

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: 18/21

Date to Members: 06/05/2021

Member's Deadline: 13/05/2021 (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

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
17/21	12 O'Clock Wednesday 28 th April	9am Thursday 29 th April	5pm Thursday 6 th May	Friday 7 th May
18/21	Normal			
19/21	Normal			
20/21	Normal			
21/21	12 O'Clock Wednesday 26 th May	9am Thursday 27 th May	5pm Thursday 3 rd June	Friday 4 th June

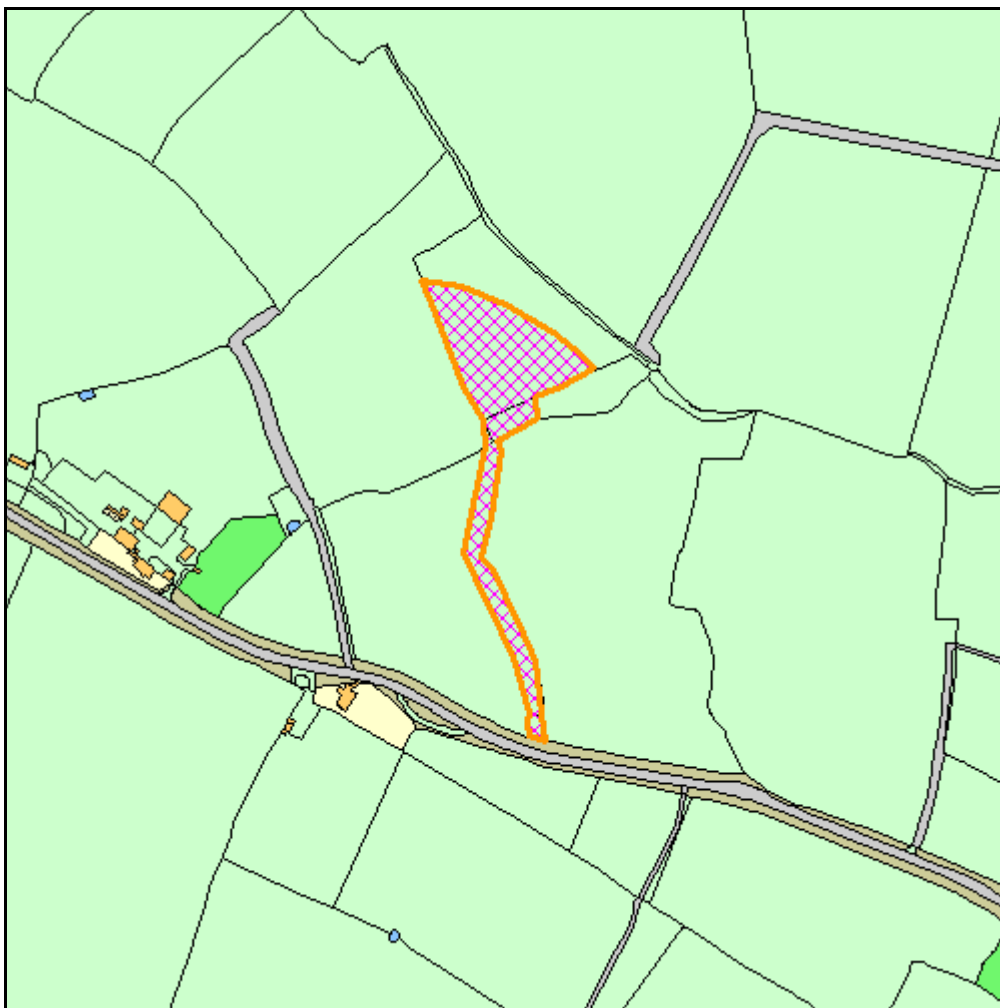
[Dates and officer deadlines for Circulated Schedule May Bank Holidays 2021](#)

CIRCULATED SCHEDULE 07 May 2021

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/10400/F	Approve with Conditions	Land Off Oldbury Lane Thornbury South Gloucestershire BS35 1RD	Thornbury	Thornbury Town Council
2	P20/11795/F	Approve with Conditions	Unit 1 Crown Road Warmley South Gloucestershire BS30 8JJ	Parkwall And Warmley	Siston Parish Council
3	P20/22583/RVC	Approve with Conditions	Hambrook Court East Bristol Road Hambrook South Gloucestershire BS16 1RY	Winterbourne	Winterbourne Parish Council
4	P20/23558/F	Approved Subject to Section 106	Fleur De Lys 12 Shortwood Road Pucklechurch South Gloucestershire BS16 9RA	Boyd Valley	Pucklechurch Parish Council
5	P21/00127/F	Approve with Conditions	Fleur De Lys 12 Shortwood Road Pucklechurch South Gloucestershire BS16 9RA	Boyd Valley	Pucklechurch Parish Council
6	P21/00300/RVC	Approve with Conditions	Elm Park Junior School Nicholls Lane Winterbourne South Gloucestershire BS36 1NF	Winterbourne	Winterbourne Parish Council
7	P21/00396/F	Approve with Conditions	Land At Bury Hill Winterbourne Down South Gloucestershire BS36 1AD	Winterbourne	Winterbourne Parish Council
8	P21/00703/RVC	Approve with Conditions	Land Adjacent To New Cottages Cromhall South Gloucestershire	Charfield	Cromhall Parish Council
9	P21/00916/RM	Approve with Conditions	87 Hill House Road Mangotsfield South Gloucestershire BS16 5QW	Staple Hill And Mangotsfield	
10	P21/01045/LB	Approve with Conditions	Hambrook Court East Bristol Road Hambrook South Gloucestershire BS16 1RY	Winterbourne	Winterbourne Parish Council
11	P21/01207/F	Approve with Conditions	580 Filton Avenue Horfield South Gloucestershire BS7 0QQ	Filton	Filton Town Council
12	P21/01951/TRE	Refusal	Lyndhurst High Street Tormarton South Gloucestershire GL9 1HZ	Boyd Valley	Tormarton Parish Council
13	PT17/2490/F	Approved Subject to Section 106	14 Hambrook Lane Stoke Gifford Bristol South Gloucestershire BS34 8QB	Frenchay And Stoke Park	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P20/10400/F	Applicant:	Mr and Mrs D Wilkinson
Site:	Land Off Oldbury Lane Thornbury South Gloucestershire BS35 1RD	Date Reg:	30th June 2020
Proposal:	Change of use of land from paddocks to land for the use of siting of 1 no. plot for Showman's Family Quarters	Parish:	Thornbury Town Council
Map Ref:	363478 191906	Ward:	Thornbury
Application Category:	Minor	Target Date:	24th August 2020



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N.T.S.

P20/10400/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 Referral to Circulated Schedule

This application appears on the Circulated Schedule due to the receipt of an objection from the Town council

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the change of use of land from a paddock to provide 1 no. Travelling Show persons plot. The application includes the creating of hardstanding.
- 1.2 The application site relates to a 0.83 ha triangular parcel of land currently used for the grazing of horses. The site is bound by vegetated banks on two sides with a PROW running along the northern boundary. The site sits between a gypsy traveller site to the south off Oldbury Lane and showman's site at Duckhole.
- 1.3 The application is supported by a detailed statement of personal circumstances.
- 1.4 Officers are satisfied that the applicant meets the definition of 'travelling show people' as set out in Annex 1 of the Planning Policy for Traveller Sites (PTTS) document.
- 1.5 The site lies within flood zone 3 but is not covered by any other restrictive designation. For the avoidance of doubt, the site is not within the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
 National Planning Policy Framework Feb 2019
 National Planning Practice Guidance April 2016
 Planning (Listed Buildings and Conservation Areas) Act 1990
 Department for Communities and Local Government
 Planning Policy for Traveller Sites (PPTS) DCLG August 2015

- 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
CS22	Travelling Showpeople
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk
PSP44	Outdoor sport and recreation outside settlement boundaries

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Gypsy and Traveller Accommodation Assessment (GTAA) 2017
 South Gloucestershire Supplementary Planning Document: Green Belt (Adopted) 2007
 South Gloucestershire Landscape Character Assessment (Adopted Nov 2014)
 Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 Gypsy/traveller site to the south
 PT13/3361/F Change of use from agricultural land to land for the siting of 1no. caravan pitch for a Romany Gypsy family with associated works including hardstanding and landscaping. Erection of 1no. dayroom.
 Approved April 2014
- 3.2 Showmans site to the north
 PT13/3101/F Change of use from paddocks and agricultural to the siting of 12 no. caravan pitches for showmans permanent quarters.
 Approved November 2013

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
 Object to the application - This is a further incursion into sensitive and characterful landscape that is valued by the local community. The site is outside the development boundary and while it is acknowledged there may be special circumstances leading to this application these are not significant enough to overcome the basic objection to the loss of green space and open countryside.
- 4.2 Highway Structures
 No Comment
- 4.3 Ecology Officer
 No objection subject to conditions
- 4.4 Lead Local Flood Authority

Are happy with the FRA but ultimately, the EA are responsible for signing off the FRA. No objection subject to conditions.

4.5 Landscape Officer

The LVA assesses that the proposals will have an overall minor/moderate adverse effect on the character of the local landscape together with views across it from the network of local footpaths, which will reduce over time as the new mitigation planting matures to provide screening. Conditions are recommended

4.5 Avon and Somerset Police

No Objection

4.6 Sustainable Transport

No Objection

4.7 Tree Officer

A tree protection plan and arboricultural method statement are required

4.8 Environment Agency

No Objection subject to conditions

4.9 Archaeology Officer

Initially raised an objection due to lack of information. This information was subsequently received

4.10 The Office for Nuclear Regulation

Wish to make no comment

Other Representations

4.11 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The Local Planning Authority is currently unable to demonstrate it has a 5-year supply of accommodation for Travelling Showpeople. Furthermore, the authority has a historic track record of under delivery of such accommodation with a significant shortfall in supply and a ministerial direction to make significant improvements to supply and delivery.

5.2 Government policy on planning for the needs for Travellers is set out in the Planning Policy for Traveller Sites (PPTS). PPTS states that the government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community (para 3). Paragraph 22 of the Planning Policy for Traveller Sites (PPTS) emulates Section 38(6) of the Planning and Compulsory Purchase Act 2004. It states that applications should be determined in accordance with the development plan, unless material

considerations indicate otherwise. As it is established that the Authority does not currently have a 5-year supply of Showpersons plots, national guidance should be given greater weight as a material planning consideration.

- 5.3 The PPTS states that applications for gypsy and traveller sites should be assessed in the context of the presumption in favour of sustainable development; and, where a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material factor in the determination of applications (paragraph 27). Paragraph 24 of the PPTS sets out that Local Planning Authorities should apply weight to:
- a) the existing level of local provision and need for sites
 - b) the availability (or lack) of alternative accommodation for the applicants
 - c) other personal circumstances of the applicant
 - d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
 - e) that they should determine applications for sites from any travellers and not just those with local connections.
- 5.4 Policy CS22 of the Core Strategy (Adopted) makes a presumption in favour of the proposed development subject to criteria based detail. These criteria are covered in turn in the following report. For the purpose of the assessment of this application, officers consider that the proposal would represent a 'windfall site' as it does not fall under any specific safeguarding or other allocation listed within the main body of Policy CS22. In the case of 'windfall sites' the policy indicates that applications will be considered having regard to the outstanding level of need and in accordance with the most recent government guidance. On this basis, officers consider that the proposed development is acceptable in principle subject to the following considerations.
- 5.5 Based on the GTAA 2017, there is a need for 31 additional plots for Travelling Showpeople in South Gloucestershire by 2032. The Council is currently refreshing its GTAA and an update is due. Should the development be approved, this would create one additional plot for travelling show people.
- 5.6 Policy CS22 states that sites for Travelling Showpeople will be considered appropriate where they meet the following criteria:
1. The development would not have unacceptable environmental effects; and
 2. the land is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
 3. the proposal would not prejudice the amenities of neighbouring residential occupiers; and
 4. adequate provision is made for vehicular access and parking; and
 5. sites are within reasonable distance of local services and facilities.
- 5.7 Criteria 1) Environmental Effects
 No objection is raised to the application on the basis of possible environmental impacts. The site is modest in scale and will consist of a residential area and an area for the storage of ancillary showman's vehicles and equipment. The proposal includes quite significant additional planting along with retaining and enhancing the existing vegetation surrounding the site. Foul drainage is to be

- disposed of via a package treatment plant which is acceptable to the Lead Local Flood Authority.
- 5.8 To ensure that the proposed development does not have an adverse environmental impact, conditions will be attached relating to landscaping, securing an arb report and method statement and lighting to ensure the development is acceptable.
- 5.8 Criteria 2) Not subject to unacceptable levels of disturbance
The site is located in the open countryside where levels of disturbance are low. The site will not be subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination.
- 5.9 Criteria 3) Impact on residential amenity
The site has no immediate neighbours. To the north lies a showman's site and to the south lies a traveller site. The proposed site is sufficiently detached from either neighbour to ensure that levels of residential amenity remain acceptable. The nearest residential dwellings lie on Oldbury Lane in excess of 50 metres to the south. Due to the separation distances involved, officers are satisfied that the change of use will not impact on existing levels of residential amenity for those dwellings on Oldbury Lane.
- 5.10 Criteria 4) Access and Parking
Access to the site will be via the existing track from Oldbury Lane that serves the showman's site to the north. On the basis that the access track to serve this site also serves the existing showman's site and all of the conditions attached to that application relating to the access have been discharged and implemented, the site would be served with a safe and suitable access and the modest amount of traffic associated with one Showman's Family plot would not have any detrimental impact on the surrounding highway network. As such no Transport objection is raised.
- 5.11 Criteria 5) Within reasonable distance of services and facilities
The site is in a rural location but is sandwiched between two existing sites – both of which have been assessed and found to be acceptable. The site is within reasonable cycling distance of Thornbury and good PROW routes exist that link the site through to the new development at Park Farm. Officers are satisfied that the future residents would have good access to local services and facilities.
- 5.12 Design, Visual Amenity and Landscape Impact
The concerns of the Town Council that the development is a further incursion into sensitive and characterful landscape that is valued by the local community are noted. The application has been carefully scrutinised by the Council's landscape architect. Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Policy CS1 is fully compliant with design guidance in the NPPF.

- 5.13 Moreover, policy CS34 seeks to protect, conserve and enhance rural areas' distinctive character, beauty, wildlife, landscape, biodiversity and heritage. The sentiments of this policy are echoed in the Council's principal landscape policy; PSP2 of the Policies, Sites and Places Plan.
- 5.14 As shown on the Site Layout Plan, the application site area is divided into three parts:
- living quarters within SE margin comprising a chalet, space for parking of touring caravan and personal vehicles, and play area/garden;
 - central area comprising hardstanding for auxiliary storage of equipment and a number of non-personal vehicles; and
 - an attenuation basin in its NW corner.
- The route adjoining public footpath will be retained on its existing alignment, within the adjacent part of the paddock outlined in blue on the submitted plans.
- 5.15 LCA 18: Severn Ridges is described as an extensive, complex landform of abrupt scarps and gentle ridges, which rise from the Levels area. LCA 19: Oldbury Level comprises a largely flat, open to semi-enclosed agricultural area with rhines, small orchards and relatively little scattered settlement. The site forms the SW part of a horse paddock, which is enclosed on three sides existing hedgerows with trees (i.e. 3No. Ash in NE hedge and 1No. Oak in SW hedge), and by the existing track on its SE boundary with a field hedgerow beyond. A small watercourse runs parallel to the NE field hedgerow. The route of public footpath OTH5 crosses the field, parallel to the NE application site boundary. Existing bunding encircles the NW, SW and SE edges of the site inside the line of the hedgerows and access track.
- 5.16 The application is supported by a revised LVIA dated November 2020. The Council's landscape officer has made detailed comments which can be summarised as follows 'The LVA assesses that the proposals will have an overall minor/moderate adverse effect on the character of the local landscape together with views across it from the network of local footpaths, which will reduce over time as the new mitigation planting matures to provide screening.' In light of the above, subject to a condition secure landscaping details, there is no objection to the proposal because of its impact on the landscape.
- 5.17 Ecology
The application is supported by a preliminary ecological appraisal (RammSanderson).
- 5.18 **Bats**
A mature oak was assessed as being high potential for roosting bats and three ash trees was assessed as being moderate potential. These trees are being retained, however if any pruning or the trees need to be removed surveys will be required. The hedgerows and trees provide foraging habitat for bats and these will also be retained, sensitive lighting is required to be implemented into the design of the proposal.

5.19 Great crested newt (GCN)

There are 14 ponds within 500m of the site, 4 of them were in 250m of the site and the remaining 10 outside 250m of the site. A precautionary method is recommended.

5.20 Birds

The habitats onsite supports potential for nesting birds, removal of vegetation is to be undertaken outside of the nesting bird season, if this is not practical a suitably qualified ecologist is to carry out a check to confirm absence.

5.21 *Badgers protected under the Badger Act 1992:*

No signs of badger were identified though there is potential for commuting badgers. Best practice is advised and is welcomed.

5.21 Hedgehog

There is suitable habitat for hedgehog, best practice is recommended and is welcomed.

5.22 In light of the above, subject to the attachment of conditions, there are no ecological constraints to the granting of permission.

5.23 Drainage and Flooding

The LLFA support the proposed means of treating foul waste using a package treatment plant. Details of the design of the treatment plan are included within the FRA which will be the subject of a condition.

5.24 As initially submitted, the Environment Agency raised an objection to the application. In response to this, an updated Flood Risk assessment was submitted in December 2020 After reviewing the updated FRA the Environment Agency were able to WITHDRAW its objection, subject to the inclusion of a condition.

Impact on Equalities

5.44 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.

5.45 With regards to the above this planning application is considered to have a positive impact as it would directly assist in addressing inequality for the reasons set out in the report.

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 set out in the decision notice.

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. There shall be no repair or maintenance of machinery, rides or commercial vehicles, use of power tools and electricity power generators used for the maintenance of machinery, rides or commercial vehicles outside the hours 08:00 until 18:00 Monday to Friday; 08:00 until 13:00 on Saturday and there shall be no repair or maintenance of machinery, rides or commercial vehicles on the site on Sunday or Bank Holidays. For the avoidance of doubt, there shall be no testing of rides or machinery at any time.

Reason

In order to protect the amenities of the occupants of dwellings located in Duckhole and on Oldbury Lane and to accord with Policy CS22 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

3. Notwithstanding the submitted details, no development shall commence until a full Arboricultural Impact Assessment including tree protection plan and Method Statement has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details and thereafter retained as such.

Reason

In order to protect the health and visual amenity of trees and hedgerows affected by the development and in the interest of the character and visual amenity of the site and the surrounding landscape; and to accord with policy CS1 and CS22 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

This must be a pre-commencement condition in order to ensure that the existing vegetation is protected at all times.

4. No vehicles (including trailers), caravans, fair ground rides or other machinery kept or stored on the site shall exceed 5 metres in height

Reason

In order to protect the character and visual amenity of the site and the surrounding landscape; and to accord with policy CS1 and CS22 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

5. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday and 07:30 to 13:00 on Saturday; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the residential amenity of the occupants of nearby dwellings; and to accord with Policy CS1 and CS22 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013.

6. The use hereby permitted shall be occupied only by Travelling Showpeople and direct families for the benefit and activities carried out by Travelling Showpeople and shall not be occupied for by any other group or for any other purpose.

Reason

This development has been approved having special regards to the circumstances of the case. Any occupation or use of the site other than as a site for Travelling Showpeople would need further consideration by the Local Planning Authority; and to accord with Policy CS22 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013

7. When the development hereby approved ceases to be occupied by Travelling Showpeople, the use hereby permitted shall cease, and all materials and equipment brought on to the premises in connection with the use shall be removed, and the land restored to its condition prior to the granting of this consent.

