over 90 square meters would be provided for property, and as such, the development proposal complies with PSP43.
- 5.18 Transport
Policy PSP11 states development proposals that generate a demand for travel will be acceptable provided that access is appropriate, safe, convenient and attractive for all modes of travel arising to and from the site. It also outlines that access should not: contribute to serve congestion; impact on the amenities of communities surrounding access routes; have an unacceptable effect on highway and road safety; and, should not harm environmentally sensitive areas.

- 5.19 Access to each of the proposed dwellings would utilise an entry point similar to the existing from North Road indicating the visibility from this vantage point would be of an acceptable standard. Likewise, and given that the development would only result in a modest intensification of road use, the proposed arrangements would not result in any serve highway or transportation issues.
- 5.20 In terms of parking, policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number, with a property of the proposed size expected to provide 3no. on-site parking spaces. Submitted evidence conforms this requirement can be satisfied. Notwithstanding this, the requested condition of the sustainable transport officer is noted – the dwellings shall not be occupied until an electric charging point has been installed – in which the submitted floor plans (*Drawing No. 2113 / 01 / D*) indicate both garages could accommodate charging for electric vehicles. Subject to such a condition, no transportation objections are raised.
- 5.21 Flood Risk
The applicant site is not situated within flood zone 2 or 3 with residential dwellings in this zone generally regard as 'less' vulnerable types of development. Notwithstanding this, the application has been reviewed by the Flood Risk and Water Management Team who raised no objections. Due to this, it is considered the development proposal would comply with the council's flood risk policies and corresponding provisions of the NPPF.
- 5.22 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.
- 5.23 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 listed below:

CONDITIONS

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

Reason

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

2. The dwellings shall not be occupied until the access and parking arrangements have been completed in accordance with the submitted details (Drawing No. 2113 / 02 / B & Drawing No. 2113 / 01 / D) including the provision of 7Kw 32 Amp Electric Vehicle Charging Points.

To note: The access must be surfaced with a consolidated material (not loose stone or gravel) for at least the first 5m from the back edge of the highway.

Reason

In the interest of highway safety, to promote sustainable travel and to accord with policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

3. Prior to the use or occupation of the dwellings hereby permitted, and at all times thereafter, the visibility splays across the site frontage shall be retained clear of obstruction in accordance with the submitted drawing (Drawing No. 2113 / 02 / B).

Reason

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

4. The development hereby permitted shall only be implemented in accordance with the plans as set out below:

The Location Plan (Received 13th August 2021)

Design and Access Statement (Received 25th August 2021)

Proposed Plans and Elevations (2113/01/D) (Received 17th November 2021)

Proposed Site Layout (2113/02/B) (Received 8th November 2021)

Indicative Street Scene (2113/03/C) (Received 8th November 2021)

Reason

To define the terms and extent of the permission.

Case Officer: Ben France

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 48/21 - 3rd December 2021

App No.:	P21/06132/F	Applicant:	Mr and Mrs Nuttall
Site:	Little Orchard Pucklechurch Road Hinton South Gloucestershire SN14 8HG	Date Reg:	20th September 2021
Proposal:	Formation of new access track with turning and parking area, incorporating change of use of land for access track, parking and turning to the dwelling and paddocks. Closure of two existing access (Retrospective)	Parish:	Dyrham And Hinton Parish Council
Map Ref:	373724 176769	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	10th November 2021



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

INTRODUCTION

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

THE PROPOSAL

- 1.1 The application seeks consent for the formation of a new access track with turning and parking area, incorporating change of use of land for the access track, parking and turning area used in conjunction with the dwelling and paddocks, and closure of two existing accesses. The application is retrospective.
- 1.2 The application site is Little Orchard, located on Pucklechurch Road, Hinton. The development serves Little Orchard and the domestic equestrian use of the adjoining paddocks. The site is located within the Green Belt and the AONB.

2. POLICY CONTEXT

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

- 2.2 Development Plans

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP 7 Development in the Green Belt
PSP11 Transport Impact Management
PSP38 Residential Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development (Inc.Green Belt)
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Parish Council
The PC disagreed with the assumption that it is low grade agricultural land. The access although used by agricultural vehicles infrequently, is very dangerous

and the land is in AONB. If the officer decides to refuse the application the Parish Council would like the track reinstated to agricultural land.

Sustainable Transportation

There were initial concerns regarding the visibility splays. Clarification was required on this and the nature of the access. Additional plans and information have subsequently been provided, this is discussed in more detail in the relevant section below. Now no objection.

Lead Local Flood Authority

No objection

Other Representations

4.2 Local Residents

Two letters have been received in support of the application, as follows:

1'I am fully supportive of this enhancement of what was a field entrance into a more permanent entrance.'