Reason

This development has been approved having special regards to the circumstances of the case. Any occupation or use of the site other than as a site for Travelling Showpeople would need further consideration by the Local Planning Authority; and to accord with Policy CS22 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013

8. The development hereby approved shall not exceed 1 pitch and associated storage areas at any time

Reason

This development has been approved having special regards to the circumstances of the case. Any occupation or use of the site other than as a site for Travelling Showpeople would need further consideration by the Local Planning Authority; and to accord with Policy CS22 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013

9. The development must take place in accordance with the following plans:

Received by the Council on 12th June 2020

20/344-01 - Site Location Plan

20/344-03 - Block Plan

For the avoidance of doubt, the storage of ancillary vehicles and machinery ancillary to the residential unit may only take place in the area marked as such on the block plan. Residential use may only take place in the area marked as such on the block plan.

Reason

To define and clarify the permission

10. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (RammSanderson, June 2020) and the Preliminary Method of Works (RammSanderson, September 2020)

Reason

In the interests of ecology and to comply with the requirements of PSP19 of the Policies Sites and Places Plan (Adopted)

11. Prior to 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:

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

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

If no external lighting is to be installed, no details need be submitted.

Reason

In the interests of ecology on and surrounding the site and to comply with the requirements of PSP19 of the Policies Sites and Places Plan (Adopted) and the NPPF.

13. The development shall be carried out in accordance with the submitted FRA (ref FR R01A_X19 (June 2020) and FRA Addendum V2 X19_L01 dated 15 September 2020) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 10.17 metres above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants and to comply with the requirements of Policy PSP20 of the Policies Sites and Places Plan and the NPPF.

14. Prior to first occupation of the development hereby approved, a scheme of landscaping shall be submitted for written approval. The details submitted shall include the following:

. Detailed planting plan(s) specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting, and hierarchy of grassland areas; supported by an implementation specification based on NBS clauses.

- 5 Year Landscape Maintenance Schedule covering the establishment of all new planting.
- Details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required.
- Detailed design for SUDs features including the proposed attenuation basin and swale, demonstrating how these will be sympathetically integrated.

Timetable for implementation

Development shall be carried out in accordance with the agreed details.

Reason

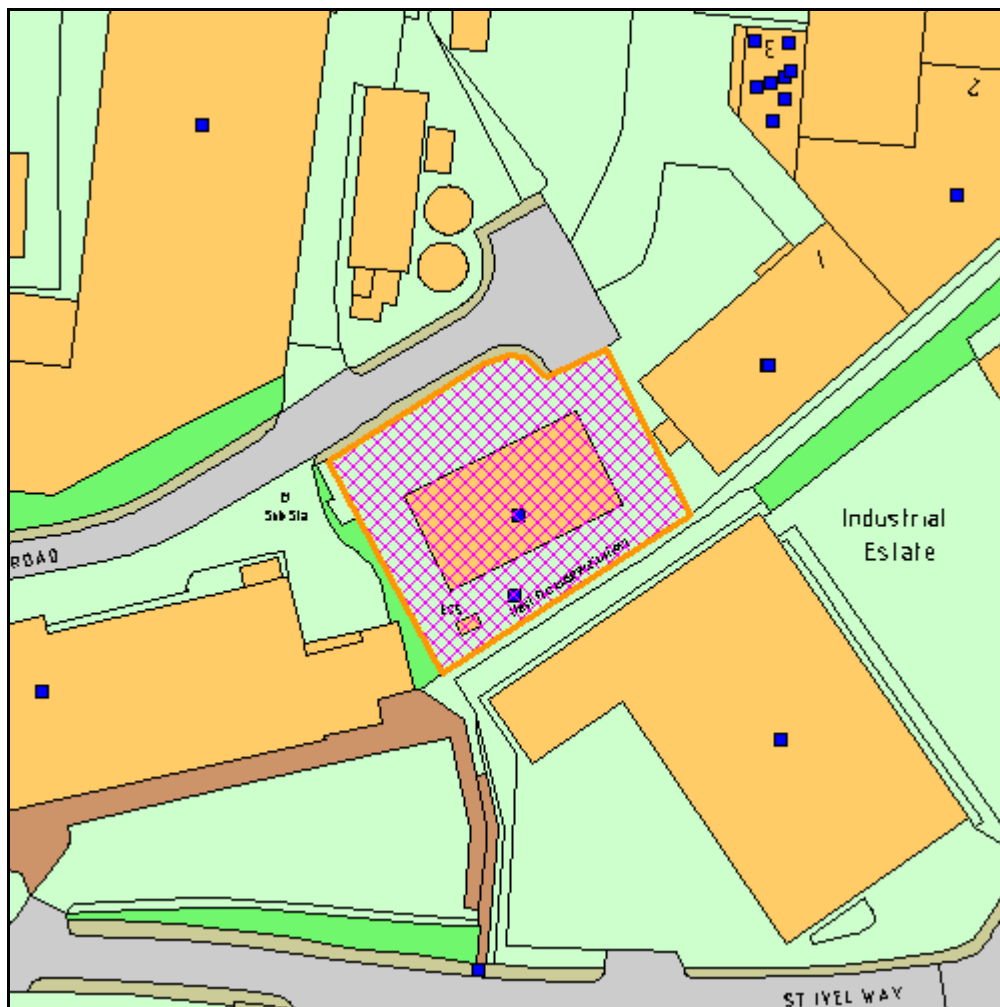
To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Case Officer: Marie Bath

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P20/11795/F	Applicant:	Mr S Lillis Shield Environmental Ltd
Site:	Unit 1 Crown Road Warmley South Gloucestershire BS30 8JJ	Date Reg:	16th July 2020
Proposal:	Erection of first floor rear extension to facilitate the sub-division of existing building from 3 no. units to 7 no. units (Class B1/B8) with associated works.	Parish:	Siston Parish Council
Map Ref:	367208 173011	Ward:	Parkwall And Warmley
Application Category:	Minor	Target Date:	4th September 2020



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P20/11795/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 referral to Circulated Schedule

This application appears on the circulated schedule due to the concern from Siston Parish Council about the number of parking spaces.

1. THE PROPOSAL

- 1.1 The application site consists of one building previously used as three business units in mixed business and general industrial (B1 & B2) and storage and distribution (B8) use but more latterly as a waste transfer station with associated offices and associated company storage (scaffolding). The proposal is to subdivide this into seven units with a modest first floor extension to create associated office space and fire escape across the rear of the building from the first floors.
- 1.2 Unit 1 is within an established employment area. The application site is located within a safeguarded economic development area located at Tower Road, Warmley, within the East Fringe of the Bristol Urban Area, approximately 6 miles east of Bristol, and close to the A4174 Ring Road.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS11 Economic Development Land Distribution
CS12 Safeguarding Economic Development Areas
CS29 Communities of the East Fringe of Bristol

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts

- 2.3 Supplementary Planning Guidance
CIL and S106 SPD (Adopted) March 2015

3. **RELEVANT PLANNING HISTORY**

PK14/3853/NMA Non material amendment to PK13/2235/MW to install 2no rear dormer roof sections approved 2014

PK13/2235/MW Single storey extension to each side of existing waste transfer station to provide segregated areas for administrative and clerical sectors- approved 2013

PK12/2612/MW Change of use from Tyre and Exhaust Station (Class A1) to Asbestos Transfer Station (Sui Generis) approved 2012

PK00/2934/PN1 Prior notification of intention to erect 15m telecommunication mast, 2no. 600mm diameter dishes and equipment cabinet. No objection - (located in their rear area).

P96/4131 Change of use from general industrial (B2) to mixed business and general industrial (B1 & B2) and storage and distribution (B8) approved 26-JUN-96

4. **CONSULTATION RESPONSES**

4.1 Siston Parish Council

No objection but concern that no additional parking is being provided for the ten staff being transferred in.

(no response received to the amended plan showing 16 parking spaces)

4.2 Other Consultees

Economic Development

No response

Transportation D.M.

No objection subject to conditions.

Environmental Protection

No adverse comments – suggests building sites informative

Highway structures

No comment

LLFA

No objection

Coal Authority

No objection but refers to Coal mining Risk Assessment.

Other Representations

- 4.3 Local Businesses & Residents
No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 5.2 Chapter 6 of the NPPF focuses on building a strong, competitive economy. Paragraph 80 states that *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.”*

- 5.3 Paragraph 82 states (*inter-alia*) that “planning policies and decisions should recognise and address the specific locational requirements of different sectors...and for storage and distribution operations at a variety of scales and in suitable accessible locations.”

- 5.4 The relevant parts of the development plan are The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and the policies within the South Gloucestershire Local Plan: Policies, Sites & Places Plan (Adopted) Nov. 2017.

The South Gloucestershire Local Plan Core Strategy

- 5.5 Policy CS5 – Location of Development – sets out the framework for development, highlighting that most new development will take place within the communities of the North and East Fringes of the Bristol Urban Area.

- 5.6 Policy CS8 – Improving Accessibility - sets out the Councils priorities for accessibility (where proposals will be treated more favourably if they are considered to be near to existing and proposed public transport infrastructure) and where car parking and vehicular access to the site is well integrated and situated so it supports the street scene.

- 5.7 Policy CS12 – Safeguarded Areas for Economic Development states:

“Land identified in Table 1 will be safeguarded for economic development. Proposals for change from B Use Classes to other economic development uses, including town centre uses, or to non-employment uses, will need to demonstrate that:

1. The proposal would not prejudice the regeneration and retention of B Use Classes elsewhere within the defined employment area; and
 2. It can be clearly demonstrated that it would contribute to more sustainable patterns of development in the local area as a consequence of the appropriateness of the proposed use to the location; and
 3. The proposal would improve the number or range of jobs available to the local area; and
 4. No suitable alternative provision for the proposal has been made elsewhere in the Local Development Framework.”
- 5.8 Policy CS29 – Communities of the East Fringe of the Bristol Urban Area - sets out the Council’s vision for this area, including priority No.3 to ‘manage change on economic development sites so as to maximise job opportunities within the local area’.

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

- 5.9 Policy PSP8 – Residential Amenity - sets out that development proposals will be considered acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of nearby properties as a result of the development. Unacceptable impacts listed within the policy include ‘*inter-alia*’ (but are not limited to) noise or disturbance; and odours, fumes or vibration.
- 5.10 Policy PSP11 – Transport Impact Management - sets out that development proposals which generate a demand for travel, will be acceptable where (amongst other requirements) appropriate on-site loading, unloading and waiting facilities are provided for commercial developments; unobstructed emergency vehicle access is provided and ensure development would not generate traffic that would create or contribute to severe congestions or severely impact on the amenities of communities on surrounding access routes (such as local or strategic road network); or have an unacceptable effect on highway and road safety.
- 5.11 Policy PSP21 – Environmental Pollution and Impacts - relates to environmental pollution and outlines that development proposals should be on sites designed to avoid unacceptable levels of pollution, such as noise and odours and fumes. Proposals which have the potential for any adverse impact will be expected to provide an appropriate scheme of mitigation. South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.
- 5.12 The key issues considered relevant to the determination of this application are:
- i) Principle of development;
 - ii) intensification of use and flexibility of smaller individual units
 - iii) Highways Considerations;
 - iv) Noise and odour considerations on neighbouring amenity.

These issues are therefore considered below.

5.13 Analysis of principle

The proposal to use the site for B1/B8 use is in accordance with CS5 (Location of Development), CS12 (Safeguard Areas for Economic Development) and CS29 (Communities of the East Fringe of the Bristol Urban Area) subject to consideration. Subdivision of the units into seven rather than three (essentially splitting the single large unit into five units) would not impact on the policy for this site and would provide flexibility to the owners for more efficient use of the site.

5.14 Intensification of units

Splitting the site into seven units would provide flexibility to the owners and create a more efficient use of the site. The additional floor space created by means of the mezzanine floor is approximately 35m² in the five units to be enlarged at first floor. The agent submits that the site employs ten members of staff and would continue to employ ten members off staff. At present the proposal is indicated as being for the purpose of bringing together different sections of the same overall company to rationalise their logistical issues. This would accord with policy CS12 in reducing travel between sites. Notwithstanding that the units are seven individual units and will be considered as such for the purposes of this report. Parking is considered later but given the sustainable nature of this site potential intensification by means of around 175m² additional floor space is in accord with CS12(3- improving the number and range of jobs).

5.15 Highway Issues

The site is located within a well-established employment area with sustainable transport links. The nearest train station is Keynsham railway station which is located 4.5miles/9 minutes away. Furthermore, the application site is located less than 50m away from the Bristol to Bath cycle path, which is popular with commuters who cycle to work.

5.16 There are a total of 16 no. on-site car parking spaces allocated for the seven smaller units and two internal spaces per unit beneath the stairs in each unit. The car parking spaces are located directly in front of the adjoining units. It is appropriate to secure the car and cycle parking and also to restrict all outside storage which would impact on this provision.

5.17 Comments of Siston Parish Council are noted and during the application the parking layout securing 16 car spaces and cycle space has been secured. The current outdoor storage associated with scaffolding and waste as seen on site during officer site visit would cease. This together with the accessible, sustainable location of the site is considered to be adequate to meet the needs of each unit. It is not considered that this proposed changes would materially impact the existing and potential travel demand pattern already associated with the site.

5.18 Environmental Issues and Impact on Residential Amenity

The site lies in Flood Zone 1 and is not prone to flooding. The northern part of the site (Crown Road) falls within the defined Development High Risk Area. The Coal Authority records indicate this area as probable shallow coal mining.

- 5.19 In accordance with the supporting information, this planning application is only for the sub-division of an existing building with a first floor rear extension. It does not appear that any groundworks will be taking place as part of this proposal. Therefore, taking into consideration the nature of the development and the site only marginally intersects the defined Development High Risk Area, the Coal Authority do not consider that a Coal Mining Risk Assessment is required and they raise no objection to this proposal.
- 5.20 The agent has since clarified by email dated 03 August 2020, embedded in email dated 17/8/2020) that 'there is no breaking of ground, no further mitigation works will be required, providing structural loadings on foundations are not significantly increased.' The amended Coal Mining Risk Assessment also clarifies that 'There are no new foundations proposed'. As such it is considered appropriate to condition that the works are carried out in accordance with the CMRA.
- 5.21 The application site is surrounded by entirely industrial and commercial properties and no additional ground floor area is created. The first floor is created directly between existing parts of the building and as such the works are not considered to have any material impact on neighbouring businesses.
- 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.

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

- 5.23 Planning Balance
The proposed change of use would facilitate the efficient use of this building on a Safeguarded Employment Site. This attracts significant weight in favour of the proposal and there are no adverse factors weighing against the proposal.

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 conditions listed on the Decision Notice.

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 proposal shall be carried out in accordance with the submitted plans and report as set out below:

Existing elevation SWS102027ele
 Existing first floor plan SWS102027ff
 Existing ground floor plan SWS102027gf all rec 13/7/2020

Proposed elevations B12106 02
 Location plan B12106 LP both rec 6/7/2020

Proposed floor plan B12106 01 rev a received 6/10/2020

B12106 03 Rev B received 30/9/2020

Amended Coal mining risk assessment received 17/8/2020

Reason

In the interests of clarity and to prevent the need for remedial action.

3. All construction works shall be carried out in accordance with the amended Coal Mining Risk Assessment received 17/8/2020 which stated that no new foundations were proposed.

Reason

The lack of foundations required for the internal partitions mitigates the risk of impact on potential shallow mine workings in the absence of intrusive investigation.

4. No building or use hereby permitted shall be occupied until:
 - the vehicular crossovers have been installed,
 - the existing accesses to the development site has been permanently stopped up,
 - the car/vehicle parking and manoeuvring area has been completed and

- the footway has been reinstated in accordance with the approved plan B12106 03 Rev B received 30/9/2020 and in accordance with the South Gloucestershire Council standards of construction and all to satisfaction of the Highway Authority. The access and parking area shall then be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason

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

5. The cycle parking for two cycles within each unit and shown on proposed floor plan B12106 01 rev a received 6/10/2020 shall be provided as shown, maintained and kept permanently available for staff parking.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

6. There shall be no outside storage (including the storage of waste and recyclable material) unless written approval is granted by the planning authority.

Reason

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

7. The premises shall be used for businesses uses only within the Class E(g) and B8 and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended 1/9/2020) (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

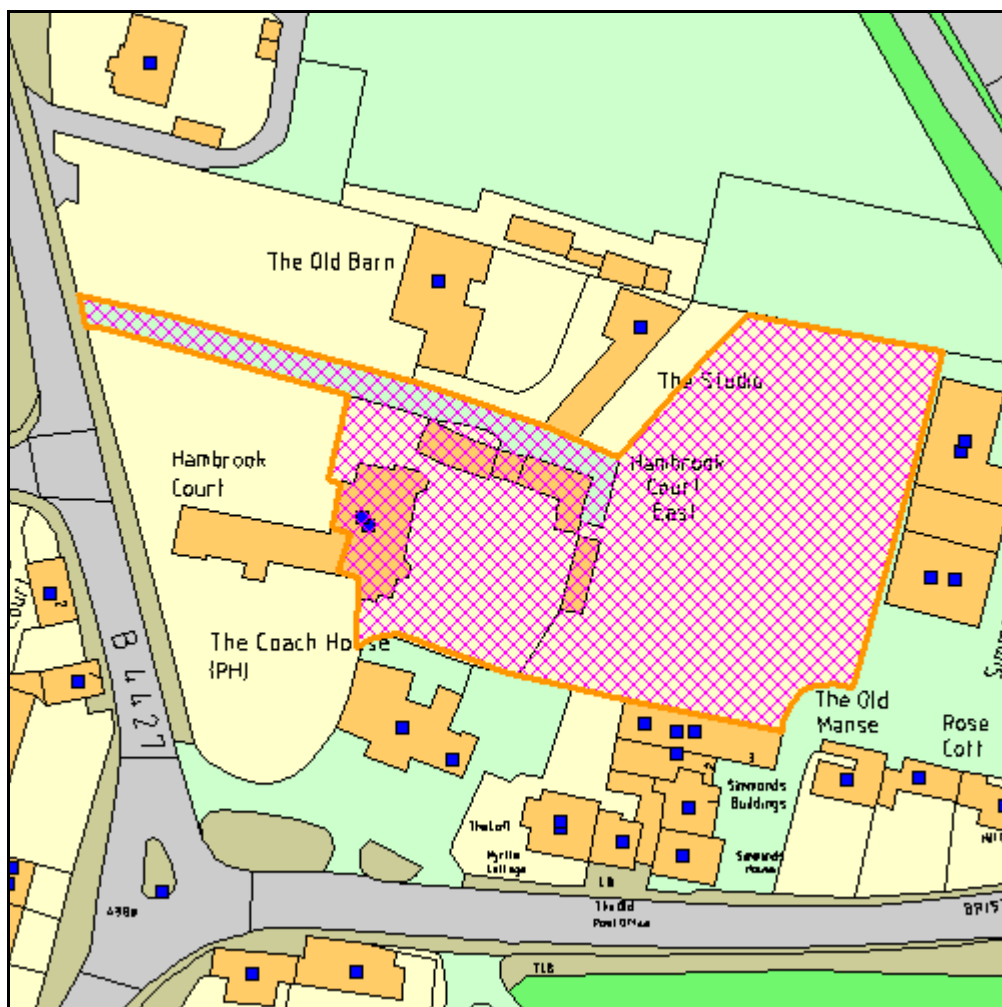
Reason

To ensure the use is compatible with the safeguarded employment area and satisfactory provision of parking facilities are provided, and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 and CS12 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013.

Case Officer: Karen Hayes
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P20/22583/RVC	Applicant:	Mr Harry Evans Cryer and Coe
Site:	Hambrook Court East Bristol Road Hambrook South Gloucestershire BS16 1RY	Date Reg:	16th November 2020
Proposal:	Variation of condition 2 (list of plans) attached to planning applications P20/01714/F to amend the plans to accommodate Pool House dehumidifier store to driveway side, and change existing Pool house utility room door to a window, retention of french doors and repositioning of main entrance and amendments to an element of the roofing material- (P20/01714/F -Erection of single storey side extension to form additional living accommodation, erection of link extension to facilitate conversion of existing garage to pool house. Erection of a replacement building to the east to form garage).	Parish:	Winterbourne Parish Council
Map Ref:	364158 179043	Ward:	Winterbourne
Application Category:	Householder	Target Date:	7th January 2021



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P20/22583/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 appears on the Circulated Schedule as a result of consultation responses received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 This application is submitted as a variation of condition 2 (listed plans) of permission ref. P20/01714/F. That permission was for the erection of a single storey side extension to form additional living accommodation, erection of link extension to facilitate conversion of existing garage to pool house and the erection of a replacement building to the east to form garage.

The condition (2) that is sought to be varied states:

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

010 Location and Site Plan

011 Site Imagery

013 Basement Plan Existing

014 Ground Floor Plan Existing

015 Outbuilding Ground Floor Plan Existing

016 First Floor and Second Floor Plan Existing

017 East Existing

018 West Elevation Existing

019 North/South Elevation Existing

020 Outbuilding North Existing

022 HCE Section AA Existing

023 Ground Floor Appraisal

024 First and Second Floor Appraisal

025 Barn Plan and Elevations Existing REVA

026 Annex Elevations Existing

027 Sliding Sash Timber Windows Details Existing

028 Sliding Sash Timber Windows Elevation Existing

029 Sliding Sash UPVC Window Details Existing

030 Sliding Sash UPVC Window Elevations Existing

031 Main Staircase Existing

033 Basement Plan Proposed

035 Outbuilding Ground Floor Plan Proposed REVB

041 Outbuilding South Proposed REVA

046 Casement Window Details Proposed

047 Casement Window Details Proposed

048 Sliding Sash Window Details Proposed

049 Sliding Sash Window Details Proposed
 050 Main Staircase Proposed
 051 Main Staircase Proposed Details
 052 Extension Details Proposed
 053 Doors Internal Proposed
 054 Doors External Proposed
 055 Proposed Kitchen Update
 received by the Council on the 30th January and 7th February 2020
 and
 012 Site Roof Plan Existing REVA
 021 Outbuilding South Elevation Existing REVA
 032 Site Roof Plan Proposed REVB
 034 Ground Floor Plan Proposed REVB
 036 First and Second Floor Plan Proposed REVA
 037 East Elevation Proposed REVB
 038 West Elevation Proposed REVB
 039 North South Elevations Proposed REVB
 040 Outbuilding North Elevation Proposed REVB
 042 HCE Section AA Proposed REVB
 044 HCE Barn Plan Elevations Proposed REVB
 received by the Council on the 13th May 2020.'

1.2 The application is to substitute the above approved plan numbers as follows:

032 D Site and Roof Plan Proposed
 034 C Ground Floor Plan Proposed
 035 C Outbuilding Floor Plans Proposed
 036 B First and Second Floor Plan Proposed
 037 D East Elevation – Proposed
 038 C West Elevation - Proposed
 040 C North and South Elevations - Proposed

1.2 The main changes these within these further plans are considered to be:
 - Updated plans to accommodate Pool House dehumidifier store to driveway side, and an existing door to be changed to a window in the utility room of the Pool House and the addition of conservation glazing bars to the approved Velux windows of the pool room, retention of French doors and relocation of main entrance, and replacement roofing material to the entrance hall and kitchen extension.

1.3 The site is Hambrook Court East. The building is Grade II Listed. The site is within Hambrook Conservation Area and is located within the Green Belt.

2. POLICY CONTEXT

2.1 National Guidance
 National Planning Policy Framework
 National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS9 Managing the Environment and Heritage

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP17 Heritage Assets and the Historic Environment

Supplementary Planning Guidance
South Gloucestershire Design Checklist
South Gloucestershire Green Belts SPD

3. RELEVANT PLANNING HISTORY

- 3.1 DOC20/00283 – Design and details, pursuant to condition 3 of P20/01714/F.
Discharged 1/12/20.

P21/01045/LB - Amendments to accommodate Pool House dehumidifier store to driveway side, and change existing Pool house utility room door to a window. Application under consideration concurrently with this application.

P20/01679/LB - Internal and external alterations to include the demolition of the existing side extension/conservatory and erection of replacement single storey side extension with link extension between dwelling and outbuilding. Blocking up of existing entrance door and creation of new entrance with canopy over. Replacement of all windows. Demolition of internal walls and creation of new partitions, installation of replacement staircase from ground to first floor. Replacement of tiled roof above entrance hall with lead roofing and installation of 2 no. roof lanterns. Approved 24.07.2020.

P20/01714/F - Erection of single storey side extension to form additional living accommodation, erection of link extension to facilitate conversion of existing garage to pool house. Erection of a replacement building to the east to form garage. Approved 24.07.2020

P85/2362 - Alterations and extensions to facilitate change of use to form two self-contained dwelling units (in accordance with the amended plans received by the Council on 4th October 1985). Approved 20.11.1985.

P85/2363/L - Alteration and extension to facilitate change of use to form two self-contained dwelling units (in accordance with the amended plans received by the Council on 4th October 1985). Approved 20.11.1985.

Numerous historic permissions and listed building consents for alterations, extensions and outbuildings.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

The comments of the Parish Council are Objection. Concerns have been raised with Members about developments not being completed according to plan, including additional structures and appliances which further reduce the openness of the site and might be anticipated to impinge on the quality of life of neighbouring residents. The possibility of changes of use of annexed structures, in the future have been mentioned and related to the restricted access to the site adjacent to a very busy road junction. Enforcement Officers are urged to visit the site to ensure that all final drawings are accurate and current. Concerns were also raised regarding the dehumidifier and the impact this has on the neighbouring properties.

4.2 Other Consultees

Conservation Officer

An RVC application would cover the full planning application but not the LBC. Therefore, the proposals contained within this RVC application will be considered in the context of the planning approval. (*Officer note: a further Listed Building application for the changes has also now been submitted as referenced in the relevant section above*)

Taking the proposals comments are provided under each aspect below:

Originally stated with regard to the pool House dehumidifier store to driveway side – bar the roof plan which indicates depth and the proposed north and south elevation, it is not possible to consider or assess the visual impact sufficiently. Larger scaled elevations should be submitted. There is a concern this could detract from the simplicity of the existing building and so would suggest this plant be internalised. Following further consideration – no objection to this aspect.

Change existing Pool house utility room door to a window – no objections.

(References were made to the erection of a single storey side extension, erection of a link to facilitate conversion of existing garage to pool house and erection of a replacement building to the east to form garage, however these elements formed the description of development of application ref. P20/01714/F, as previously approved).

There are no objection to the variations proposed in this application.

Tree Officer

Clarification of tree removal required

Archaeology

No comments

Other Representations

4.3 Local Residents

Concern from one resident was raised with regards to the dehumidifier and potential changes proposed and any potential unauthorised changes to the overall scheme.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the overall proposals are established. The issue for consideration therefore is whether the changes highlighted above, through the substitution of certain plans, raise any further issues or give rise to different considerations. The main issues relating to the changes are considered to be those of design of the dehumidifier housing and window/door location and whether these changes are acceptable in visual and residential amenity terms.

5.2 The additional concerns raised above are noted. Concerns that development is not being implemented in accordance with the approved plans will be a matter for the Councils Enforcement Team. This application is specifically for the matters referred to above and will be addressed on its individual merits. Any development considered to be a change of use, within the scope of the relevant planning regulations would require separate and further planning permission and again if considered to be occurring without the benefit of such planning permission would be a matter for enforcement investigation.

5.3 Green Belt

The principle of the proposals is established. Given the nature of the proposed changes it is not considered that there would be a material or significant increase in volume in this instance. The proposals would not impact upon the existing openness of the Green Belt. On the basis of the above the proposals are considered appropriate and therefore acceptable development within the Green Belt in this instance.

5.4 Residential Amenity

The principle of the development is established. The dehumidifier deemed necessary for the pool area, will be housed in a small stone structure, the structure would not impact upon neighbouring properties. It would be located on the side of the existing pool house building, next to the driveway and away from the boundary of the property. A proposed door facing west elevation will be altered for a window. The extent of these and the other proposed changes through the substitution of plans given their nature and location are not considered to give rise to additional issues of overlooking or materially impact upon the original considerations of the application. Given the existing approval, previous consideration, and relationship of the proposals with the surrounding area, the details are considered acceptable as proposed.

5.5 Conservation Area/Listed Building Considerations - Design/Visual Amenity

The proposals incorporate some relatively minor changes through altering a door to a window. A relatively small dehumidifier enclosure is also proposed on the side of the pool house. This will be constructed in stone to match the buildings and it is considered that there is sufficient details to view this modest structure. The addition of conservation glazing bars to the approved Velux windows of the pool room and change from a door to a window on the west elevation is considered acceptable. Other changes are the retention of french doors and repositioning of the main entrance and amendments to an element of the roofing material on the entrance hall and kitchen extension with the use of Greencoat PLX finish to replace those areas previously proposed as rolled lead. These proposals are not considered to fundamentally alter or materially detract from the approved scheme. The varied scheme is considered acceptable and does not raise any material or additional issues and the proposals are considered acceptable in their own right in this respect.

- 5.6 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.
- 5.7 Transportation
It is not considered that the proposed variation affects the transport considerations of the site
- 5.8 Ecology
It is not considered that the proposed variation affects the ecological considerations of the site.
- 5.9 Trees
The proposals are for the relatively modest variations described above, which are both on the existing building. It is not considered that they would give rise to any additional impacts in this respect.
- 5.10 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

The remaining relevant conditions associated with the existing planning permission have been carried over and updated where necessary.

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 set out above, and to all the relevant material considerations set out in the report. Conditions that remain relevant and not subject to this variation application will be brought forward with this recommendation.

7. RECOMMENDATION

- 7.1 That the variation of condition application is granted, subject to the conditions recommended.

CONDITIONS

1. The development hereby permitted shall be begun before the 24th July 2023.

Reason:

In accordance with the remaining timescale approved on the existing permission and to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall be carried out in accordance with the following plans:
- 010 Location and Site Plan
 - 011 Site Imagery
 - 013 Basement Plan Existing
 - 014 Ground Floor Plan Existing
 - 015 Outbuilding Ground Floor Plan Existing
 - 016 First Floor and Second Floor Plan Existing
 - 017 East Existing
 - 018 West Elevation Existing
 - 019 North/South Elevation Existing
 - 020 Outbuilding North Existing
 - 022 HCE Section AA Existing
 - 023 Ground Floor Appraisal
 - 024 First and Second Floor Appraisal
 - 025 Barn Plan and Elevations Existing REVA
 - 026 Annex Elevations Existing

027 Sliding Sash Timber Windows Details Existing
028 Sliding Sash Timber Windows Elevation Existing
029 Sliding Sash UPVC Window Details Existing
030 Sliding Sash UPVC Window Elevations Existing
031 Main Staircase Existing
033 Basement Plan Proposed
041 Outbuilding South Proposed REVA
046 Casement Window Details Proposed
047 Casement Window Details Proposed
048 Sliding Sash Window Details Proposed
049 Sliding Sash Window Details Proposed
050 Main Staircase Proposed
051 Main Staircase Proposed Details
052 Extension Details Proposed
053 Doors Internal Proposed
054 Doors External Proposed
055 Proposed Kitchen Update
Received by the Council on the 30th January and 7th February 2020
and
012 Site Roof Plan Existing REVA
021 Outbuilding South Elevation Existing REVA
039 North South Elevations Proposed REVB
042 HCE Section AA Proposed REVB
044 HCE Barn Plan Elevations Proposed REVB
received by the Council on the 13th May 2020,

and:

035 Outbuilding Ground Floor Plan Proposed REVC
038 West Elevation Proposed REVC
040 Outbuilding North Elevation Proposed REVC
received by the Council on the 12th November 2020

and:

032 D Site and Roof Plan Proposed
034 C Ground Floor Plan Proposed
036 B First and Second Floor Plan Proposed
037 D East Elevation - Proposed
received by the Council on the 31st March 2021

Reason

In the interests of clarity and the avoidance of doubt and to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy.

3. Sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

In the interests of the protection of the Listed Building and in accordance with PSP17 of the South Gloucestershire Policies, Sites and Places Plan Adopted November 2017 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

This is a pre-commencement requirement to ensure that Listed Building considerations are addressed and incorporated within the development at an early stage.

4. All trees proposed for retention shall be protected in accordance with the submitted Arboricultural report and BS: 5837:2012

Reason

In the interests of the protection of the trees and to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy

5. The development shall be completed strictly in accordance with the agreed details of the detailed design of the following items:
 - a. All new windows and fixed glazing (including cill, head, reveal and glass details)
 - b. Rooflights (patent glazing)
 - c. Roof lanterns
 - d. All new external doors (including frames and furniture)
 - e. All new vents and flues

- submitted to and approved in writing by the Local Planning Authority under reference DOC20/00283, pursuant to condition 3 of P20/01714/F.

Reason

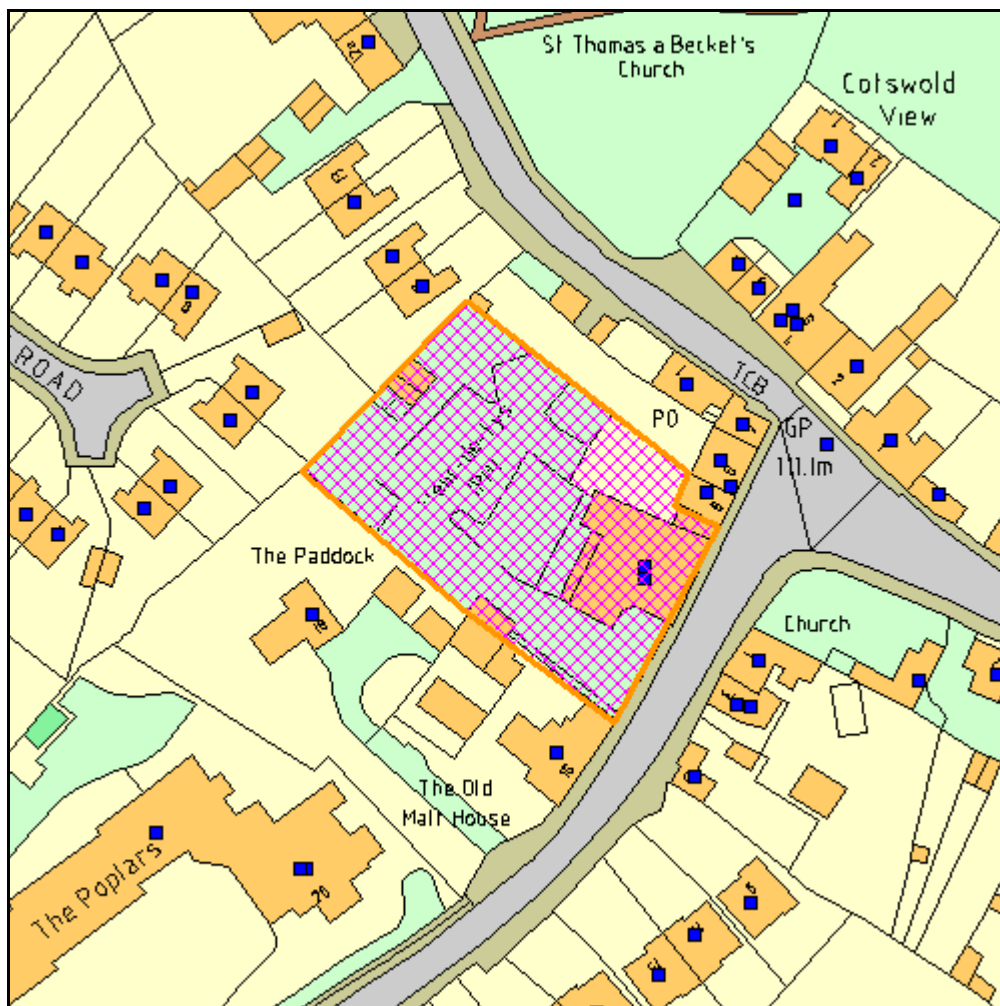
In the interests of the protection of the Listed Building and in accordance with PSP17 of the South Gloucestershire Policies, Sites and Places Plan Adopted November 2017 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

Case Officer: Simon Ford

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P20/23558/F	Applicant:	UKS Group Ltd
Site:	Fleur De Lys 12 Shortwood Road Pucklechurch South Gloucestershire BS16 9RA	Date Reg:	30th November 2020
Proposal:	Demolition of single storey rear extension to Fleur de Lys. Erection of 6no. dwellings with associated works (resubmission of P20/05814/F).	Parish:	Pucklechurch Parish Council
Map Ref:	369923 176426	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	18th January 2021



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N.T.S.