2'The existing access drive at the front of the property has no turning area hence cars need to reverse back out onto the road. We have had numerous near misses with cars speeding from and to the A46, our drive being less than 100m down the hill. Hinton Hill is being used as a shortcut through to the A46 and junction 18 on the M4. Cars frequently drive at speed down the hill. The keep left arrows are currently obscured by the overgrown hedge and only last week a car being driven too fast ended up crashed up on the bank adjacent to our drive. The formation of drive and turning area will only make access from and to his property much safer. There have always been 2 access gates at the location of the drive entrance with only minor alterations to form a safe access and increase vision both up and down the hill. There was always a track from the gate down the side of the field which, as with the new drive, was not visible from any location. I fully support the formation of a safer access onto Hinton Hill from the property'.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application is retrospective; the application has been invited by the Planning Enforcement Team to seek permission to regularise the access and track. The main issues for consideration are highway safety associated with the new access onto the highway. In addition, as the site is within the Green Belt and AONB, consideration is needed in these respects.

5.2 The property and paddocks appear to have been accessed by four longstanding existing accesses: the access to the dwelling itself; the two field gateways and the access the subject of this application. All four accesses, it is stated by the applicant, had been in use by the previous owner and then the current owner (applicant) since at least 1990. One access serves the dwelling and three served the fields in equestrian use.

5.3 Green Belt

In Green Belt terms, engineering operations and local transport infrastructure are appropriate forms of development in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. The merits of the proposed access over some of the other access points are discussed in more detail below. The track itself is a relatively informal and minor track which is acceptable in its rural context. In this instance the access and track improvements are not considered to impact upon the openness of the Green Belt. The parking and turning area have been provided to allow vehicles, including slightly larger vehicles associated with the paddocks and horses sufficient space to park and turn easily within the site and allow them to access and leave the site in a forward gear. Whilst this is a larger and wider area than the track itself, it will be relatively informally surfaced area at ground level only. This change of use represents provision of appropriate facilities in connection with the existing use of the land and on this basis can be acceptable and appropriate in terms of Green Belt policy. It is justified, as discussed in the relevant sections, on the basis of improvement of existing access and turning provision. It is considered that this area does not materially impact upon the openness of the Green Belt in this instance and is associated with the existing use, follows the contours of the existing land and proposes no new structures. It would not in its own right generate greater or different use from that associated with the adjacent land. The proposals considered as a whole will not therefore have an impact upon the sites Green Belt location and are considered to be an acceptable form of development.

5.4 AONB/Visual Amenity

The National Planning Policy Framework (NPPF) contains policies specific to protected landscapes (including AONBs) at paragraphs 115 and 116. These make a distinction between major developments and other proposals. The proposals the subject of this application, are not considered to constitute major development. The merits of the proposed access over some of the other access points are discussed in more detail below. The track itself is a relatively informal and minor track which is acceptable in its rural context. The parking and turning area would be similarly surfaced, and whilst covering a slightly wider area, would facilitate the existing use of the adjacent site. No new structures are proposed. The location, nature, scale and use of the proposals are not considered to give rise to any material visual amenity impacts in the AONB.

5.5 Highways/Land Use

The applicant states that the site was bought in late 2019 and the primary access alteration that has been made is to set back the gate and slightly widen it to the north-west. This is a recent alteration and this planning application seeks to regularise these alterations. The purpose of the proposals are provide safer access overall to both the dwelling and the paddocks and this is achieved by provision of room to pull clear of the highway, turn on site, the closure of two other accesses and therefore reduce the access through the main dwelling access. The access at this point is considered to have existed for many years and been used to serve the paddocks in equestrian use. It is not considered to be a new access.

The land in this area, in terms of agricultural classification appears to be classified as good to moderate, the most common classification, and poor in some areas. Given this and the small area involved, and the nature of the development, it is not considered that there would be a significant or material impact on agricultural land.

- 5.6 Looking at the application as a whole and upon review of the existing accesses and the submitted information, the oblique access next to the 30mph sign, by the grit bin, appears overgrown. It is considered that this access was used by vehicles associated with the paddock and stables for some time and as such the proposal to improve the newer access further to the south is a betterment, in highway safety terms, over the existing situation. Revised access drawing (50604-4 Rev A), has been received and reviewed to which no highway objections are raised by Transport DC. The revised plan shows the access moved down the hill (roughly north west) by approximately 2m and is more formally defined. The width is retained as existing and improved visibility is achieved by shaving the existing banks. Through conditions, the entrance can also be surfaced and within the visibility splays nothing will be allowed over 1.05m above carriageway level to retain the improved visibility unobstructed.

Construction, compliance with the revised plan and retention of unobstructed visibility can be conditioned. Due to the ongoing use of the improved access, the subject of this application, the remaining field accesses appear to have 'greened over' with vegetation within the existing hedgerow, and will continue to do so, it is not considered therefore that in this instance an additional planting scheme is required. It is considered that the revised proposals improve this access to the south further and is a betterment over the existing situation and accesses. There are no highways objections on this basis. An additional condition to secure and retain the closing up of the existing field accesses as described in the Planning Statement.

- 5.7 Local Amenity
There are no material residential amenity issues associated with the proposal.

- 5.8 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 Local 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 conditions.