P20/23558/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following objections from Pucklechurch Parish Council and local residents contrary to the officer recommendation below.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 6no. dwellings on land to the rear of the Fleur de Lys in Pucklechurch. To facilitate the development, parts of the existing building would be demolished. The site is currently used as a car park and garden to the Fleur de Lys.
- 1.2 The application as originally submitted was for 8no. dwellings. During the application process, revised plans were submitted to reduce the number of dwellings to 6no, reduce the height of the proposed dwellings with the removal of accommodation within the roof, and alterations to the design of the properties.
- 1.3 The units would be formed in two terraces of 3no. dwellings to the north west side of the site. These would sit on an L shaped access road leading Shortwood Road, on which the retained parking for the Fleur de Lys would be provided.
- 1.4 The site is within the defined settlement of Pucklechurch. It is also within the Pucklechurch Conservation Area and the setting of a number of listed buildings, most notably St Thomas a Becket's Church.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS23 Community Infrastructure and Cultural Activity
CS34 Rural Areas

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP5 Undesignated Open Spaces

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP17 Heritage Assets and the Historic Environment

PSP19 Wider Biodiversity

PSP20 Flood Risk, Surface Water, and Watercourse Management

PSP34 Public Houses

PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Affordable Housing and ExtraCare SPD (Adopted) May 2014

Renewables SPD (Adopted) November 2014

Landscape Character Assessment SPD (Adopted) November 2014

CIL and S106 SPD (Adopted) March 2015

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

Pucklechurch Conservation Area (Adopted) July 2010

3. RELEVANT PLANNING HISTORY

- 3.1 P19/5721/CLE - Continued use as restaurant (Class A3). – Appealed for non determination. Appeal allowed on 24.02.2020
- 3.2 P19/19005/F - Demolition of single storey rear extension to existing building; erection of 9 no. dwellings, with associated works – Refused on 10.02.2020. Appeal dismissed on 27.08.2020.
- 3.3 P20/18183/F - Change of use of public house/restaurant/expanded food provision, to 1no. residential dwellinghouse (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), to include parking and associated works. – Withdrawn on 19.11.2020.
- 3.4 P20/05814/F - Demolition of single storey rear extension to Fleur de Lys. Erection of 8no. dwellings with associated works (re-submission of P19/19005/F). Appeal dismissed on 13.04.2021.
- 3.5 P21/00127/F - Change of use of public house/restaurant/expanded food provision, to 1no. residential dwellinghouse (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), to include parking and associated works. (re-submission of P20/18183/F). – Pending consideration

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council - *Pucklechurch Parish Council acknowledges that changes have been made to the design of the dwelling proposed for Plot 6 but nevertheless maintains its previous objection to the, and especially with regard to:*
1. *Inadequate parking provision: As per SGCs parking standards 6no x 3 bedroomed properties require a minimum of 13.2 (rounded to 14) off-road car parking spaces - the site plan supplied is marked as 8 retained for use by the Public House (which as noted before PPC and a Planning Inspector does not consider sufficient). There are only 20 spaces marked on the plan in total. PPC requests that the Transport Officer reviews the provision shown on the plan as it does not show enough spaces for the houses as well as the retained PH provision.*
 2. *No information is supplied as to how the changes affect private amenity space attached to each property. PPC does not believe adequate space has been provided.*
 3. *The tree planting scheme shows planting that is unsuitable for the residential space.*
 4. *The positioning of 6 houses crammed into the rear of the site does not best use of the land that will be made available by the proposed demolition - an assumption being made here that this is being retained for further development.*
 5. *No Coal Mining Report has been supplied as per recommendations.*
 6. *The Design & Access statement still refers to slate appearance roof coverings but illustrates clay pantiles.*
 7. *Plots 1-3 which are the most visible from the conservation area are still proposed to be rendered. PPC believes they should be the same as shown for Plots 4-6.*
 8. *No views from the direction of the Grade I listed church have been provided.*
- 4.2 Conservation – Design changes have been made which address previously noted concerns. Concerns remain regarding:
- Use of render.
 - Continuation of wall
 - No visualisations have been provided
 - Further reduction in height would be preferable
 - Large scale details require submitting
- 4.3 Historic England - *The amended application includes some modest changes to building detail, but does not provide any further assessment of the potential harm to the setting of the Grade 1 Church. Therefore, we remain concerned over the impact of the development, particularly from Shortwood Road. The council should be satisfied that the legibility of the church tower is not unduly reduced from this part of the Conservation Area.*
- 4.4 Contaminated Land – No objection subject to conditions relating to investigation and remediation works, verification strategy and unexpected contamination.
- 4.5 Highway Structures – No comment

- 4.6 Environmental Protection – No adverse comments
- 4.7 Tree Officer – Trees specified for planting consist of large growing species and more space would be required for future growth. Species of upright growth to avoid wide crowns that would later require significant pruning should be considered.
- 4.8 Transportation DC - If the Council is minded to approve this therefore, it is recommended that future consent for this is made conditional to the applicant first entering into an appropriate legal agreement in order to secure the necessary funds (up to the sum of £10,000) towards Traffic Regulation Order (TRO) in vicinity of the application site. Conditions are also required to retain off-street parking, one electrical charging facility for their vehicle and details of cycle storage.
- 4.9 Archaeology – A programme of archaeological investigation and recording prior to the commencement of development.
- 4.10 Drainage – No objection subject to conditions relating to SUDS details
- 4.11 Local Residents

54 objection comments have been received, summarised as:

- Entrance dangerous due to road traffic
- Aging community who require vehicular access to village amenities
- Multiple applications are an attempt to get proposal through
- Pub should be reinstated with car park and garden area
- Misinformation from applicant
- Too many houses for plot
- Insufficient parking
- Parking survey misleading
- All dwellings should be stone
- Roof materials inappropriate
- Building work already started
- Houses could be extended upwards
- Plans do not show extensions on neighbouring properties
- Trees have been relocated
- Overlooking of rear gardens
- Dimensions have not been included on plans
- Site is visible from Shortwood Road, Westerleigh Road and St Thomas a Becket's Church
- Development within heart of the village
- Proposal would require additional overhead telegraph wires
- Not a sustainable location
- No affordable housing provided
- No housing mix
- Provisions for the public house would be impacted
- No benefit to Pucklechurch
- Trade would be restricted to village amenities
- Site should be used for bungalows
- Similar applications have been turned down

- Boundary wall requires repair
 - Proposals too tall compared to existing buildings
 - Gardens too small
 - House prices will be impacted
 - No clear plan for the public house going forward
 - Extraction fans would be required
 - Proposed trees are too large
 - Insufficient consideration given to large vehicles
 - Pub has been left to deteriorate
- 4 support comments have been received, summarised as:
- Good use of space
 - Pub not used to its potential
 - Good for young families
 - Area needs new housing

5. **ANALYSIS OF PROPOSAL**

Principle of development

- 5.1 The site is within the settlement boundary for Pucklechurch, where the spatial strategy directs new development. The principle of development is therefore acceptable, subject to detailed consideration of other material considerations.

Heritage and Design

- 5.2 The application relates to a site within Pucklechurch conservation area, within the setting of a grade I listed building and in proximity to locally listed buildings. The site forms the existing car park of the Fleur de Lys which is located centrally within Pucklechurch and adjacent to the main route through the village. The conservation area was reviewed in 2010 and a new character appraisal adopted as a Supplementary Planning Document (SPD). This site is located within the 'Commercial core' character area.
- 5.3 An analysis of the traditional buildings in the village reveal a hierarchy between the higher status houses and the smaller cottages. The higher status houses tend to be taller, with parapets and sash windows. They also often feature doorcases or hoods. The cottages are lower, with simple eaves, casements and often no elevation features (the terrace fronting Abson Road are an exception to this rule however they are wide and have a horizontal emphasis provided by their elevational treatment). As a backland site new housing here should respect this pattern and hierarchy and not dominate the buildings to the frontage. The locally listed cottages fronting Shortwood Road (either side of the Fleur de Lys) are particularly low in height.
- 5.4 Concerns regarding the height of the properties have previously been raised, and have formed a reason for refusal on both previous applications and appeal decisions. As well as a reduction in ground levels, the height of the buildings has been reduced as part of this application, with the accommodation within the roof removed. The proposed buildings would sit at roughly the same height as the public house, and below that of the properties on Queens Road.

- 5.5 Given reduced height of the buildings and the location of the buildings surrounding the site, it is now considered that the proposal would dominate long or short range views into the site. Whilst they will still be visible, the proposal will now sit amongst surrounding development.
- 5.6 As the ridge height, and thus overall roof size has been reduced, the proposals are more of a cottage appearance than previous proposals. Alterations to the detailing of the proposals, including the breaking up of elevations with casements and bay windows, re-orientation of the gable on plot 6, door thresholds level with ground, and flush eaves and verges, and the use of red/orange pantiles, and estate fencing, have resulted in a proposal that although modern, has respect for the surrounding historic centre and Conservation Area.
- 5.7 Recommendations that all buildings should be stone fronted have not been carried forward. Although this would be preferable, the 3no. buildings that are proposed to be rendered will mainly be seen when standing immediately in front of the access to the site. The Fleur, which dominates this view, is itself rendered. The 3no. most visible properties will be stone. When the site is considered in context, these materials are considered to be in-keeping, subject to submission of details.
- 5.8 The car park provides a certain level of openness, typical of backland areas where the historic pattern of development sits close to roads. This open area forms parts of the view from the church, with the openness forming a positive feature. Although views or montages have been requested, and would have been helpful, these have not been provided. A view therefore has been formed upon the details as submitted and a site visit.
- 5.9 The quantum of development has now been reduced, as well as a reduction in height. Whilst the proposal will undoubtedly still be visible from the Church, the development will sit within surrounding buildings rather than dominating this view. The removal of the property closest to the rear of the public house also maintains an element of openness to the site as a whole.
- 5.10 The removal of the rear extension to the public house also has some benefits to the appearance of the Conservation Area.
- 5.11 The “commercial core” character area of the Conservation Area is characterised by enclosed streets and wide frontages, with vegetation limited due to the margins. Opportunities for landscaping are limited, however what has been proposed would be an improvement in landscaping terms upon the existing car park. Estate fencing has also been proposed. Trees have been proposed, although the species are too large for the site. It is considered that subject to a detailed landscaping plan being submitted, with consideration given to tree species, the hard and soft landscaping is acceptable.
- 5.12 On balance, the proposals are considered to have a neutral impact upon the character and appearance of the Conservation Area and the setting of the Grade I listed church, and are not considered to cause harm to the heritage

assets. Joinery details will be required as a condition to ensure the detailing is acceptable.

Archaeology

- 5.13 The proposed development is in an area of archaeological significance at the core of Pucklechurch village and in close proximity to the Norman church. The submitted Heritage Statement is not supported by an archaeological desk based assessment, so the value and nature of potential archaeological deposits on site have not been thoroughly considered by the appellants.
- 5.14 The village was first recorded in c1016 and the historic records document that the settlement was of some significance, and included a royal hunting lodge. There is also evidence of extensive Roman occupation, perhaps a villa in the western part of the village. Map evidence from the 18th and 19th centuries shows the site of the proposed new houses as developed back plots and a site visit and photos submitted indicate that the ground levels on the site are considerably higher than at the road front.
- 5.15 There is a very high potential for the survival of archaeological deposits from the medieval and earlier periods at the site, and it is not considered that more recent uses will have truncated these deposits. Although it is unfortunate that a desk based assessment has not been carried out as part of the submission, the LPA accepts that this can be conditioned as part of any permission granted.

Highways and transport

- 5.16 To facilitate the new development, part of the existing building would be demolished. With the current planning application it is proposed to reduce the floorspace of the public house from 172sqm to 92sqm. This includes the removal of the conservatory and kitchen, thereby the ability to provide meals. The applicant states that the focus away from dining and the local nature of a micropub reduced the demand for car parking. It is noted that there is a current planning application to convert part of the public house into a dwelling, and retain a small element of floorspace as a micropub. This however has not been granted permission, and currently holds little weight.
- 5.17 Parking requirement for the residential element of this proposal is assessed against policy PSP16. However, the LPA currently has no specific parking standards within the current Development Plan for commercial uses. The LPA therefore uses the former maximum parking standards as contained within the policy T8 of the former Local Plan as guidance.
- 5.18 Within the residential element of the proposal, the application provides 12no. spaces for the 6no. 3bed. dwellings. Whilst this accords with the parking provision for the dwellings themselves, any proposal above 5no. dwellings also requires 0.2 visitor spaces, a total of 1.2, rounded to the nearest whole number of 1no. space. This has not been provided.
- 5.19 Consideration must also be given as to whether sufficient parking is retained to the serve the Fleur de Lys to accommodate the parking demand generated

from the business use of the site. Plans submitted with the current scheme show 8no. spaces to be retained for the public house.

- 5.20 Relevant to determination of this application is the previous decisions for the similar proposal as part of planning application P19/19005/F on the same site. In his appeal decision notice relating to this (i.e. proposal for nine houses plus retention of the PH on site), the planning Inspector stated his observation of the highway networks as follows;
- 5.21 *'On my site visit, I observed that the B4665 is a busily trafficked through route with twisting alignments and a road junction in the commercial core area of the village centre. There are few on street parking facilities and where this does occur, cars either mount the pavement to park or take a chance by parking in an unsatisfactory manner in the vicinity of the three-armed priority junction between Shortwood Road, Westerleigh Road and Abson Road'.*
- 5.22 The Inspector went on further and said that *'It seems to me that any excess demand from customers would spill onto the surrounding roads where there is little capacity to accommodate it. This would be likely to increase the potential for conflict and cause inconvenience for other road users'.*
- 5.23 In his conclusion on transportation and highway issues, the Inspector stated that *'I am not satisfied that the provision of eight parking spaces would be sufficient for the revamped public house, notwithstanding the intention to operate as a micropub, particularly where this facility would front a busy road with seemingly high volume of through traffic. This is a further indication of the unsatisfactory layout and cramped nature of the development overall'.*
- 5.24 Furthermore he stated that *'in the absence of robust site specific evidence and following my own observations, I find that the proposal would be harmful in terms of on-street parking pressure which, in turn, would be significantly detrimental to highway safety and the convenience of road users contrary to Policies CS8 of the CS and PSP11 of the SSP that together seek to ensure that proposed development does not give rise to traffic generation likely to have an unacceptable effect on highway and road safety'.*
- 5.25 The applicant has now carried out a parking survey in the area surrounding the application site. The results of this survey indicate that there are few on street parking facilities available in the immediate vicinity. Notwithstanding this, there are safety issues that need to be addressed if there is to be increased on-street parking as a result of the proposed development.
- 5.26 Information provided within the applicant's Transport Statement confirms the applicant's willingness to apply through the Council for implementation of waiting restrictions in the form of a Traffic Regulation Order, in order to manage any potential overspill of parking outside the application site. The implementation of such a TRO would also keep the junction free of existing parked traffic, and would improve overall road safety at this location.
- 5.27 Given the improvement of road safety, and the prevention of overspill parking, it is considered that the proposal would not significantly harm highway safety,

providing a legal agreement is entered into to secure the necessary funds (up to the sum of £10,00) towards a Traffic Regulation Order. Conditions will also be required for the provision of off-street parking, one electric charging vehicle per dwelling, and details of cycle storage.

Impact on Community Infrastructure

- 5.28 Part of the proposal includes the demolition of part of the Fleur de Lys. The Fleur de Lys is a piece of community infrastructure in the terms of policy CS23 as a public house and restaurant.
- 5.29 The policy is to seek retention of community infrastructure. Whilst there is a separate application pending seeking the partial conversion of the public house, this does not form part of this application.

Residential Amenity

- 5.30 Development should not be permitted that have a prejudicial impact on residential amenity or which fail to provide adequate living conditions for future occupiers.
- 5.31 The proposal fails to comply with the minimum private amenity space standard of 60m² as set out in policy PSP43 on dwellings 2 – 6. Plots 2 and 6 are marginally under the 60m² requirement, whilst plots 3-5 are around 48m². Previous appeal decisions form a material consideration, where the Inspector accepted that undersized gardens are acceptable for a mews form of development, and that generally there would be a reasonable amount of private amenity space provided. The garden sizes are comparable to the appeal scheme.
- 5.32 Local residents have raised concerns about overlooking and a loss of privacy. The development is – just – sufficiently separated from the existing buildings to prevent a prejudicial impact on the amenity of nearby occupiers through overlooking and loss of privacy. It is not clear how boundaries would be treated, particularly the northern boundary of the site, however this could be clarified via a hard landscaping plan secured by condition. The proposals are not considered to significantly overshadow neighbouring properties.

Impact on Equalities

- 5.33 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.

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

Other matters

- 5.35 Drainage is to be considered by condition.
- 5.36 There is no concern that the additional traffic generated by the proposal would be harmful; the availability of public transport is noted. It is not concluded that the site would prevent access by emergency vehicles.
- 5.37 A contamination report has been submitted and the findings are accepted. Further conditions are required for remediation.
- 5.38 A condition will be applied to ensure the site provides ecological gain.

Planning Balance

- 5.39 This site is within the settlement boundary of Pucklechurch where, under the provisions of the development plan, development of this nature is directed. There is no evidence in this application that the reduction in the built form of the Fleur de Lys would adversely affect its operation. The principle of residential development on this site is acceptable.
- 5.40 Following revisions to the scheme no harm has been found to be caused to the designated Heritage Assets. The design of the scheme is considered to be acceptable.
- 5.41 There is a slight under provision in terms of parking, however the introduction of a TRO is considered to improve highway safety and mitigate these concerns.
- 5.42 There is some public benefit to the provision of additional housing in an existing settlement.
- 5.43 On balance, the proposal is considered to be acceptable, and is recommended for approval.

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 authority be delegated to the Director Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following;

The provision of fund up to the sum of £10,000 towards a Traffic Regulation Order (TRO) in vicinity of the application site.

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 development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason:

In order to ensure the adequate protection of archaeological remains, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is required prior to commencement to ensure that archaeology is not disturbed before an agreed watching brief is in place.

3. Prior to the commencement of development, drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts, etc.) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

This is required prior to commencement as it relates to ground conditions to avoid remedial works.

4. Prior to commencement of the external walls of the development, a sample panel of the render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason:

In the interests of design and external appearance, to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP1 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework.

5. Prior to the application of any external finish, details of the roofing and external facing materials other than the render (e.g. brickwork and stonework) 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:

In the interests of design and external appearance, to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP1 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework.

6. Prior to the application of any external finish large scale details of external details (windows, eaves, doors etc.) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

In the interests of design and external appearance, to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP1 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework.

7. No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason:

To protect the character and appearance of the area and residential amenity to accord with Policies CS1 and CS9 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.

8. All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of

the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason:

To protect the character and appearance of the area and residential amenity to accord with Policies CS1 and CS9 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.

9. No occupation shall commence until the parking shown on the submitted plan has been provided. The areas allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted. 8no. spaces are to be allocated to the Fleur De Lys, and each dwelling is to be allocated 2no. spaces.

Reason:

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

10. No development shall take place until appropriate investigations as recommended in the Wesson Environmental Phase 1 Site Investigation dated January 2021 have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

Reason:

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

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

14. Prior to the first occupation of the development one 7 kW 32 Amp electric vehicle charging point shall be provided per dwelling and thereafter retained for that purpose.

Reason: To facilitate use of electric vehicles, encourage sustainable means of transportation and to minimise traffic emissions, in the interests of climate change and air quality and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policies PSP16 and PSP6 of the South Gloucestershire Local Plan : Policies Sites and Places Plan adopted November 2017.

15. No occupation of the development shall commence until bicycle storage has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle storage shall be retained permanently thereafter.

Reason:

To ensure the satisfactory provision of cycle facilities to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

16. Prior to first occupation, evidence of the installation of ecological enhancement features shall be submitted to the local planning authority for approval in writing.

Reason:

To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme to prevent ecological harm and to provide biodiversity gain in accordance with policy PSP19 of South Gloucestershire Local Plan and the National Planning Policy Framework.