CONDITIONS

1. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

Location Plan, Existing Track and Parking Plans and Planning Statement, (Refs 50604-31 A, 2A and 3A) received by the Council on the 13th September 2021 and Proposed Access, Track and Parking Plan (Ref 50604-4A) , received by the Council on the 17th November 2021.

Reason

To define the terms and extent of the permission.

2. The access and track improvements shall be implemented in accordance with plan ref 50604-1A, within 3 months from the date of this permission, and retained as approved thereafter.

Reason

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

3. The existing, remaining field accesses, as illustrated in the Planning Statement and Supporting Documentation, shall be permanently stopped up, any gates removed, within 3 months from the date of this permission, and shall thereafter remain unused.

Reason

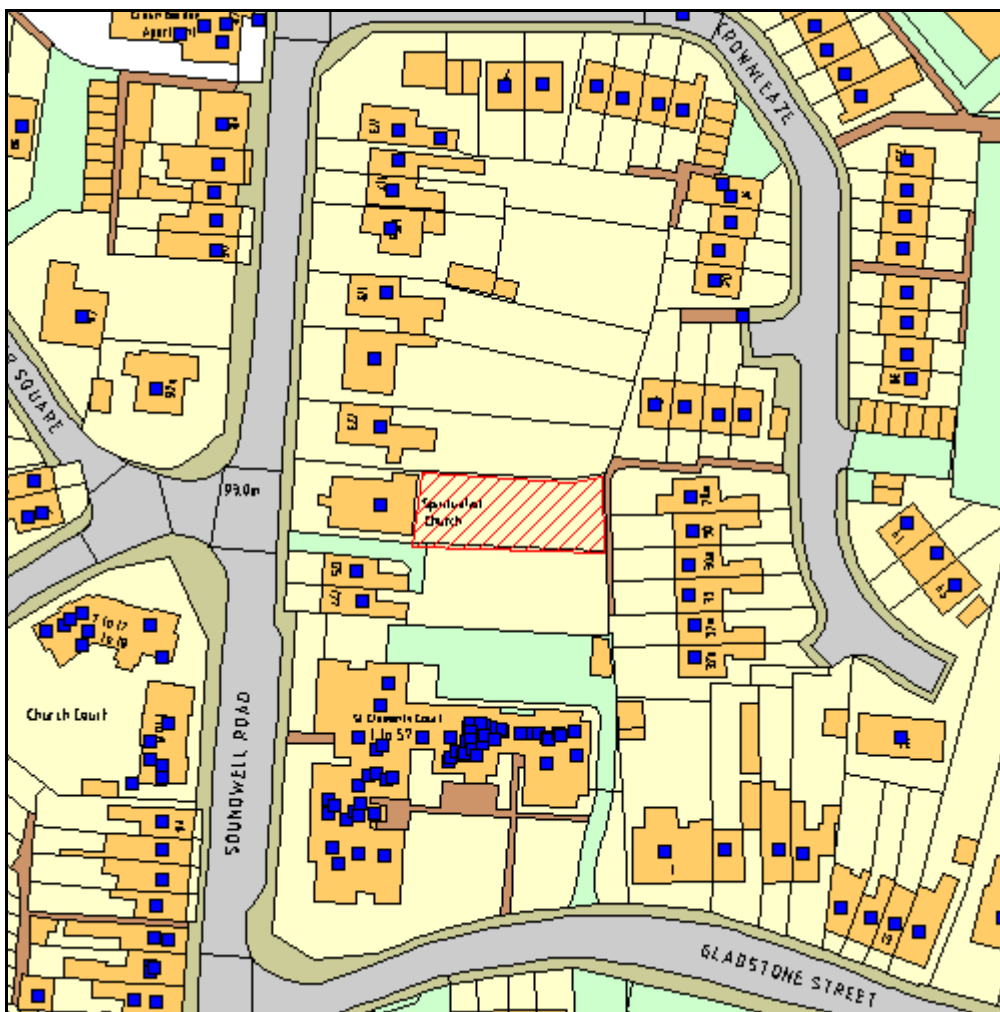
In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Case Officer: Simon Ford

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 48/21 - 3rd December 2021

App No.:	P21/06386/F	Applicant:	Mr M Bodey Kore Construction Ltd
Site:	Land To The Rear Of 125 Soundwell Road Soundwell South Gloucestershire BS16 4RD	Date Reg:	1st October 2021
Proposal:	Erection of 2 no. semi-detached dwellings with associated works.	Parish:	
Map Ref:	364827 175252	Ward:	Staple Hill And Mangotsfield
Application Category:	Minor	Target Date:	23rd November 2021



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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 APPEARANCE ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of 3 objection comments from local residents, contrary to the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of 2 no. semi-detached dwellings with associated works located on land to the rear of 125 Soundwell Road, Soundwell.
- 1.2 The applicant site comprises a bounded plot of land situated directly behind Soundwell Spiritualist Church, covering an approximate area of 370sqm which is recognised to not be limited by any local plan policies.
- 1.3 Lastly, this application is understood to be a further submission of PK18/6314/F which seeks to gain permission for 2 smaller dwellings with a revised sitting: this analysis is set out in section 5 of the report.
- 1.4 *Procedural Matters* – amended plans have been received from the applicant's agent. This has not altered the description of development nor affected the scope of assessment, and as such, no further public consultation has been conducted. The case officer is satisfied this does not disadvantage the public interest.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS23	Community Infrastructure and Cultural Activity