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

23 Nov 2020			SITE LOCATION PLAN
23 Nov 2020	19.016.002		EXISTING SITE PLAN
23 Nov 2020	19.016.003		EXISTING SITE SECTIONS
23 Nov 2020	19.016.020		EXISTING GROUND FLOOR PLAN
23 Nov 2020	19.016.021		PROPOSED PUBLIC HOUSE GROUND FLOOR PLAN
23 Nov 2020	19.016.022		EXISTING PUBLIC HOUSE ELEVATIONS
23 Nov 2020	19.016.023		PROPOSED PUBLIC HOUSE ELEVATIONS
09 Mar 2021	19.016 - 030	A	PLOTS 1, 2 AND 3 FLOOR PLANS
09 Mar 2021	19.016 - 010	E	PROPOSED SITE PLAN
09 Mar 2021	19.016 - 011	E	PROPOSED SITE SECTIONS
09 Mar 2021	19.016 - 032	A	PLOTS 4, 5 AND 6 FLOOR PLANS
09 Mar 2021	19.016 - 033	A	PLOTS 4, 5 AND 6 ELEVATIONS
10 Mar 2021	19.016 - 040		STONE WALL DETAILS
01 Apr 2021	013	B	PLOTS 1, 2 AND 3 ELEVATIONS

Reason:

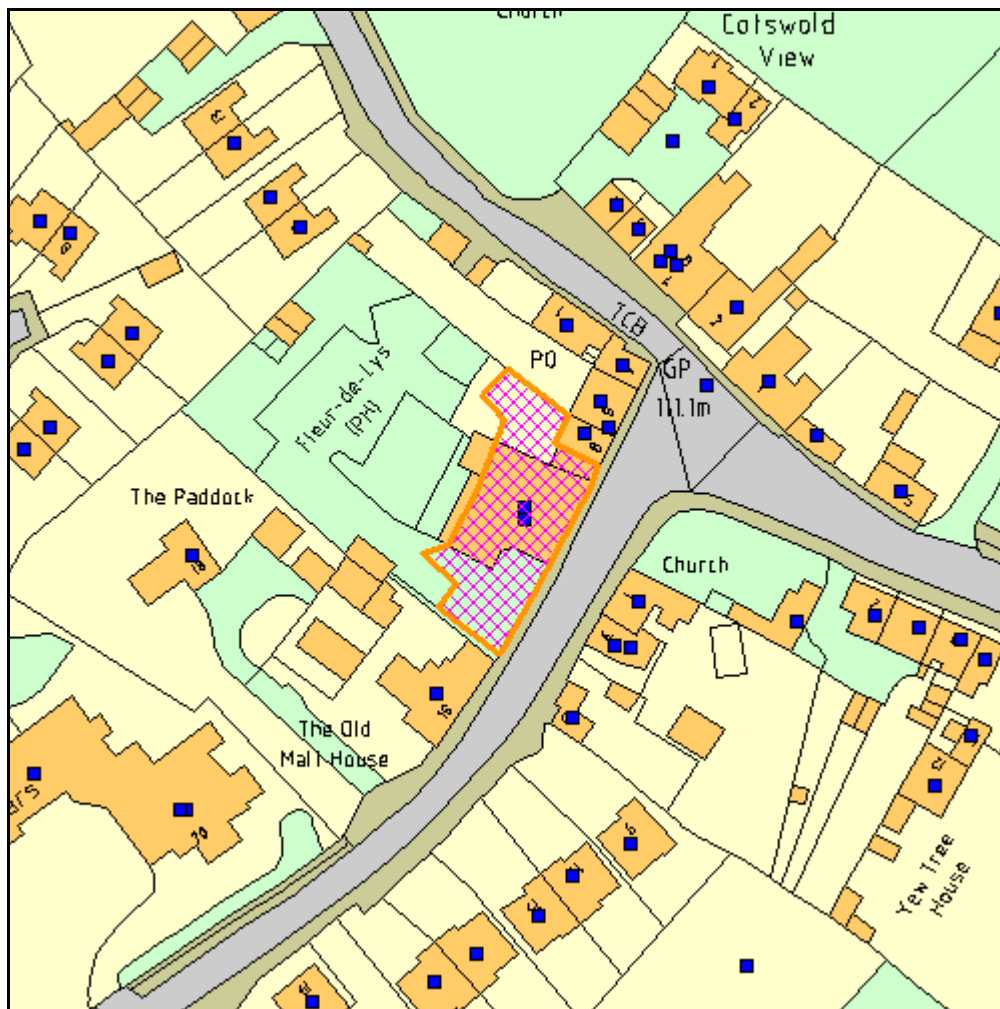
To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P21/00127/F	Applicant:	UKS Group Ltd
Site:	Fleur De Lys 12 Shortwood Road Pucklechurch South Gloucestershire BS16 9RA	Date Reg:	12th January 2021
Proposal:	Change of use of public house/restaurant/expanded food provision, to 1no. residential dwellinghouse (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), to include parking and associated works. (re-submission of P20/18183/F).	Parish:	Pucklechurch Parish Council
Map Ref:	369923 176426	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	4th March 2021



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 100023410, 2008. **N.T.S.** **P21/00127/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

The application appears on the Circulated Schedule because the comments of the Parish Council are contrary to the officer recommendation. Furthermore, more than 3no. comments have been received from local residents, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for a change of use of the existing public house/restaurant with expanded food provision (Sui Generis), to 1no. residential dwelling (Class C3), as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), to include parking and associated works. The application includes the retention of a 'micropub' and is a re-submission of withdrawn application P20/1813/F, which was withdrawn on the basis that it would have been refused due to the loss of the public house.
- 1.2 This application proposes the same change of use, however, proposes also to retain a 'micropub' on site to compensate the loss of the larger public house. The proposal is also accompanied by a viability report to demonstrate that the public house is no longer a viable concern.
- 1.3 The site is a public house/restaurant with expanded food provision located centrally within the village of Pucklechurch, where the Westerleigh Road, Abson Road and Shortwood Road meet. The site is within the Pucklechurch designated settlement boundary and is within the Pucklechurch Conservation Area.
- 1.4 During the application's consideration, revised plans have been sought, which amended the rear boundary due to the layout change of the housing proposal in the carpark, under consideration in a separate application. Further submissions have been to clarify issues, such as drainage, and the submission of the viability report. The red line changed during the course of the application's consideration, which necessitated a full 21 day public re-consultation.

2. POLICY CONTEXT

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

- 2.2 Development Plans

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

CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-Safeguarded Economic Development Sites
CS14	Town Centres and Retailing
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS23	Community Infrastructure and Cultural Activity
CS34	Rural Areas

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
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP34	Public Houses
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

CIL and S106 SPD (Adopted) March 2015

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

3. RELEVANT PLANNING HISTORY

Relating to the public house/restaurant

3.1 P20/18183/F (withdrawn 19/11/2020):

Change of use of public house/restaurant/expanded food provision, to 1no. residential dwellinghouse (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), to include parking and associated works.

3.2 P19/5721/CLE (Non-determination – appeal allowed 05/09/2019):

Continued use as a restaurant (Class A3).

This CLE application did not grant a certificate for the applied for use, a Class A3 restaurant. Instead, a certificate was issued for 'a mixed use of a drinking establishment with expanded food provision'

A number of other records are available; however these are in the form of advertisement consents and works in relation to the use as a public house/restaurant. These are not considered relevant to this proposal.

Relating to the wider site

- 3.3 P20/23558/F (pending consideration by the LPA at time of writing):
Demolition of single storey rear extension to Fleur de Lys. Erection of 6no. dwellings with associated works (resubmission of P20/05814/F).
- 3.4 P20/05814/F (Non-determination – appeal dismissed)
Demolition of single storey rear extension to Fleur de Lys. Erection of 8no. dwellings with associated works (resubmission of P19/19005/F)
- 3.5 P19/19005/F (refused 10/02/2020 / appeal dismissed 27/08/2020):
Demolition of single storey rear extension to existing building; erection of 9 no. dwellings, with associated works

4. CONSULTATION RESPONSES

Comments summarised. Full versions are available on the Council's website.

4.1 Pucklechurch Parish Council**Objection**

- Continues to object, as objected to P20/18183/F
- Covering letter refers to micropub as 'C4' – C4 covers HMOs. A micropub cannot be described as such.
- Disagrees with the disaggregation of the public house from the restaurant – more than 40sqm PH floorspace.
- Does not agree that a case has been made for the substitution of a micropub as suitable equivalency
- Does not believe all reasonable attempts have been made to secure economic development re-use (per CS13)
- Contrary to conservation area preservation and enhancement strategy
- Detrimental to the character of the area
- A suitable market appraisal has not been undertaken to assess alternative uses or economic viability
- Retention of commercial use of heightened importance to sustainability of rural parishes as they provide employment and training opportunities
- Failed to demonstrate that proposal satisfies CS23 (refers to 10.84)
- Disagrees that PSP34 applies exclusively to A4 use – policy refers to public houses. APP/P0119/X/19/3236536 referenced. *[officer comment] this appeal relates to the certificate of lawfulness granted to the premises – see planning history*
- Public house has not been demonstrated as unviable – no vacancy and marketing for two years has taken place
- Micropub does not provide sufficient detail regarding deliveries; cycle racks; waste storage and removal; staff hygiene and welfare; disabled access/toilet provision; hours of operation

- Unsatisfactory parking – does not agree with parking survey submitted with P20/23558/F.
- Traffic regulation order not a foregone conclusion and might have to be amended or rejected following consultation. A TRO has the capacity to severely impact other businesses and residential properties, many having no off-street parking.

Internal Consultees

4.2 DC Transport

No objection, subject to conditions as recommended on P20/18183/F.

Comments provided for P20/18183/F, provided for reference:

No objection, subject to condition requiring condition to secure parking prior to occupation of dwelling.

4.3 Conservation Officer

Change of use conflicts with specific preservation and enhancement strategy – concern that the character of the conservation area may be adversely affected. Viability of micropub must be demonstrated.

If minded approving, details of external changes to the micro-pub should be provided, including signage. Sample panels of the stone walls also required via condition.

Further comments:

Further comments have been received, which submit that if the change of use is considered acceptable in all other respects, a heritage objection to the change of use alone would not be sustainable at appeal. The provision of micro-pub, retention of the external features and the minimal alteration to the exterior of the building are sufficient to satisfy the policy requirements with regard to heritage and avoid harm to heritage assets, including the conservation area.

4.4 Economic Development

No comments have been received

4.5 Housing Enabling

No comments have been received

4.6 Highway Structures

No comments

4.7 Drainage (LLFA)

Initial comments:

Query the proposed connection point to surface water sewer.

Updated comments:

Evidence is required that Wessex Water accept additional surface water in to the foul sewer.

[Officer comment] As the proposal is for a change of use of an existing building, this information is not considered essential at the planning application stage.

4.8 Archaeology Officer

HC11 condition should be applied to any consent to investigate and record archaeology associated with any groundworks and to include a level 2 building survey of the structure itself.

4.9 Planning Enforcement

No comments have been received

External Consultees

4.10 Historic England

Does not wish to make comments; views of Council conservation officer should be sought.

Other Representations

4.11 Local Residents

19no. objection comments have been received. many of these comments in one form or another raise the loss of the public house as a point of objection. Further issues are raised as follows:

- Should be allowed to develop carpark but keep front of pub, reduced in size.
- Village does not need another eyesore
- Parking issues
- Not suitable for village
- Vehicles leaving property on to busy road
- Danger to pedestrians and other road users
- Pensioners and disabled people will be put at risk by increased traffic
- Dwellings will cause traffic accidents
- Where will delivery lorries load and unload (in reference to micropub)
- 8 houses is greedy – financial gain will cause misery for residents
- Application does not benefit a single member of community
- Will have a negative impact on the Post Office opposite
- Micropub not viable – more suited to town areas
- Micropub would cause noise nuisance as backs up against cottages on Shortwood Road
- No disabled facilities shown on drawings
- Micropub not suitable – ageing population sited (need to sit down)
- Not in keeping
- Fleur should be placed back as a pub as it is also diversified to local fundraising events and meeting place.
- May result in a HMO
- Micropub proposal is ridiculous
- Site location plan contains misinformation (church labelled incorrectly and garage no longer there).

- Micropub 'impractical'

It is noted that whilst many of the comments relate to the pub, they also appear to raise concerns with the housing scheme in the carpark, which is currently under consideration by the local planning authority.

5. ANALYSIS OF PROPOSAL

- 1.1 The proposal seeks a change of use of public house/restaurant with expanded food provision (Sui Generis), to 1no. residential dwelling (Class C3), as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), to include parking and associated works. The application includes the retention of a 'micropub'.
- 1.2 For the avoidance of doubt, the premises is not listed as an asset of community value (ACV).

Principle of Development

- 1.3 The application stands to be assessed against the above listed policies and all other relevant material planning considerations. The Council's principle locational strategy is set out in CS5, which directs new residential development to the Northern and Eastern fringes of Bristol, and then to within settlement boundaries. As the site is within a settlement boundary, the creation of a new residential unit on the site is acceptable in principle on a purely locational basis.
- 1.4 The extant use of the site can be considered to fall within the remit of PSP34, which covers public houses and CS23, which covers community infrastructure. The applicant submits that the premises is not a public house, and so does not fall within the remit of PSP34 which 'relates specifically to A4 public houses'. They also submit that CS23 is not applicable. A recent CLE is cited as establishing that the site is not squarely an A4 (now Sui Generis) public house.
- 1.5 The extant use of the site has been established as 'a mixed use of a drinking establishment with expanded food provision', as determined under an appeal (APP/P0119/X/19/3236536, decided 24th February 2020 following the non-determination of P19/5721/CLE. The CLE sought to establish the existing use as a restaurant, which would fall within an A3 use class. A3 would now fall within the new 'E' use class as of the 1st of September 2020, but it should be noted that public houses (including those with expanded food provision) were specifically excluded from the new 'E' class and were made 'Sui Generis'.
- 1.6 The certificate of lawfulness was not issued for an exclusive restaurant use (Class A3, now E). The final paragraph of the inspector's decision set out;

The use of the building would seem to me, without doubt, to have last been a pub and is most likely it has always been a pub. The Council conclude that given there is also clear evidence for the associated restaurant use this is a mixed sui generis use, as I described above, and I would agree. The Council suggest that had they issued a certificate it would have been for a sui generis mixed use and the appellant has indicated this would be acceptable.

As stated, the CLE granted by the inspector was for 'a mixed use of a drinking establishment with expanded food provision'.

1.7 Officers acknowledge that the premises is not exclusively a public house, but it is clear from the inspector's decision that the premises is not exclusively, not a public house. In effect, the premises is a mixture of a **drinking establishment** (otherwise known colloquially as a **pub**) that has an 'expanded' food provision. As also identified by the inspector, very few pubs will squarely fall in to the then A4 category and the majority will fall between then then A3 and A4 uses. Given the above, officers would conclude that PSP34 is relevant and can be given weight for the reason that the use can still be considered to fall, at least in part, in to the classification of an A4 (now Sui Generis) public house for the purpose of assessing this application.

1.8 The proposal suggests that the public house function of the premises can be limited to 40sqm. However, this does not include the left side bar area, 'games area' or the function room in the detached outbuilding. Officers would therefore disagree with this disaggregation of the uses, as the function of both the restaurant and public house are likely to be interlinked and difficult to separate into clearly distinct uses.

Loss of Public House

1.9 PSP34 submits that the Council supports the retention of public houses. PSP34 sets out that development proposals for the change of use, redevelopment and/or demolition of public houses will be acceptable where a series of tests are satisfied. These are;

- 1) *The proposal(s) does not constitute the loss of, or would compromise the viability, of a service of particular value to the local community; **or***
- 2) *It can be demonstrated that the use as a public house is no longer viable; **and***
- 3) *The proposed alternative use will not detrimentally affect the vitality of the area and the character of the street scene; **and***
- 4) *Significant external heritage assets features are retained*

1.10 Paragraph 7.81 of PSP34 goes on to set out that in many local communities, the public house provides a valuable meeting place and may provide the sole meeting place for residents. The policy is aimed at guarding against the loss of public houses, except where it is not capable of being viably operated, or marketing demonstrates that continuation as a public house is unrealistic.

1.11 Paragraph 7.83 of PSP34 then sets out the evidence required to demonstrate that a public house is no longer viable. This is;

- i) In all locations outside primary shopping areas, that the public house has been vacant for a continuous period of at least two years; **and**
- ii) It has been continuously marketed for the duration of the vacancy, through appropriate marketing outlets (e.g., those not focused on non-public house uses)

- 1.12 Officers are appreciative that the tests of 7.83 have not been strictly met. This is because officers understand that the public house has not been vacant for a period of at least 2 years continuously and marketed throughout, via appropriate marketing outlets. Furthermore, as set out above in 1.8, officers do not agree with the disaggregation of the public house use from the other (restaurant/expanded food provision) use and are therefore not satisfied that the substitute micropub would adequately compensate for the loss of the public house.
- 1.13 However, a viability report has been submitted (James A Baker, February 2021). This aims to demonstrate that the public house is no longer viable, albeit clearly through an alternative means to the test set out in 7.83 of PSP34.

Consideration of non-viability

- 1.14 The submitted viability report makes several submissions. Chiefly, that the public house is not viable in its current form due to other licensed competition, changes in the public house market and changes in social habits and drinking habits. The Covid-19 pandemic is also cited.
- 1.15 Local competition is noted as being an issue for the viability of the Fleur De Lys. The submitted report notes that Pucklechurch is served by three pubs (Fleur De Lys, Star Inn and the Rose and Crown), plus a village sports and social club with licensed bar. Nearby villages are served by their own pubs and there is a substantial amount of licensed competition in the local area. The report therefore contends that with the other availability of licensed premises, the loss of the Fleur De Lys would not be detrimental to the village. Officers do not disagree that there is alternative provision within the village, however this *alone* should not justify the loss of a public house.
- 1.16 It is further submitted that the premises was previously operated by Ei Group (a national pub company – formerly Enterprise Inns plc) and was operated as a tenanted pub, before being sold to the current owner in January 2019 as it was no longer a viable concern for Ei group. The report further submits that the Fleur De Lys was operated as a traditional village pub and that there has been a succession of tenants at the site under both Ei group and its current owner, UKS Group, which have failed to make the pub work. This includes three different tenants over the past three years.
- 1.17 The report further sets out the poor trading history of the public house. Details are provided of the barrelage over the years, which between 2014 and 2019 has declined year on year, in total by around 50%. Given the nature of the premises as a public house, officers would accept that barrelage is a reasonable metric to demonstrate a decline in trade.
- 1.18 Going back to August 2018, Christie & Co were instructed to market the freehold interest of the Fleur De Lys at a guide price of £495,000 (plus VAT). Sales particulars are included within the report submitted. Officers note that Christie & Co are a specialist in buying and selling businesses, with one of their sectors noted as being pubs. The sales particulars included appear to suggest that the premises were marketed as a public house. The report also submits that the property was included on Rightmove Commercial; Christie & Co's

- website; Targeted mailshot to 4,886 registered applicants (including licensed trade operators) and erection of a 'For Sale' board. The marketing was for 6 months, until the sale to the current operator in January 2019.
- 1.19 During the marketing, it is stated that there were 5 viewings, with 2 offers made, both for alternative (residential) use, with no offers made for pub use. In concluding, the report submits that the public house is not viable because:
- (a) The property has been subject to a comprehensive marketing campaign that did not return any offers from public house operators
 - (b) A commercial decision by Ei Group, a national public house operator, to dispose of the site suggests it is not viable
 - (c) Decline in barrellage by 50% between 2014 and 2019 and succession of tenants
 - (d) The loss would not be detrimental to the local area due to the other public houses nearby.
- 1.20 Officers are mindful of the public comments submitted in support of the retention of the public house, and the Council's commitment to retaining public houses. However, there will also be circumstances where a public house is no longer viable, or its continuation as one is unrealistic. Having regard to the contents of the viability report, it is clear that the public house has suffered from a decline in trade over the years and has been marketed as a public house with no demonstrable success. Given the findings of the viability report, officers reluctantly accept that overall, the Fleur De Lys can be considered unviable in its current form.
- PSP34 conclusion*
- 1.21 The proposal does not demonstrate the non-viability of the premises through the means set out in PSP34 at 7.83. However, 7.83 submits a standard test for non-viability which is based on vacancy and marketing. Officers would consider it quite unreasonable to not consider an alternative method of considering viability, to satisfy (2) of PSP34. The findings of the viability report have been carefully considered by officers who consider it to make a reasonable case for the public house no longer being viable, and therefore it is considered that (2) of PSP34 can be considered broadly satisfied. Furthermore, given the proposal to retain a micropub, the loss of the public house use would not be total, subject to a suitable operator being found.
- 1.22 Not being the only public house in the village, officers are satisfied that the community would not be unduly deprived of public house facilities. Given the alternative provision, it would also not detriment the vitality of the area. The changes proposed would be limited to the frontage to the extent that the signage would be retained and as such, the broad character or the street scene would be retained.
- 1.23 Following the above assessment, officers are satisfied that the change of use away from public house use would not be entirely contrary to PSP34, though it is accepted that the proposal would not be entirely in compliance with PSP34 either, in terms of not meeting the standard viability test. However, the submitted viability report is considered sufficient and when coupled with the

retention a smaller micropub, the proposal would not result in the total loss of the public house use.