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

PSP1	Local Distinctiveness
PSP8	Residential Development

PSP11	Transport
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (*Adopted 2007*)

Residential Parking Standards SPS (*Adopted 2013*)

SGC Householder Design Guide (*Adopted March 2021*)

3. RELEVANT PLANNING HISTORY

3.1 **Ref:** PK18/6314/F. Approve with Conditions, 30.01.2019

Proposal: Erection of 1 no. dwelling with parking and associated works.

3.2 **Ref:** PK18/2058/F. Refuse, 11.07.2018

Proposal: Erection of 1no bungalow with parking and associated works.

Reason: (1) *The proposed development fails to take into account the character, appearance and local distinctiveness of the area. It would result in the introduction of an undesirable, contrived form that is modern in scale and appearance which would jar with the existing suburban double height character of Soundwell Road. If permitted, the proposed development would be harmful to the visual amenity of the area. The identified harm is not outweighed by the benefit of the proposal and is not considered sustainable development. The proposal is also contrary to Policy CS1, CS16 and CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework. (2) The proposed development fails to provide a good standard of residential amenity to future occupiers of the proposed dwelling due to being overlooked by neighbours. The identified harm is not outweighed by the benefit of the proposal and is not considered sustainable development. The proposal is also contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework. (3) No information with regard to the coal mining legacy has been submitted with this application to enable a full assessment as to whether the risks of the site could be adequately mitigated or acceptable proposed remedial measures could be undertaken. The proposed development is therefore contrary to Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework. (4) Insufficient information has been submitted with this application to enable an assessment of the impact of the proposal on protected species and biodiversity. As a result the local planning authority cannot be assured that the development would not result in harm. Therefore the proposal fails to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites*

4. CONSULTATION RESPONSES

4.1 Planning Enforcement Officer

No comments received.

4.2 Highway Structures Officer

No comments received.

4.3 Flood and Water Management Officer

No objections.

4.4 Sustainable Transport Officer

No objections subject to a condition relating to the retention of car parking and access prior to first occupation along with an electric vehicle charging point plan to be submitted and approved in writing by the LPA.

4.5 Tree Officer

[1st Consultation]

- No objection in principle, but a tree protection and tree constraints plan are required prior to determination to ensure retention of existing trees both on and off the site.

[2nd Consultation]

- Should permission be granted, the Tree Protection plan should be conditioned.

4.6 Ecology Officer

No objections subject to a set of conditions relating to mitigation measures and ecological enhancements.

4.7 The Coal Authority

The applicant site lies within an area where historic unrecorded coal mining activity is likely to have taken place at shallow depth. Due to this, voids and broken ground will likely pose a risk of ground instability thus giving rise to the potential of mine gas emissions. Upon review of the submitted coal mining risk assessment report, general agreement is made to the proposed recommendations. Notwithstanding this, further investigations and remedial measures are required to ensure the safety and stability of the proposed development. Due to this, the following conditions are recommended:

1. No development shall commence until a scheme of intrusive investigations has been carried out on site along with any remediation works and/or mitigation measures to address land instability arising from coal mining legacy.
2. A signed statement or declaration that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing.

4.8 Local Residents

Five letters have been received from neighbours. Key points are as follows:

- Concern raised that the proposed development would have a detrimental impact on privacy through means of overlooking along with general amenity issues.
- Negative effect on wildlife.
- The construction associated with this scheme would unsettle the church's foundation, exacerbating existing issues.
- Congestion likely to be created through proposed development.
- Request for condition on construction hours and erection of fence boundary to reduce noise pollution.

4.9 [Officer comment] Of the above representations, 3 took the position of objection (with further analysis found in the section 5), 1 was neutral and the remaining was received after the consultation deadline, meaning consideration to comment cannot be given. Lastly, concerns relating to church foundations are outside the scope of planning assessment (this is a matter for building control) and as such, are not taken into consideration.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy CS5 outlines the locations in which development is considered appropriate and states that most new development in South Gloucestershire will take place within the communities of the North and East fringes of the Bristol urban area as well as those locations set within a defined settlement boundary. The proposed development would be located within an area defined as the East fringe of the Bristol urban area and as such, based solely on the location of the site, is considered acceptable in principle.

5.2 Notwithstanding this, policy CS23 confirms the loss of community infrastructure is unacceptable provided the use has ceased and there is no longer a demand. No changes have been made with regard to the proposed use from the previously approved application, therefore it follows that the principle to erect 2no. residential units in the submitted location is considered acceptable. However, the proposal must also be reviewed against other relevant areas of consideration in order to identify potential harm.

5.3 Design and Visual Amenity

Policies CS1 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.

5.4 In terms of the surrounding context along this section of Soundwell Road and whilst there is a broad style of built form – comprising a mixture of two-storey dwellings, a block of flats and church – which is thought to have origins dating back to circa 1840s, it is recognised the general design characteristics follow a similar agenda of semi-detached two-storey dwellings with parking provision provided towards the frontage. This suggests the proposal must demonstrate

an understanding of the design features listed above in order to satisfy local policy.

- 5.5 The proposed semi-detached pair would be set back from the neighbouring church and measure approximately 12.75 meters in length, have a width of 9.85 meters and a maximum height of 5.65 meters (the eaves height would be 2.75 meters). In addition to this, the scheme would feature 1no. bay-fronted window on each bungalow with an accompanying set of bi-folding doors incorporated into the rear façade. Proposed finishing materials comprise a mixture of pennant sandstone, render and double roman concrete roof tiles.
- 5.6 Whilst the principle of making alterations to this site is not dismissed and the case officer recognises there are no restrictive local development plan policies that cover the site, concern is raised regarding the extent to which the proposed dwelling would not reflect existing characteristics of the prevailing area and the potential for harm on the visual landscape.
- 5.7 Here, the case officer refers to the proposed form, which compared to existing properties along Badminton Road represents a disregard for the established pattern of development. Specifically, the dwellings situated to the East and West consistently demonstrate two-storey structures with a strong mixture of both gabled and hipped roofs. Unfortunately, the proposed massing does not include the defining feature (two-storey) listed above, suggesting the development would appear as an out of character addition within the surrounding context. However, it is noted that this proposal follows a previously approved scheme for a single bungalow, meaning this must form a material consideration in the officer's assessment. Likewise, reference is made to the sitting of the proposed semi-detached pair (behind church) which indicates the properties would remain largely unseen within the public realm and have a negligible effect on the wider visual landscape.
- 5.8 In light of the above factors, it is considered the proposed scheme would amount to 2no. dwellings with an acceptable standard of design which is unlikely to have a severe impact on the existing context, and as such, demonstrates compliance with policy CS1 and the SGC Householder Design Guide.
- 5.9 Residential Amenity
Policy PSP8 explains that development proposal will be permitted provided they do not create unacceptable living conditions for the host dwelling or result in the prejudice of residential amenities for neighbouring properties. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of sunlight; and, noise disturbance.
- 5.10 When considering the impact of the proposed development on the residential amenity of neighbouring residents, it is largely considered the proposed works would have the strongest impact on No.123 Soundwell road and the terraced row situated to East along Crownleaze. Here, reference is made to the comments of local residents which state a loss of privacy and overbearing effect would be created through means of the introduction of 2no. dwellings.

- 5.11 In respect to the above and to help inform an assessment of harm, observation is made of the '20m back-to-back' rule, which informs (as per the SGC Householder Design Guide) that where windows serve one or more primary living accommodation areas in the rear of dwelling at two-storey height and faces another, the proposed development should demonstrate that a separation distance of 20m is achieved, thus helping to mitigate an unacceptable loss of privacy. Although this test is considered a fairly basic assessment of amenity, it does provide a solid indication for the potential level of harm. With regard to this, the submitted site plan (*Drawing No. B12178 / 02 / A*) demonstrates the 20m distance is easily achieved, with it also recognised the development would be formed of single-storey extent. Due to this, it is not considered the development would result in an inter-visibility relationship as to harm existing privacy levels and should not be considered for a refusal on this basis.
- 5.12 Further to this, specific reference is made to the height and form of the proposed dwellings which as previously described, represents an approximate height of 5.65 meters. Although this would have some impact on No.123 due to the introduction of a long-lasting structure, the hipped design is likely to reduce negative consequences. This is due to the maximum height centred at a distance of 13.7 meters from the rear building line of No.123. Therefore, given the sitting, scale and location of the proposed dwellings and in consideration to the neighbouring properties, the development would not result in any unacceptable impacts as described above. However, the case does recognise the site is bounded by residential properties meaning it would not be undue to set a condition limiting construction hours to minimise noise disturbance. Subject to this condition, the proposed development would comply with policy PSP8.
- 5.13 Private Amenity Space
Policy PSP43 states the Council's minimum standards for private amenity space for new residential units, which informs new developments are expected to have access to private amenity space that is: of a sufficient size and functional shape to meet the needs of the likely number of occupiers; and, designed to take account of the context of the development, including the character of the surrounding area.
- 5.14 Each of the proposed dwelling would support 1no. bedrooms, meaning a requirement of at least 40 square metres of functional private amenity space is needed to satisfy the parameters of PSP43. The submitted evidence indicates that over 60 square meters would be provided and as such, the development proposal would comply with PSP43.
- 5.15 Transport
Policy PSP11 states development proposals that generate a demand for travel will be acceptable provided that access is appropriate, safe, convenient and attractive for all modes of travel arising to and from the site. It also outlines that access should not: contribute to serve congestion; impact on the amenities of communities surrounding access routes; have an unacceptable effect on highway and road safety; and, should not harm environmentally sensitive areas.