- 1.24 A condition should be applied to require the micropub to be completed to a standard that it could be reasonably used as such. This would include second fix electrics, plumbing, heating and wall finishes because this is a suitably precise standard, which can be assessed against the building regulations for a public house use.

Loss of Community Infrastructure

- 1.25 CS23 of the Core Strategy confirms that existing community infrastructure will be retained, unless it can be demonstrated that:

- 1) *The use has ceased and there is no longer a demand; or*
- 2) *The facility is no longer fit for purpose; and*
- 3) *Suitable alternative provision is available within easy walking distance to the required standard.*

- 1.26 Taking CS23 in reverse and in respect to (3), there are two further public houses within Pucklechurch (in addition to the licensed sports and social club), as noted previously in this report. These are the Star Inn and the Rose and Crown, both within reasonable walking distance (sub 10 minutes) from the Fleur De Lys. Accordingly, officers are satisfied that (3) of CS23 is satisfied.

- 1.27 Taking (2), officers note from the viability report that it is stated that the public house is in 'very poor' condition externally and the pub requires substantial investment throughout. Whilst this may be the case, officers would not consider the premises to be wholly *no longer fit for purpose*. That said, the images of the internals of the public house do not show an interior that would be useable as a viable public house without substantial modernisation and investment to bring it up to a standard expected by operators and customers.

- 1.28 Taking point (1), it is clear that the use has currently ceased. In terms of demand, officers note that there a number of comments from residents objecting to the loss of the public house. It is however noted that the public house has not been listed as an asset of community value. In addition, the case made by the viability report that the public house has seen decline in trade year on year would lend itself to the notion that there is a decreasing demand for the facility. Furthermore, as there would be the retention of a micropub on site, the function of the facility would not be lost in its entirety. Accordingly, officers are satisfied that the proposed development would not conflict with CS23.

- 1.29 Having regard to the above assessment, officers consider the development to be acceptable in principle. Therefore, what is left to consider is the design; heritage impacts; residential amenity impacts and highways impact of the proposal, which will be addressed in the remainder of this report.

1.30 Design and Visual Amenity

Changes to the frontage of the building are virtually non-existent (save for what appears to be the removal of the coach gate) and the rear elevation is to remain as existing, save for the removal of existing flat roofed extensions. The

- rear extensions are noted to be modern post war additions that by all accounts are unsightly and their loss would not be resisted. The side elevation is to also remain as existing (save for the loss of the rear flat roofed extensions). The retention of the existing elevations is to the point that the 'Fleur De Lys' signage appears to remain. For all intents and purposes therefore, the external character and appearance of the building does not change at the front and where it does to the rear, this is considered to be positive change. There are therefore no objections to the appearance of the resultant residential unit.
- 1.31 The layout of the building externally also remains the same, save for the removal of the rear flat roof extensions, which could be considered an improvement as noted above. The new dwelling would benefit from an enclosed area of amenity space to the rear (in excess of 200 sq m) with associated refuse and cycle store. The boundary treatment is stated to be a 1.8 metre boundary wall. Officers consider the overall layout to be acceptable and raise no objection to this aspect of the proposed development.
- 1.32 Heritage
Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special regard is to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. Local plan policy PSP17 sets out that development within conservation areas shall preserve or where appropriate, enhance those elements that contribute to their special character and appearance. The building could be considered to also be a non-designated heritage asset, but in any event the conservation area status would take precedence.
- 1.33 The premises is located within the 'commercial core' of the Pucklechurch Conservation area, per the Pucklechurch Conservation Area SPD (Adopted July 2010). Part of the preservation and enhancement strategy for this part of the conservation area (the commercial core) is to *protect the diversity and variety of shops and business premises by resisting applications for changes of use from commercial to residential*. This is something that is noted by the Conservation Officer in their initial response to the application.
- 1.34 The use of the building itself as a pub since the early nineteenth century is part of its historic interest. As highlighted through the conservation area SPD, the diversity of uses within the 'commercial core' area provides a character which is distinct from other parts of the conservation area, a character of which it is desirable to preserve. Therefore, any change of use must be sufficiently justified. It is noted that initially, the conservation officer raised some concern about the change of use and the considered loss of character. They also submitted that the viability of the micropub should be examined.
- 1.35 Officers would note that the application itself proposes minimal changes to the frontage of the building, and minimal changes to the side of the building also. The change of use therefore needs to be considered more in respect to the loss of the commercial function itself and that impact on the character and appearance of the conservation area.

- 1.36 The first section of this report ('Principle of Development') makes a thorough assessment of whether a change of use is acceptable in principle. This takes in to account the case made for non-viability of the public house, which officers consider plausible and are accepting of. As the case for non-viability is considered acceptable, officers have sought further advice from the conservation officer on whether the loss of the public house would present harm. Harm being the key metric to consider, when assessing impacts on the significance of a designated heritage asset, for which a conservation area is.
- 1.37 It needs to be acknowledged that that there may be a slight reduction in the vitality of this part of the conservation area, should a change of use be permitted. This is because the Fleur De Lys is situated at the heart of the historic core of the village, and so the non-residential use (along with the shop, Church, etc.) can be considered important to the character of the core area. Therefore, despite the alternative provision locally, this is distinct from what the SPD strategy seeks to maintain.
- 1.38 However, whilst the SPD is a material consideration, it does not supersede policy of both the NPPF and the adopted development plan documents (Core Strategy and PSPP). Therefore, whilst there may be some conflict with the SPD, it needs to be considered as to whether the proposal conflicts as a whole with the relevant development plan documents, chiefly, PSP34.
- 1.39 The assessment under PSP34 is dealt with in full at the start of the assessment section. Point (4) of PSP34 however submits that significant external heritage assets features are retained. Point (3) submits that the proposed alternative use should not detrimentally affect the vitality of the area and the character of the street scene.
- 1.40 The external features of the building, up to the external signage, would be retained, per the submitted plans. As the micropub would be provided, the existing use would not be lost in its entirety, either. Therefore, the proposal can be considered to meet the requirements of PSP34, in a heritage context.
- 1.41 As noted by the conservation officer, an objection to the change of use on heritage alone would not sufficient to substantiate and sustain at an appeal. The conclusion of the conservation officer being that the provision of the micropub, retention of the external features and the minimal alteration to the exterior of the building are sufficient to satisfy the policy requirements with regard to heritage and avoid harm to heritage assets, including the conservation area. As the proposal would not harm the character and appearance of the conservation area, it must follow that there are no reasons to resist the proposal on heritage grounds. For the avoidance of doubt, given the relatively minimal external changes, officers are satisfied that there would also be no harm to the setting of the grade I listed Church either.
- 1.42 The above said, conditions will be necessary, should permission be granted. Permitted development rights should be removed to ensure that any future external changes to the building are carefully considered. A sample panel of material for the rear boundary wall would need to be provided and permitted development rights removed for further boundary treatments (minor

operations). Given that the signage is indicated to be retained and forms part of the above consideration, a condition to retain the 'Fleur De Lys' signage on the front and side would also be considered both reasonable and necessary, in this context.

1.43 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.

1.44 There would be no increase in scale or massing of the building and so officers are satisfied that there would be no material overbearing or overshadowing impacts if the proposal were granted permission. Additionally, it is noted that the first floor is already in use as a flat (Class C3), and there would be no changes to any of the fenestration. As such, officers would not consider there to be any potential for overlooking to occur. In terms of living conditions for future occupants, the level of outlook and light afforded to the new dwelling would be acceptable.

1.45 In terms of amenity space, PSP43 sets out that a 4+ bed dwelling should offer at least 70 sq m of private amenity space. In excess of 70 sq m would be available to the dwelling if permission were granted and as such, the proposal can be considered to be acceptable with regards to private amenity space provision.

1.46 Turning to the 'micropub', this would be located within the existing part of the premises that currently serves as an external toilet block/function room and runs along the North Eastern boundary of the site, behind the properties that front Westerleigh Road. No new openings are proposed and as such, officers do not consider there to be any overlooking or privacy issues.

1.47 The use as a micropub would be likely to create more noise than the existing toilet block does. Though the use of the function room is one that would be likely to generate noise, though perhaps on a less frequent basis. However, having regard to the scale of the micropub, it is highly unlikely that the levels of noise produced would be sufficient to create any material amenity concerns, with regards to nearby occupiers.

1.48 Transportation

The key consideration would be the provision of a satisfactory level of parking, which is based on PSP16 and is calculated based upon the number of bedrooms. In this case, a 4-bed dwelling would require at least 2no. off street parking spaces in order to comply with policy. It is understood that 4no. Parking spaces would be provided for the dwelling to the South-West, on the opposite side of the site entrance. It would also not be the case that any safety concerns would arise as a result of the change of use in terms of highway safety, given that the use as a singular dwelling would generate far less car movements than its current commercial use.

- 1.49 Storage of waste receptacles for the dwelling following change of use would be to the rear within the enclosed back garden, which would be accessible by a side gate. Cycle parking would also be provided within the back garden. Subject to a condition securing the required parking, officers and indeed the highways officers do not raise any objection to the proposal based on parking.
- 1.50 The micropub is something that was not included in the previous application that was withdrawn and it is not proposed in this instance to provide any parking for said micropub. However, a parking survey has been submitted with the application to develop the carpark, ref P20/23558/F. This demonstrates that there is some on street parking available in the vicinity. However, a traffic regulation order (TRO) would also be secured as part of this scheme, should consent be granted, to manage any overspill parking outside the application site associated with that development. This would provide for double yellow lines. Whilst not part of this application, given the fact both sites are interlinked, it needs to be considered and acknowledged.
- 1.51 The TRO associated with the adjacent application would help mitigate any safety issues associated with overspill parking, and the parking survey demonstrates that there is some parking available in the nearby vicinity. However, this cannot be relied upon entirely as it is dependent on that application being approved. However, should it be refused, and a TRO not implemented, the public house carpark would then remain, which would provide more than ample parking for customers of the micropub.
- 1.52 In addition, the proposed micropub would be unlikely by its very nature to produce any significant level of trip generation and would be significantly less in terms of trip generation than the current public house use. Given that the highways officer does not raise any objection to the proposed development, officers conclude that the proposal is acceptable in highways terms, subject to appropriately worded conditions to secure parking provision for the dwelling, should permission be granted.

Impact on Equalities

- 1.53 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.
- 1.54 With regards to the above this planning application is considered to have a neutral impact on equality.

Other Matters

- 1.55 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 1.56 The motive of the developer (e.g. financial gain) is not a material planning consideration. Neither is the potential for future use as a HMO, which is lawful for up to 6 people under permitted development rights.

Planning Balance

- 1.57 The development would result in the loss of an existing public house and community infrastructure. However, through a submitted viability report, it has been demonstrated that the public house is no longer viable in its current form. Accordingly, a change of use away from this use can be supported under PSP34 and CS23. Although the loss of the public house is regrettable, on balance, the submission evidence that it is no longer viable can be considered to outweigh the loss. Furthermore, the use would not be entirely lost as the proposed micropub would retain some of the public house use on site.
- 1.58 The proposal would have a minor socio-economic benefit of the provision of 1no. new dwelling to the district's housing stock, though it is acknowledged that this would be limited in nature.
- 1.59 The proposal would not have any adverse residential amenity impacts, nor would it cause harm to any designated heritage assets and it would be satisfactory in terms of parking and transportation. All of which attract a neutral weight. Furthermore, there are no design concerns with the proposed development, and there would be some benefit to the loss of the unsightly post war flat roofed extensions to the rear.
- 1.60 Having regard to the above, it is considered that there are no elements in the overall balance that would justify a refusal of the application. It must follow therefore, that a recommendation to grant permission subject to conditions, it made.

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.
- 6.3 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission is sought for any works to have special regard to the desirability of preserving the listed building or its setting, or any features of special architectural or historic

interest in which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

7. **RECOMMENDATION**

7.1 It is recommended that permission is **GRANTED**

CONDITIONS

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

Reason

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

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

Reason

Any further external alterations, additions, openings or means of enclosure would require careful assessment in order to maintain and enhance the character and appearance of the Conservation Area, and to accord with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Prior to the commencement of development a programme of archaeological investigation and recording for the site associated with any groundworks and to include a Level 2 building survey of the structure itself shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In order to ensure the adequate protection of archaeological remains, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. The Fleur De Lys public house signage on the front and side elevations as indicated on plans 19.016 - 059 (proposed rear and side elevations) and 19.016 - 058 (proposed front elevation) as received by the Council on the 8th January 2021 shall be retained in the positions as indicated and shall not be removed or altered without prior written consent from the Local Planning Authority

Reason

To maintain and enhance the character and appearance of the 'commercial core' of the Pucklechurch Conservation Area, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

5. The vehicular and cycle parking as indicated on plan 19.016 - 055 (A) (as received 5th May 2021) shall be provided prior to the first occupation of the dwelling hereby approved and shall be maintained and retained thereafter.

Reason

In the interest of highway safety and the provision of a satisfactory level of parking in accordance with PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

6. The micropub element to be retained as part of the proposal shall be completed to a stage where it is fit to be used as such in accordance with the proposed plans prior to the first occupation of the dwelling that will result from the change of use of the main Fleur De Lys public house to residential (Class C3). For the avoidance of doubt, this means that second fix electrics, plumbing, heating and internal wall finishes are to a standard acceptable under building regulations for a premises of this kind.

Reason

The retention of part of the site as a micropub has been considered as part of the weighing up of the harm of the loss of the main public house under PSP34 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017. The retention of part of the premises as a micropub contributes to the overall acceptability of the proposal under said policy, and as such it is reasonable and necessary to ensure that the micropub is left in a fit state to be used as such as part of the overall development.

7. A sample panel of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority for the rear boundary wall before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. The development shall be implemented in accordance with the following plans:

19.016- 050 - Existing block plan
 19.016- 051 - Public house ground floor plan
 19.016- 052 - Public house first floor plan
 19.016- 053 - Existing front elevation
 19.016- 054 - Existing rear and side elevation
 19.016- 057 - Proposed first floor plan
 19.016- 058 - Proposed front elevation

19.016- 059 - Proposed rear and side elevations
Received 8th January 2021

19.016- 56 A - Proposed ground floor plan
19.016- 60 A - Site location plan
Received 8th April 2021

19.016- 055 A - Proposed block plan
Received 5th May 2021

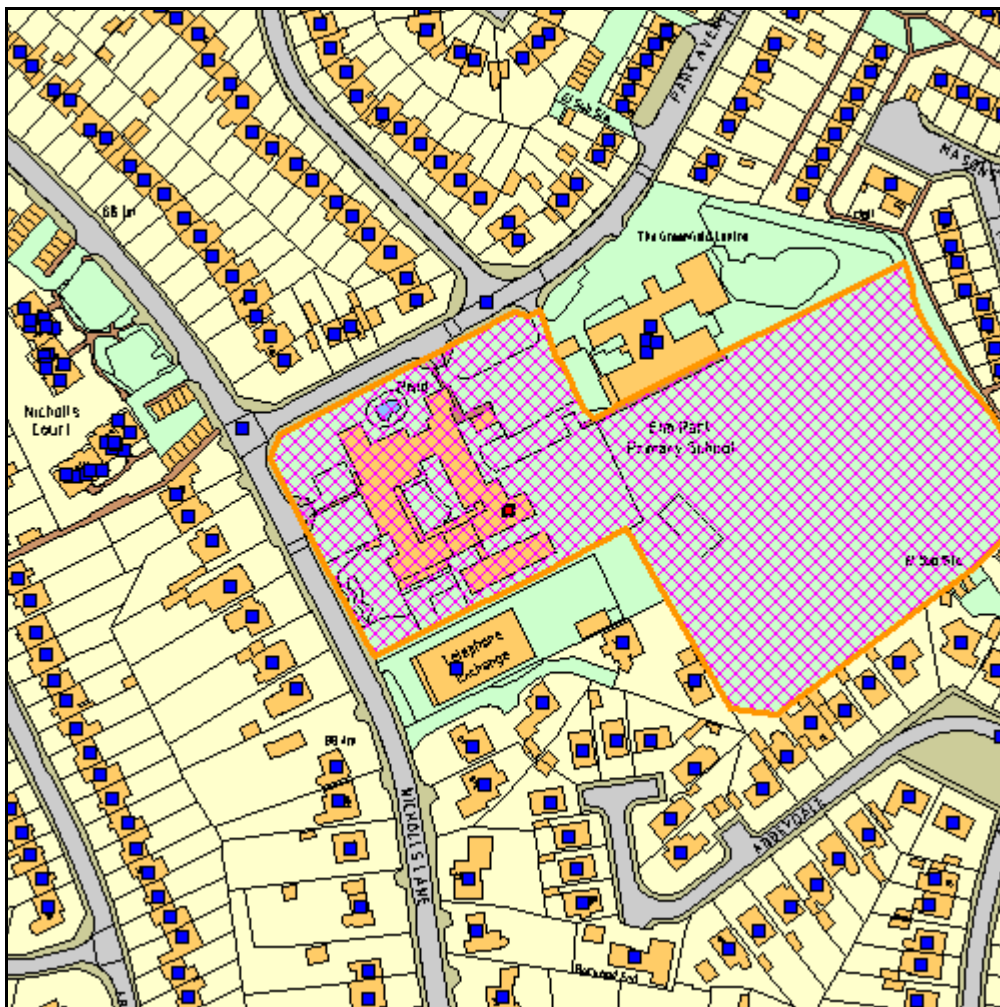
Reason

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

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P21/00300/RVC	Applicant:	South Gloucestershire Council
Site:	Elm Park Junior School Nicholls Lane Winterbourne South Gloucestershire BS36 1NF	Date Reg:	26th January 2021
Proposal:	Variation of condition of condition 12 to amend the approved plans, and removal of conditions 2, 4, 18 and 19, as attached to consent P20/08773/R3F. Demolition of existing school building. Erection of new school building with associated playing field, hard and soft landscaping areas, car parking and delivery access.	Parish:	Winterbourne Parish Council
Map Ref:	365397 180944	Ward:	Winterbourne
Application Category:	Major	Target Date:	22nd April 2021



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N.T.S.

P21/00300/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 is referred to the Circulated Schedule in accordance with the Council's Constitution as the applicant is South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 In September 2020 planning consent was given for the proposed demolition of the existing school building and erection of a replacement school building with associated playing field, hard and soft landscaping areas, car parking and access for deliveries on the site of the existing Elm Park Junior School in Winterbourne. The new school will provide a 210 place primary school to replace the existing building which is designed for 315 places. The applicant has indicated in the submission that the existing building is dated and costly to maintain but also that the number of children in the catchment area has also reduced, with a smaller building this being required. It is indicated that the new building would be constructed with some external areas such as a playground and sports equipment area in Phase 1 of the development, with the existing building being demolished and all other external aspects completed in Phase 2.
- 1.2 This application seeks to amend the layout (the plans associated with the layout in Condition 12 attached to that decision). As part of the previous consent an area towards the north-west corner of the site within the red line was left as vacant land ie not part of the school grounds. It has been indicated that it is intended to apply for a small number of dwellings on this land (to enable the development of the school). The effect of the layout amendment is to increase this area of land from 1440 m.sq to 2110 m.sq so that the landscaping at the north-west corner of the site at the junction of Nicholls Lane and Park Avenue is constrained into a smaller area.
- 1.3 The applicant is taking the opportunity to amend certain other conditions. These conditions are listed below but are ones that require discharge prior to the commencement of development. If acceptable these conditions would revert to compliance conditions. The conditions are as follows:

Condition 2 Construction Management Plan

Prior to the commencement of development, a detailed Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details. For the avoidance of doubt the plan shall include the following:

- (i) Measures to control the tracking of mud off-site from vehicles.*
- (ii) Measures to control dust from the demolition and construction works approved.*
- (iii) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.*
- (IV) Adequate provision for the delivery and storage of materials.*
- (v) Adequate provision for contractor parking.*

(vi) Details of temporary staff parking arrangements both on and off-site and measures to promote sustainable travel to and from the school during the construction phase.