- 5.16 Access to each of the proposed dwellings would utilise an entry point off Soundwell Road, with the case officer considering visibility from this vantage point to be of an acceptable standard. Likewise, and given that the development would only result in a modest intensification of road use, the proposed arrangements would not result in any serve highway or transportation issues.
- 5.17 In terms of parking, policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number, with a property of the proposed sizes expected to provide 1no. on-site parking spaces. Submitted evidence conforms this requirement can be satisfied. Notwithstanding this, the requested condition of the sustainable transport officer is noted – the dwellings shall not be occupied until an electric charging point has been installed – in which the submitted site plan (*Drawing No. B12178 / 02 / A*) indicates each property could accommodate charging for electric vehicles. Subject to such a condition, no transportation objections are raised.
- 5.18 Flood Risk
The applicant site is not situated within flood zone 2 or 3, with residential dwellings in this zone generally regard as 'less' vulnerable types of development. Notwithstanding this, the application has been reviewed by the Flood Risk and Water Management Team who raised no objections. Due to this, it is considered the development proposal would comply with the council's flood risk policies and corresponding provisions of the NPPF.
- 5.19 Coal Risk
A coal mining risk assessment report has been submitted in support of this application as the applicant site lies within an area where historic unrecorded coal mining activity is likely to have taken place at shallow depth. The report has been reviewed by The Coal Authority who raised no objections subject to conditions securing further site investigations and potential remedial works prior to the commencement of development. Due to this, the case officer raises no objection in terms of coal risk subject to appropriate conditions.
- 5.20 Trees
There is a modest number of existing trees located on and within close proximity the site that would be lost through the proposed development. Whilst this demonstrates a harmful effect on surrounding vegetation, a tree protection plan has been submitted to outline how appropriate mitigation would be implemented. This has been reviewed by the Council's Tree Officer who raised no objection (upon the second consultation) subject to the plan being conditioned. In light of this, an appropriate condition could be utilised to ensure an adequate amount of planting takes place and offsets the loss.
- 5.21 Ecology
A Preliminary Ecological Appraisal has been submitted in support of this application which has been reviewed by the Ecologist Officer. No objections were raised subject to adequate conditions to ensure the protection of hedgehogs and species detailed within the ecological report.

5.22 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.

5.23 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 listed below:

CONDITIONS

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

Reason

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

2. The dwellings shall not be occupied until the access, cycle and car parking arrangements, including the provision of 7Kw 32 Amp Electric Vehicle Charging Points (for each property) have been completed in accordance with the submitted details (B12178/02/A).

Reason

In the interest of highway safety, to promote sustainable travel and to accord with policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

3. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Acorn Ecology, July 2021) which is to include sensitive timings for vegetation clearance and supervision of vegetation clearance. It is noted that hedgehogs have not been detailed within the report, but as NERC species they are to be considered within this application due to suitable habitat being present. Areas including but not limited to long grass or scrub are to be cleared under the supervision of a suitably qualified ecologist along with hedgehog holes to be created (13cm x 13cm) in any proposed fencing to allow continued use. Where appropriate a hedgehog house is to be installed in a suitable area of the proposed site.

Reason

To accord with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

4. Prior to first occupation and installation of any external lighting, details of external artificial illumination (including locations and specifications) is to be submitted to the local authority for review and written approval. Only such details as approved shall be implemented.

Reason

To accord with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

5. Prior to first occupation, a plan detailing the location and specifications of ecological enhancements including bat and bird boxes (as detailed within the Preliminary Ecological Appraisal supplied by Acorn Ecology, July 2021) as well as additional ecological enhancements including hedgehog houses, hedgehog holes and log pile/brush pile for reptiles and small mammals is to be submitted to the local authority for review and written approval. All such details as approved shall be implemented.

Reason

To accord with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

6. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturdays and no working shall take place on Sundays or Public Holidays.

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

Reason

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

7. No development shall commence until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

8. The dwellings shall not be occupied until a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason

To ensure the safety and stability of the development and in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

9. (Received on the 28th September 2021)

- Coal Mining Risk Assessment
- Design and Access Statement
- Site Location Plan (B12178/LP)
- Existing Site Plan (B12178/01)

(Received on the 19th November 2021)

- Tree Assessment Plan (257/PA/01)

(Received on the 23rd November 2021)

- Proposed Site plan (B12178/02/A)
- Proposed Plans (B12178/03/A)

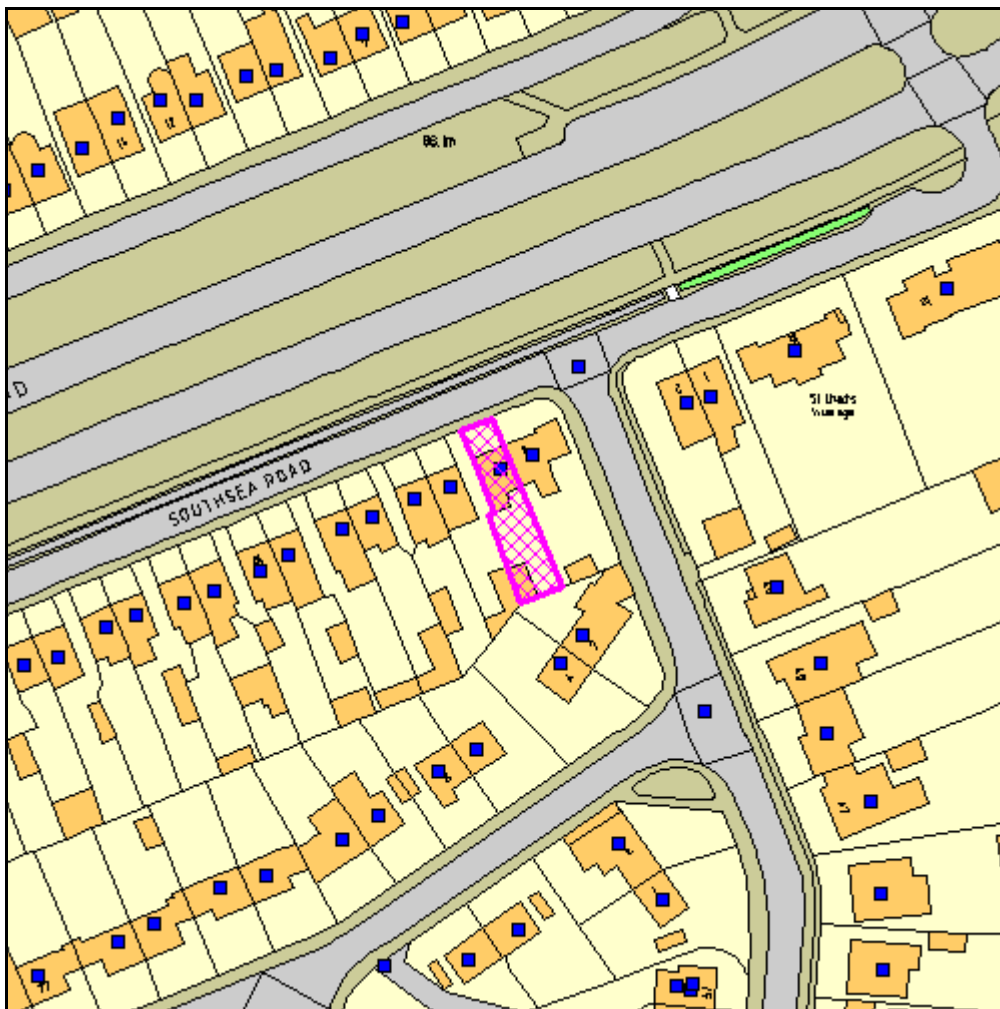
Reason

To define the terms and extent of the permission.

Case Officer: Ben France
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 48/21 - 3rd December 2021

App No.:	P21/06586/F	Applicant:	Mr Ashley Tweedy
Site:	4 Southsea Road Patchway South Gloucestershire BS34 5DY	Date Reg:	13th October 2021
Proposal:	Erection of single storey building to form annex ancillary to the main dwellinghouse (4 Southsea Road).	Parish:	Patchway Town Council
Map Ref:	360419 181544	Ward:	Charlton And Cribbs
Application Category:	Householder	Target Date:	7th December 2021



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100023410, 2008. **N.T.S.** **P21/06586/F**

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because a representation has been received from the Town Council, which is contrary to the findings of this report and officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a single storey building to form an annexe ancillary to the main dwelling, 4 Southsea Road, Patchway.
- 1.2 The application site is a semi-detached dwelling in the North Fringe of Bristol Urban Area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
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

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Householder Design Guide SPD (Adopted) March 2021
Residential Parking Standard SPD (Adopted) December 2013
Annexes and Residential Outbuildings SPD (Adopted) October 2021

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

4.1 Patchway Town Council

Objection – concern about parking issues and feel that adequate parking should be included with the application.

4.2 Sustainable Transport

Unclear as to whether the proposal accords with minimum parking standards. Reason cited is that it is not clear how many bedrooms are in the existing dwelling and what the site's existing parking provision is.

4.3 Local Residents

No comments have been received.

5. ANALYSIS OF PROPOSAL

5.1 The proposal seeks to erect a single storey outbuilding to form an annexe ancillary to the main dwelling.

5.2 Principle Of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

Annexe Consideration

5.3 The recently adopted annexes and outbuildings SPD sets out in 3.2 that an annexe is designed to provide accommodation that is *ancillary* to the main dwelling. 'Ancillary' means that the building is subordinate to the main house, and provides some but not all elements of primary living accommodation. As set out in the SPD, an annexe should: be subservient; not be of a scale that constitutes a new dwelling; share access and parking; share a garden; be within the same curtilage as the main house; have a functional connection to it; and be used by the same family as the main dwelling. Put another way, an annexe should be physically and functionally reliant on the main dwelling and not of a scale that could be considered to be a new independent dwelling.