(vi) A lorry routing schedule.

(vii) Details of temporary construction traffic accesses including reinstatement of footways on completion of construction works.

(viii) All construction and delivery vehicle arrivals and departures to take place during the site operational hours and outside of the morning and afternoon school drop off and pick up times as set out in the Construction Traffic Management Plan.

(ix) Details of how the management of the impact of the construction works will be communicated to local residents and to the occupiers/users of the Greenfield Centre.

(x) Contact details for the Site Manager.

(xi) Details of membership of considerate contractor scheme or similar.

Condition 4 Site Access Details

Prior to the commencement of the development, full details of the site access arrangements shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details. For the avoidance of doubt, the details shall include.

Vehicle accesses constructed as industrial standard dropped kerb vehicle crossovers.

Pedestrian safety railings provided opposite the pedestrian accesses to prevent children running into the road.

Condition 18 Sustainable Drainage

Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Condition 19 Archaeology (Investigation and Recording)

Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

- 1.4 The site comprises two distinct parts joined in the middle. The new building will be located with the western portion of the site, next to the footprint of the existing building with a car park to the front alongside Park Avenue, with play area of both hard and soft landscaping, with an area set aside for possible future development, the details of this is not specified. To the east will be provided an enhanced playing field with playground, fitness trail and landscaping. The new car park will provide 21 car parking spaces, 1 Accessible parking space and a delivery bay. There are four access points shown, with a pedestrian access shown on Nicholls Lane and Park Avenue, car

park entrance on Park Avenue as well as a delivery and emergency entrance on Park Avenue. The new building proposed will be mainly a two storey structure. There is level access is provided throughout the building and to all external areas. The height of the building varies gradually from 6.5 to 11m (ridge height). The closest part of the new building to neighbouring houses is located 25m away from the nearest house and 10m away from the Greenfield Centre. The applicant has indicated that the building will achieve Passivhaus standards. Turning to the landscaping, some tree removal is proposed but compensatory planting is shown.

- 1.5 The existing site is sited towards the north-eastern end of Winterbourne and is largely surrounded by residential properties but with a community building (Greenfield Centre), to the north-east edge. The site is within the settlement boundary of Winterbourne (excluded from Green Belt). The site comprises two distinct elements with to the west the school buildings and field/playing field to the east joined with a tight link in the middle dominated by a large mature Oak. There are a number of mature trees on the site boundaries predominantly around the eastern element. The main entrance is from Nicholls Lane with secondary footpaths from Park Avenue. The overall site area is 1.911 ha (Playing field 1.2445ha and School building 1643.5 sq.m).

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework Feb 2019

2.2 South Gloucestershire Core Strategy (Adopted Dec 2013)

CS1 High Quality Design

CS2 Green Infrastructure

CS5 Location of Development

CS8 Improving Accessibility

CS9 Environment and Heritage

CS23 Community Infrastructure and Cultural Activity

2.4 Emerging policy: South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP 1 Local Distinctiveness

PSP2: Landscape

PSP3: Trees & Woodland

PSP 11 Transport Impact Management

PSP 20 Flood Risk

PSP 21 Environmental Pollution and Impacts

PSP 44 Open Space Sport and Recreation

2.5 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted August 2007)

South Gloucestershire Landscape Character Assessment SPD

3. **RELEVANT PLANNING HISTORY**

- 3.1 P20/08773/R3F Demolition of existing school building. Erection of new school building with associated playing field, hard and soft landscaping areas, car parking and delivery access (Approved with Conditions 18th September 2020)

4. **CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council

The comments of the Parish are No Objection.

4.2 Other Consultees

Sport England

No response received.

It should be noted that following negotiations with the applicant for the original application and following revisions, additional information and a condition no objection was raised. The current application has no bearing on the playing field provision given its location.

Archaeology (summary)

No objection. The information submitted is acceptable and allows the conversion of the condition to a compliance condition.

Art Officer

No comment

Lead Local Flood Authority

Initial Comments

Additional information is required in order to discharge Condition 18 (Sustainable Drainage). Following the receipt of this additional information, a compliance condition can be applied.

Environmental Protection

No objection

Sustainable Transport

Initial Comments

There is no objection to the revised layout and subject to a compliance condition the access arrangement is acceptable (Condition 4)

Additional Information is required in order to discharge Condition 2 (CEMP)

Following the submission of a revised CEMP the condition can be discharged and become the subject of a compliance condition

Landscape Officer

No objection to revised layout

Avon and Somerset Police

No objection – previous comments stand (concern regarding fencing which was addressed)

Tree Officer

Provided that the trees are protected in accordance with the submitted arboricultural report there are no objections to this proposal.

Ecologist

No comment

Listed Building Officer

No objection

Other Representations

Local Residents

One objection has been received. The grounds of objection are as follows:

The proposed acoustic fence to the MUGA will result in a significant visual intrusion and its effectiveness is questioned.

The retention of trees is supported both for their ecological value, as a teaching resource and as a means of reducing noise transmission

An area at the south-western corner where there is a proliferation of brambles, while recognising the wildlife importance this affects the boundary with adjoining properties. (the applicant has been made aware of this issue)

5. ANALYSIS OF PROPOSAL

This S73 application (variation of conditions) relates to Planning Consent P20/08773/R3F and seeks consent to vary the approved plans to increase the size of the area of land set aside for future development situated towards the north-west corner of the site and also to allow the discharge of four pre-commencement conditions (as set out in Section 1 above).

If approved this new consent would represent the new planning permission and therefore it is necessary for this report to consider each issue afresh in the light of the changes proposed, however where no changes are proposed the report will be the same as that previously written.

It should also be noted that the applicant can develop the site as per the consent given as a fall-back position and that is a significant material planning consideration.

5.1 Principle of Development

The site is situated within the urban boundary of Winterbourne. Policy CS5 directs development to such sustainable locations. Policy CS23 supports the provision of additional, extended or enhanced community and cultural infrastructure in such locations. Subject to consideration of the other material considerations as set out in Section 5.2 onwards of this report the development of a school within the urban development boundary is appropriate development.

Policy CS2 following the National Planning Policy Framework places great emphasis on protecting play space. Whether the scheme is acceptable in principle depends upon the impact of the development however while there will be some impact upon the grassed playing field with the installation of a multi-use games area (MUGA), this provides an enhanced facility.

In consideration of the previous proposal Sport England raised no objection to the development subject to a condition to secure a Community Use Agreement prior to the first use of the new school building for the facilities including the wider playing area. Negotiations took place at that time to secure details to show how the playing fields can accommodate appropriate pitch sizes. The use of the MUGA is discussed in more detail below (see Environmental Protection), it will be used as a replacement playground while the school is being built hence the Community Use Agreement is required prior to the first occupation. Its use as a community facility unlike the remainder of the playing field area will be limited for reasons of protecting residential amenity.

The current proposal to vary the area of the site towards the north-western corner has no bearing on either the amount or the quality of the sports pitch provision which is entirely situated within the eastern part of the site.

So in terms of the form of development and the location the proposal is acceptable in principle subject to detailed consideration of the following material planning considerations.

5.2 Archaeology

Policy CS9 and PSP17 seek to ensure that new development conserves, and enhances heritage assets in a manner appropriate to their significance.

At the time of the previous application, following a request by the Archaeologist a number of trial trenches were made given the potential for archaeology. At the time those who undertook those works made some finds.

In the light of the findings from the trial trenching undertaken the following condition was applied:

Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the

Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

The applicant has now undertaken these works and has submitted the necessary information to allow the condition to change to a compliance condition. This is attached to the decision notice as condition 19.

5.3 **Design**

The design of the building itself will remain unaltered

Policy CS1 indicates that development will only be permitted where the highest possible standards of design are achieved, Design includes siting, layout, height, detailing, scale and materials.

Siting/Layout

The siting/layout of the new school building is constrained by the nature of the site. There are two determining factors the shape of the site and the relationship with the existing school building and its access. It is intended to retain the current building while the new building is constructed and then demolish the current structure. Also it is a requirement that playing field space is retained within the eastern portion of the overall site. This effectively only leaves the proposed location for the new building. The building is smaller than the existing building so has a reduced physical/visual impact. It is considered that the location follows on from the building line created by the Greenfield Centre. The location of the development is considered acceptable.

The current proposal involves a variation to the layout at the north-western corner as set out elsewhere in this report. The change has been viewed by the landscape officer and is considered acceptable in terms of the impact upon the visual amenity of the area.

Scale

The building is two storey building in the main with two mono-pitch roofs that are offset from each other (this allows for glazing and ventilation at a high level. The maximum height of the building is 11m but this reduces to 6.5m. It is considered that the height is appropriate having regard to the relationship and nature of the nearest buildings (it is noted that the structure is approximately 25m from a residential property and 10 metres from the community building that is located to the east). The mix of roof forms, from the limited single storey areas to the much taller mono-pitch arrangement are considered to break up the massing of the building in an effective way. The scale of the building with its clean lines and broken up mass (in contrast perhaps to the current building) is considered acceptable.

Appearance/Detailing/Materials

The appearance, materials and detailing are partly driven by the need to respond to “the climate emergency” supporting reduced energy consumption, and that is discussed in more detail in this report elsewhere. The main hall will be timber clad, with glazing in appropriate locations such as the entrance. At ground floor level blue brickwork is shown with light buff brick. The roof finish is a light shade of grey seam metal. There are louvres panels and brise-soleil for shading purposes. The

appearance of the building and its detailing is considered acceptable subject to a condition to secure full detailing of the proposed materials.

Public Art

Policy CS1 indicates that where the scale, location and or significance of the development proposal warrants it, embedded public art within the public realm or where it can be viewed from public areas should be provided and that this is a feature of high quality design.

As such features are integral to the design a condition is usually attached to secure the details of such a design prior to the commencement of development. Discussions have taken place between officers and the applicant and for various reasons including the need to commence work (there is a connection with delays caused by Covid-19) it has been agreed to take the unusual step of requiring such information prior to the first occupation of the school building. This could allow a scheme on the remainder of the site or a scheme that can be installed during construction. This is not ideal but the applicant is aware of the need to liaise with the Arts Development Officer (an Informative is attached to the decision notice to advice on this point) at the earliest opportunity.

The design and appearance of the building is considered acceptable.

5.4 **Environmental Policy**

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

The applicant submitted a detailed Energy Statement in support of the earlier application and the Environmental Policy Team reviewed this submission. The document set out measures to reduce energy demand through improvements in energy efficiency and air permeability. The report is considered acceptable and accords with the aims and objectives of PPS6. The condition attached to the previous decision notice to ensure that all works take place in accord with the submitted report and the subsequent addendum to that report subsequently received will be reapplied to this new consent.

5.5 **Environmental Protection**

Policy CS9 of the Core Strategy considering the environment states that new development will be expected to protect land, air and aqueous environments, buildings and people from pollution. PSP21 considers sets out in more detail the impacts of different forms of pollution including noise and ground contamination (the impact to and from this specific development), and the potential mitigation measures that can be taken.

Noise

Concern was raised previously in relation to the acoustic fencing both in terms of visual appearance and effectiveness.

An acoustic report was submitted for the original consent and was viewed at that time by Council's Environmental Protection Officer. This application has no implication for those details previously approved, that part of the site is not affected, for completeness however the assessment is as follows.

The main concern is in relation to the impact of the use of the Multi-use Games Area (MUGA) that is relatively close to nearby residential properties. Officers are aware that these facilities can result in noise and disturbance to neighbouring occupiers through vocal noise but also from ball against mesh. The submitted acoustic sets out three specific options to mitigate against impact. Initially it was considered a 3.5m barrier along the western and southern boundaries was preferable, however it has been acknowledged that this might incur safeguarding issues with the inside of the facility greatly obscured from view.

Environmental Protection Officers consider that a 3.5m metre barrier along its western boundary coupled with a condition to restrict its use to between 9.30 to 17.30 Monday to Friday and 10.00 to 16.00 on Saturdays with no use outside of that time will ensure adequate environmental protection for neighbouring occupiers. It is noted that this will restrict the required Community Use to approx. two hours on week days and the hours indicated on Saturdays however this is considered an acceptable compromise.

The conditions applied in the earlier application will be reapplied as follows:

- 1) *Prior to the first occupation of the school full details of the Acoustic Barrier to be located along the western boundary of the Multi-Use Games Area (Muga) as set out in the Noise Report (Archo Consulting 7/5/20) shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the barrier shall be 3.5 metres in height.*

The Barrier shall be installed prior to the first use of the facility as a Multi-Use Games Area in accordance with the approved details and shall be regularly inspected and maintained as such thereafter.

- 2) *The Multi- Use Games Area hereby approved shall not be used outside of the following times:*

09:30 to 17.30 hours Monday to Friday

10.00 to 16.00 hours Saturdays

Subject to these conditions the proposed development is considered acceptable in these terms.

Contamination

The Council's Environmental Protection Officer has viewed the submitted report (Geotechnical and Geo-Environmental Desk Study) and agrees with its findings.

The condition applied to the previous consent that required before the commencement of development, the site investigations recommended in the report to take place will be reapplied and this will include as before a requirement that a report is submitted indicating that any required remediation work is carried out prior to occupation and any contamination found during construction falls within this same regime.

5.6 **Drainage**

Policy CS9 of the Core Strategy and Policy EP2 of the South Gloucestershire Local Plan (Adopted) seek to ensure that any development is not adversely affected by the existing water environment or results in an impact to the surrounding area. As stated in the Core Strategy, new development has a significant role to play in managing flood risk by minimising its own surface water run-off through the use of Sustainable Drainage Systems (Suds), this provides a means of discharging surface water in ways that prevent flooding and pollution within the site (methods such as attenuation ponds and controlling flows).

In considering the first application, additional information was submitted to show that it is possible to secure an appropriate scheme to fulfil the requirements set out above, the Lead Local Flood Authority (LLFA) consequently raised no objection to the development subject to a condition (Condition 18 as set out in Section 1 above) being applied to secure a full sustainable drainage scheme. That scheme has now been submitted and has been viewed by the LLFA and following further negotiations and the submission of additional information this is considered satisfactory allowing the conversion of that condition to a compliance rather than a pre-commencement condition.

5.7 **Transportation**

Policy CS8 of the South Gloucestershire Local Plan Core Strategy, considers the impact of development on a strategic level, encouraging new development on sustainable locations and encourages that development to consider alternative modes of transport to the private motor car. Parking and vehicle access point must be fully integrated into the development. PSP11 of the Policies, Sites and Places Plan considers in more detail the need for the provision of appropriate, safe, accessible, convenient and attractive access to be provided.

Concerns relating to the impact of the development in highway terms were noted in the assessment of the previous application.

Firstly in terms of the highway impact, it is important to note that the development is not introducing a new school rather it is the re-development of an existing facility and that this will involve a reduction in pupil numbers from 315 to 210 (33% reduction). This will clearly have an impact upon the number of vehicle movements to and from the school and the impact must be seen within this context. Notwithstanding this, an assessment of the proposal is set out below.

Concerns were previously noted regarding the existing situation when parents drop their children off and pick them up from school and how this impacts upon local residential streets during those specific times. It has been indicated that illegal manoeuvres take place, roads are blocked and residential accesses are on occasion blocked. It is anticipated that “drop-offs” will continue to take place on the surrounding roads, there is not the space to allow this within the school grounds. As such there would be no change to the current situation although it should be noted that the number of pupils will be significantly less. The submitted Travel Plan with the previous application set out that school is in regular contact with the local Police Community Support Officers (PCSO's), and the Head Teacher has a role in reminding parents to

park and behave responsibly at these times of the day because ultimately this is an issue surrounding human behaviours. A condition applied to the first application requiring that prior to the first occupation of the development the submitted Travel Plan will be implemented in full will be reapplied to this consent.

Access

The proposal includes two vehicle access points that are approximately in the same locations as those at present on Park Avenue. One gives access into the car park and the other gives access onto a service delivery yard. During the consideration of the proposal the access points have been altered from the “bell mouth” style to ones which incorporate large crossovers for vehicles. The impact of this change will be to slow down the speeds of vehicles using the entrance and this improve safety from the current situation.

With respect to pedestrian access, two points are shown, one from Nicholls Lane and one from Park Avenue. Negotiations have secured barriers opposite these access points to prevent children running into the road and in addition a widening of the footway has been gained either side of the pedestrian access on Nicholls Lane to 3 metres width for two metres. Given that existing arrangements for access points are broadly similar to the existing ones, the school safety zone can remain as at present.

As set out above a Condition (4) required the submission of full details of the access. These details have now been submitted and assessed by officers allowing the condition (also numbered No.4) to be reapplied as a compliance condition.

Parking

There is no minimum parking standard for non-residential development in the development plan however it should be noted that the provision of 22 on-site spaces would comply with the old standard of one space for two members of staff that was applied previously in the old South Gloucestershire Local Plan. Officers have viewed the demand set out in the submitted Transport Statement and are content that this provision is sufficient.

With respect to parking, it is welcomed that two electric vehicle and two passive charging points are to be provided and this will form the basis of a condition. In addition it is welcomed that 10 covered and secure cycle parking spaces are proposed each for the staff and children. The children’s shelter also includes space for up to 40 scooters. Officers note that the stands appear to be a bit close together however it is considered that a suitably worded condition can secure full details.

The proposed variation to the area at the north-western corner has no impact on parking.

Servicing of the Site

As indicated, a specific entrance is provided for service vehicles which gives access onto a servicing area. Submitted details show that vehicles can access, turn and leave the site safely. The proposed changes do not impact upon this.

Construction

Concern has been raised that the development should not result in disruption to neighbouring occupiers during the construction period. As set out elsewhere in the report the construction will be taking place in two phases, firstly the building of the new school during which time the existing school will continue to function, after which the development is timed to ensure that in phase 2 the existing building is taken down. The applicant has indicated that while work is taking place there will be arrangements on-site to accommodate all construction vehicles and a construction compound but also that alternative provision will be made available to accommodate all staff parking to avoid on-street parking. This is a very important consideration, given the nature of the surrounding roads. A detailed construction management condition will be applied (details required prior to the commencement of development).

For the avoidance of doubt a condition (2) was attached to the first consent that required the submission of the following information as part of a Construction Environmental Management Plan prior to the commencement of development.:

- Measures to control the tracking of mud off-site from vehicles.
- Measures to control dust from the demolition and construction works approved.
- Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- Adequate provision for the delivery and storage of materials.
- Adequate provision for contractor parking.
- Details of temporary staff parking arrangements both on and off-site and measures to promote sustainable travel to and from the school during the construction phase.
- A lorry routing schedule.
- Details of temporary construction traffic accesses including reinstatement of footways on completion of construction works.
- All construction and delivery vehicle arrivals and departures to take place during the site operational hours and outside of the morning and afternoon school drop off and pick up times as set out in the Construction Traffic Management Plan.
- Details of how the management of the impact of the construction works will be communicated to local residents and to the users of the Greenfield Centre to include Contact details for the Site Manager.
- Details of membership of considerate contractor scheme or similar.

This information has now been submitted and viewed Council Officers and deemed satisfactory. The pre-commencement condition is therefore reapplied as a compliance condition.