5.4 The annexe would be within the enclosed rear garden of the host dwelling and crucially, within the same curtilage. It would be c.10 metres away from the main dwelling. Therefore, the case officer is satisfied that the annexe would have a

- sufficient physical relationship with the host dwelling to be considered an annexe.
- 5.5 The annexe would contain a bedroom area, bathroom and living room but would not contain a kitchen. As it does not have all four elements of primary living accommodation (Kitchen, Living room, Bedroom and Bathroom), it would be reliant on the main dwelling for some of its day to day function. In this case, it would share the kitchen facilities within the main dwelling. Moreover, the annexe would share the garden of the host dwelling and would make use of the same access and parking facilities. The case officer is therefore content that the proposed annexe would have a sufficient functional relationship with the main dwelling to be considered an annexe. The single storey nature of the building and small footprint do not lead the officer to consider the building to be tantamount to a new dwelling, and it is considered to be sufficiently subordinate to the main dwelling in terms of scale. As such, the development is considered to constitute an ancillary annexe. Nevertheless, as is standard practice, an appropriately worded condition should be applied to any consent to restrict the use of the building to being ancillary accommodation only, sometimes called an 'annexe-tie' condition.
- 5.6 Design and Visual Amenity
The proposed annexe would be a simple flat roofed structure that would sit alongside the existing detached garage at the rear of the garden. The annexe would be c.3.7 metres wide, c.5.6 metres deep and c.2.5 metres high. Internally, it would provide c.16.3sqm of additional floor space. Facing towards the back of the main dwelling would be a set of French doors, providing access to the living area of the annexe and light.
- 5.7 The building is of a scale so as to appear suitably subservient to the main dwelling and would appear similar in design (including the flat roof) to a number of other domestic outbuildings and extensions within the locality. In this respect, the case officer does not consider there to be any design issues with the proposed development, which is sufficiently in accordance with PSP1, PSP38, CS1 and the annexes and outbuildings SPD.
- 5.8 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.9 The scale and mass of the building, and in particular the height, at 2.5m, are such that there would not be any material residential amenity issues in terms of overbearing and overshadowing, if permission is granted. There would be inter-visibility between the annexe and the windows on the rear of the main dwelling, but as they are the same planning unit this would not be considered an issue. The building being single storey means there would not be any unacceptable increase in overlooking. It is noted that some increased overlooking of neighbouring gardens may become possible, but this would not be above and

beyond what is already possible in this built-up suburban location. The case officer notes that building would be relatively close to the rear garden boundary of no.2 Ashford Road to the South (c.6.5 metres in the middle) and would run along the remaining part of the boundary not taken up by the existing garage. However, the existing boundary treatment and low height (c.2.5 metres) of the building mean that the officer does not consider this to present any unacceptable amenity issues with regards to this property.

5.10 Parking and Transportation

PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase in bedrooms is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand.

5.11 Given the type of dwelling and that it is not extended, the case officer would anticipate that the existing dwelling has three bedrooms, which is confirmed by the applicant's agent. The proposed annexe would add a further bedroom, taking the total to 4. PSP16 requires both 3 and 4 bed dwellings to have 2no. Off-street parking spaces. There would therefore be no material increase in parking requirement under adopted policy, should permission be granted.

5.12 The case officer notes that the frontage of the dwelling has been laid to hardstand to provide parking which is used for 2no. Vehicles. It would appear however that the kerb is not dropped for the entire frontage. Nevertheless, as there is no material increase in the requirement for parking under adopted policy, this is not considered to be an issue in this instance, as opposed to if the number of bedrooms were to increase to the extent where the requirement for more parking would increase. To put it another way, the impact in this case is neutral from a policy perspective as 3 and 4 bed dwellings have the same parking requirement. Accordingly, there are not considered to be any means to resist the proposed development on the grounds of parking.

5.13 Private Amenity Space Standards

The site would still benefit from a sufficient amount of private amenity space in accordance with PSP43, should permission be granted.

Impact on Equalities

5.14 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.

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 It is recommended that permission is **GRANTED** subject to the following conditions.

CONDITIONS

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

Reason

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

2. The annexe hereby approved shall at all times be used only for purpose of providing ancillary residential accommodation to the main dwellinghouse known as 4 Southsea Road, Patchway, BS34 5DY. At no time shall the annexe be used independently from the main dwelling.

Reason

The development has been found to be acceptable on the basis that it would provide ancillary accommodation to the main dwelling only, and any other use would require further detailed assessment on matters including (but not limited to) impacts on the character of the area, amenity and transportation against the policies of the development plan in place at the time.

3. The development hereby approved shall be implemented in accordance with the following plans:

001 – Existing and Proposed block plan (1:100)

002 – Combined existing

003A – Combined proposed plans

004 – Site location and existing block plan

As received 8th October 2021

005 – Site location and proposed block plan
As received 13th October 2021

Reason

For the avoidance of doubt and to define the exact terms of the permission.

Case Officer: Alex Hemming

Authorising Officer: Helen Ainsley