5.8 Residential Amenity

It is not considered that the proposed changes through this S73 application result in any additional impact on residential amenity over and above the extant consent. It is considered that the school building and associated areas are located sufficiently away from neighbouring residential properties such that there would be no significant impact in terms of appearing oppressive or overbearing nor would overlooking result. Given that there are residential properties in the vicinity however it is still considered appropriate to apply conditions in relation to the multi-use games area (Condition 9, 11 and 13), a Construction Management Condition (Condition 2) and it is considered appropriate to add a Construction Hours Condition.

5.9 Landscape/Trees

Policy CS2 of the Core Strategy seeks to protect and enhance existing landscape features. Also of relevance Policy PSP2 (Landscape) of the Policies, Sites and Places Plan indicates that development will be acceptable where it conserves and where appropriate enhances the quality, amenity, distinctiveness and special character of the landscape. PSP3 indicates that development should minimise the loss of existing vegetation on a site, it should protect existing trees, and replace trees appropriately where the loss cannot be avoided.

As with other aspects of the development the landscaping and external areas proposed are designed with the needs of the pupils in mind. The site as indicated elsewhere in this report comprises two distinct areas. The north-western corner of the site where the school building is to be located will also provide an outdoor learning area and habitat zone very close to that building, in addition a play zone but also an area of planting close to the entrance would provide a future buffer between the school and whatever development takes place on the portion of land to be left for future development fronting Nicholls Lane. Boundary treatments are also noted.

With respect to the trees, the important specimens are retained in particular those in the centre of the site, the courtyard trees and large mature Oak. It is indicated that 41 no. trees will be removed, these are predominantly small specimens and with the exception of two are within the area where the school is to be built. 42 no. trees are to be planted as replacements largely in this area and the remainder of the trees are to be retained and are the subject of protection measures during construction.

It is noted that a hoarding is still proposed on the Nicholls Lane elevation, and by necessity this will be larger than previous envisaged given the increase in the size of the area allocated for future development. A condition will secure details of this.

While the revised GA and Planting plans for the western part of the site show a smaller green landscape space to the frontage of the school than the consented scheme, the layout and size of this space will still accommodate the following beneficial landscape features, which will create a strong sense of place and identity for the school:

- group of focal trees within a green gateway at the entrance to the school, adjacent to the junction of Nicholls Lane and Park Avenue including a Common Beech, which has the potential to grow into a new skyline landmark;
- a green corridor along the approach route from this entrance towards the school buildings;
- a strong framework of tree/specimen shrub and shrub/hedgerow planting around the car parking area;
- pond feature; and
- a natural play space with surrounding mounded grassland with planting.
- The tall Hungarian Oak, an important specimen tree, will be still retained within the centre of the site to the east of the school building.
- The proposed list of tree, hedge, shrub and herbaceous species include a wide mix of native and ornamental species.

The proposed development is therefore considered acceptable in landscaping terms.

5.10 Ecology

Policy CS9 of the Core Strategy indicates that new development will be expected to conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity and geodiversity. This requirement is set out in greater detail in PSP19 of the Policies, Sites and Places Plan indicating that where appropriate biodiversity gain will be sought from development proposals.

An Ecological appraisal/report was submitted with the previous application. With respect to the habitats, the site is not covered by any statutory or non-statutory nature designations. The site away from the built area comprises amenity grassland which is considered to have minimal nature conservation value. There are trees scattered across the site with hedgerows comprising both ornamental and native species. There is a wildlife pond.

Turning to the on-site potential for species protected under the Conservation Regulations 2017 ('European Protected Species) as well as the Wildlife & Countryside Act 1981 (as amended). The buildings have low potential for roosting bats, as do the trees and hedgerows but there is the potential for "foraging and commuting" between roosts. The pond has low potential for Newts given its isolated urban location. The site has potential for nesting birds but is not suitable for reptiles. There is no evidence of badgers on the site. Given the habitats there is the potential for hedgehog, invertebrates and amphibians.

The report highlights proposed Biodiversity enhancements that includes, planting of native trees or shrubs around the site; retention of any felled timber in large sections; providing further features such as bee hotels in the forest school area; planting small areas with nectar-rich flowers; and fitting bird and bat boxes to trees on and around the site.

There is no ecological objection to the development subject to a condition being re-applied as per the original consent to ensure that the development is carried out in accordance with the recommendations of the report (including the retention of the

features of nature conservation value (the grassland 'mound' and adjacent area with locally rare fungus and the tree containing the Nationally Scarce moth), replacement tree planting with native species, relocation of the existing pond and translocation of contents (at appropriate time of year), protection of nature conservation feature during construction, avoiding light spill onto boundaries and the timing of works regarding the breeding bird season. A condition will also be included to require the submission of a location plan to include the type of 2 bat boxes, 4 bird boxes (including one house sparrow terrace), a bee hotel and new lighting as set out in the Ecology Report.

The application includes the submission of a preliminary ecological appraisal. The survey has indicated limited opportunities for bat roosts. Waterbodies within 500 metres of the site have records of Great Crested Newts but are considered not to prime sites, although the hedgerow on the site may provide a refuge should these species cross the site. The hedgerow also would provide nesting opportunities for birds. There are no badger setts on the site, or invertebrates recorded. Hedgehogs may use the site for foraging.

Officers agree with the findings of the appraisal. The applicant has subsequently submitted details of a Precautionary Method of Working with respect to site clearance and details of bird nesting and bat roosting opportunities (identified in the report) and subject to conditions to ensure that all works proceed in accordance with the submitted details the proposal is considered acceptable on ecological grounds.

5.11 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. **RECOMMENDATION**

7.1 That planning permission is granted subject to the conditions below

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from 18th September 2020.

Reason

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

2. Construction Environmental Management Plan

The development shall be carried out at all times in accordance with the Construction Environmental Management Plan (Willmott Dixon -Ref 2020-037) received 24th March 2021.

Reason:

In the interest highway safety and to accord with Policies PSP11 of the adopted South Gloucestershire Policies, Sites and Places Plan November 2017.

3. Phasing

All works shall be carried out in accordance with the submitted phasing details (Design and Access Statement, Enabling Works Construction Plan received 20th May 2020 and Construction Site Plan Phase 1, Construction Site Plan Phase 2 received 19th January 2020).

Reason:

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

4. Site Access

The Site Access and associated works shall be completed in accordance with the submitted plans received 19th January 2021 as follows:

2066 E PHASE 1 CONSTRUCTION SITE PLAN
 2067 D PHASE 2 CONSTRUCTION SITE PLAN
 2100 I PROPOSED SITE PLAN
 2101 I DETAILED PROPOSED SITE PLAN-MAIN SITE
 3315.09 - S278 LEGAL PLAN
 3315 03 B PROPOSED GENERAL ARRANGEMENT PLAN
 EPPS-ATK-Z1-ZZ-DR-C-0001 PROPOSED DRAINAGE LAYOUT

Reason:

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

5. Footways and existing access

Prior to the first use of the new school, the footways on Nicholls Lane and Park Avenue shall be widened to 3m (into the site) for a minimum of 2m either side of the new pedestrian paths leading into the school. The reinstatement of full face kerbs at the closed up vehicle access onto Nicholls Lane shall be completed.

Reason:

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

6. Parking and Electric Vehicle Charging Points

The proposed permanent car parking shown on the approved plans shall be provided in full to include the provision of two 7Kw 32 Amp electric vehicle charging points and two passive electric vehicle charging points in accord with the phasing plan following the completion of Phase 2 of the development.

Reason:

In the interest of highway safety to promote sustainable transport and to accord with policies CS8 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

7. Provision of Cycle Parking

Full details of Covered and secure cycle parking facilities shall be submitted to an approved in writing by the Local Planning Authority prior to the first use of the new school building. The cycle parking facilities shall be then be installed in accordance with the approved details in accordance with the approved phasing plan ie following the completion of Phase 2.

Reason:

In the interests of sustainable travel and to accord with Policy PSP16 of the South Gloucestershire Local Plan, Policies, Sites and Places Plan 2017

8. Travel Plan

Following the first occupation of the development hereby approved the submitted updated Travel Plan (May 2020) shall be implemented in accordance with the details therein.

Reason:

To promote sustainable travel and to accord with CS8 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

9. Acoustic Barrier

Prior to the first occupation of the school full details of the Acoustic Barrier to be located along the western boundary of the Multi-Use Games Area (Muga) as set out in the Noise Report (Archo Consulting 7/5/20) shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the barrier shall be 3.5 metres in height.

The Barrier shall be installed prior to the first use of the facility as a Multi-Use Games Area in accordance with the approved details and shall be regularly inspected and maintained as such thereafter.

Reason:

In order to protect the residential amenity of neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

10. Energy and Sustainability

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the Energy Statement (Part L - Hydrock 13th May 2020) received May 20th 2020 and Addendum (Hydrock M and E Strategy 2nd June 2020) received 12th August 2020 prior to first use.

Reason

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

11. Multi-Use Games Area

The Multi- Use Games Area hereby approved shall not be used outside of the following times:

09:30 to 17.30 hours Monday to Friday

10.00 to 16.00 hours Saturdays

Reason:

In order to protect the residential amenity of neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

12. Approved Plans

This decision relates only to the plans identified below:

16 Jul 2020 1952 2102 G DETAILED PROPOSED SITE PLAN

16 Jul 2020 1952 2820 D SPORTS FACILITY REPORT
 16 Jul 2020 1952 2960 B PLANTING SCHEDULE
 01 Jun 2020 DEMOLITION PLAN Drg 13
 01 Jun 2020 EXISTING ELEVATION 3 PD-03
 01 Jun 2020 EXISTING ELEVATION 4 PD-04
 01 Jun 2020 EXISTING ELEVATIONX 1 AND 2 PD-02
 01 Jun 2020 EXISTING GROUND FLOOR PLAN PD-01

20 May 2020 TREE PLANTING SCHEDULE 2960 Rev A
 20 May 2020 ENABLING WORKS CONSTRUCTION SITE PLAN 1952 2065 Rev C
 20 May 2020 EXISTING BLOCK PLAN 1952 2040 Rev A
 20 May 2020 EXTERNAL LIGHTING LAYOUT EPPS-HYD-XX-00-DR-E 9001 Rev P02
 20 May 2020 PROPOSED ELEVATIONS SHEET 1 EPPS-SGC-00-XX-DR-A 105
 20 May 2020 PROPOSED ELEVATIONS SHEET 2 EPPS-SGC-00-XX-DR-A 106
 20 May 2020 PROPOSED FIRST FLOOR PLAN EPPS-SGC-01-01-DR-A 101
 20 May 2020 PROPOSED GRAPHIC IMPRESSION EPPS-SGC-00-XX-DR-A 107
 20 May 2020 PROPOSED GROUND FLOOR PLAN EPPS-SGC-00-00-DR-A 100
 20 May 2020 PROPOSED ROOF PLAN EPS-SGC-P1-02 DR-A 102
 20 May 2020 PROPOSED SECTIONS SHEET 1 EPPS-SGC-00-XX-DR-A 103
 20 May 2020 PROPOSED SECTIONS SHEET 2 EPPS-SGC-00-XX-DR-A 104
 20 May 2020 THE LOCATION PLAN 1952 2001 B

19 Jan 2021 PHASE 1 CONSTRUCTION SITE PLAN 1952 2066 Rev E
 19 Jan 2021 PHASE 2 CONSTRUCTION SITE PLAN 1952 2067 Rev D
 19 Jan 2021 PROPOSED SITE PLAN 1952 2100 I
 19 Jan 2021 1952 2101 I DETAILED PROPOSED SITE PLAN (MAIN SITE)
 19 Jan 2021 1952 2104 F PLANTING PLAN
 19 Jan 2021 1952 2105 F LANDSCAPE SECTIONS

22 Jan 2021 3315 03 B PROPOSED GENERAL ARRANGEMENT PLAN
 22 Jan 2021 EPPS-HYD-XX-00-DR-E-9000 ELECTRICAL SERVICES EXTERNAL LIGHTING LAYOUT

26 Mar 5194198-ATK-ELM-XX-RP-DE-001 Flood Risk Assessment and Drainage Strategy rev. P04
 5194198-ATK-Z1-ZZ-DR-C-0001 P04 Proposed Drainage Strategy (plan appended to the above FRA)

Reason:
 For the avoidance of doubt

13. Community Use Agreement

Prior to the first occupation of the school building hereby approved, a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement shall be provided to the Local Planning Authority. The agreement shall apply to the MUGA and playing field / playing pitches and include details of pricing policy, hours of use, access by non-educational establishment]

users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason:

To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policies CS1, CS2, CS23, CS24 of the South Gloucestershire Local Plan Core Strategy 2013

14. Public Art

Prior to the first occupation of the main school building hereby approved, details of a unique site specific integrated scheme of Public Art (including 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) and in accordance with the provisions of the South Gloucestershire Council's Art & Design in the Public Realm Planning Advice Note

15. Ecological Report (Compliance)

The development should proceed in accordance with the recommendations made in Section 6 of the Ecological Report by Wessex Ecological Consultancy (August, 2019). This includes the retention of the features of nature conservation value (the grassland 'mound' and adjacent area with locally rare fungus and the tree containing the Nationally Scarce moth), replacement tree planting with native species, relocation of the existing pond and translocation of contents (at appropriate time of year), protection of nature conservation feature during construction, avoiding light spill onto boundaries 6, 8, 9 and timing of works regarding breeding bird season.

Reason:

In the interests of the ecology of the site and biodiversity and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy and Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan 2017

16. Ecological Mitigation

Prior to the first occupation of the development hereby approved a location plan to include the type of 2 bat boxes, 4 bird boxes (including one house sparrow terrace), a bee hotel and new lighting as set out in the Ecology Report (Wessex Ecological Consultancy (August, 2019)) should be submitted to the local planning authority for approval in writing. The works shall be carried out in accordance with the approved details.

Reason:

In the interests of the ecology of the site and biodiversity and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy and Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan 2017

17. Screening

Prior to its installation full details of the "solid and painted construction hoarding for the future development area" as shown on Drawing No. 1952 2101 Rev H - Site Plan of Main Site shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason:

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

18. Sustainable Drainage

The development shall be carried out in accordance with the following approved drainage plans:

- 5194198-ATK-ELM-XX-RP-DE-001 Flood Risk Assessment and Drainage Strategy rev. P04 - dated 26th March 2021.
- 5194198-ATK-Z1-ZZ-DR-C-0001 P04 Proposed Drainage Strategy (plan appended to the above FRA).
- Soakaway Test Results and Trial Pit Log Sheet carried out by CC Ground Investigations Ltd - Project No: C7130 and dated 01/04/21

Reason:

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2018.

19. Archaeology (Investigation and Recording)

Prior to the first occupation/use of the development, the results of a programme of archaeological work in accordance with a WSI prepared by Avon Archaeology (February 2021), including the results of post-excavation assessment and a programme for post-excavation analysis and publication where necessary, shall be submitted to and approved by the local planning authority. Thereafter the approved programme of post-excavation shall be implemented in all respects.

Reason:

To ensure an understanding and significance of any archaeological heritage assets and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP17 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017 and the provisions of the National Planning Policy Framework.

20. Construction Hours

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

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

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

No working shall take place on Sundays or Public Holidays.

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

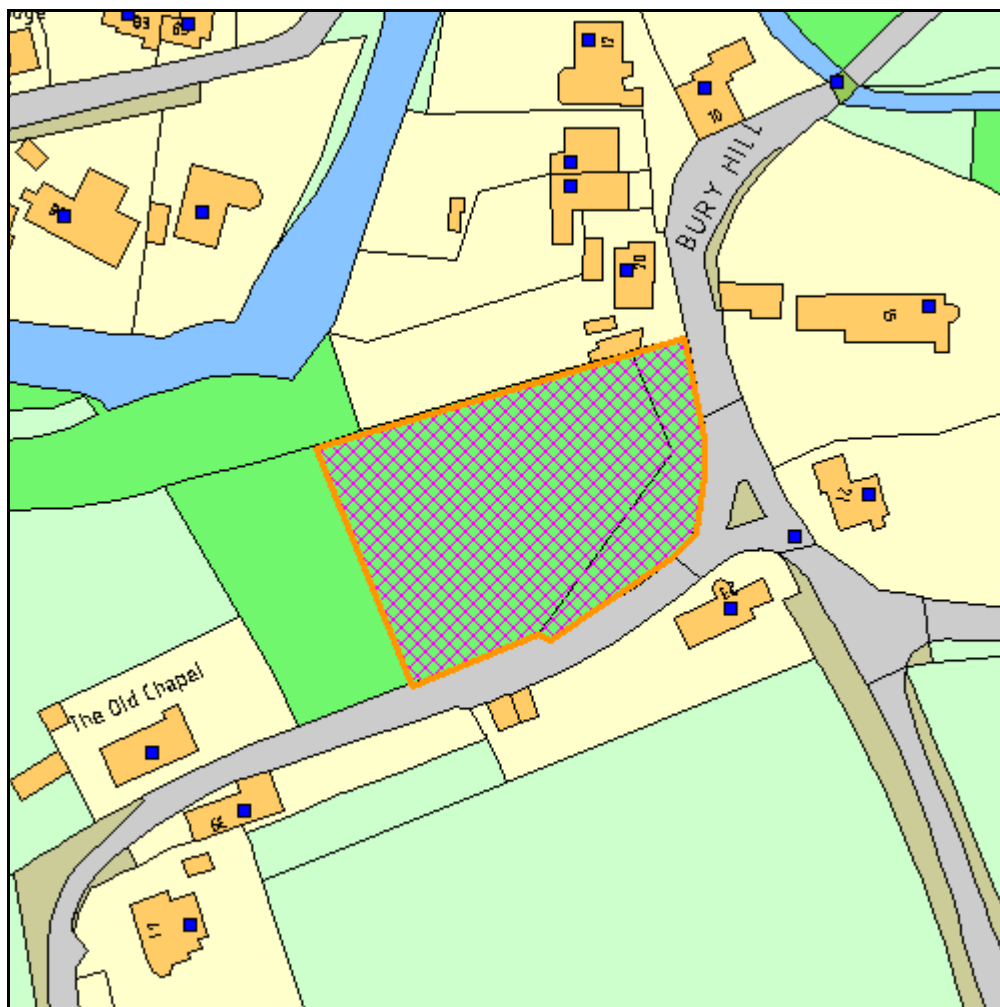
Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) January 2013 and the provisions of the National Planning Policy Framework.

Case Officer: David Stockdale
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P21/00396/F	Applicant:	Katie Hudd
Site:	Land At Bury Hill Winterbourne Down South Gloucestershire BS36 1AD	Date Reg:	29th January 2021
Proposal:	Erection of 1no. dwelling with new access, parking and associated works	Parish:	Winterbourne Parish Council
Map Ref:	365703 179285	Ward:	Winterbourne
Application Category:	Minor	Target Date:	23rd March 2021



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 100023410, 2008. **N.T.S.** **P21/00396/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.

Reasons for Referring to the Circulated Schedule

This application has been referred to the Circulated Schedule following the receipt of objections from Winterbourne Parish Council and more than 3no. local residents; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a plot of land, approximately 0.19ha in area, located to the north-west of the junction between Bury Hill and Cuckoo Lane, Winterbourne Down. The site was until recently heavily vegetated with trees and scrub, and may once have been used for quarrying stone but is otherwise an area of wasteland. The site is enclosed by stone walls and hedgerows and has an existing vehicular access onto Bury Hill.
- 1.2 The plot lies only 30m south of the Winterbourne/Winterbourne Down settlement boundary. The site lies within the Bristol/Bath Green Belt but otherwise has no other designations. The site lies within Flood Zone 1.
- 1.3 It is proposed to erect 1no. 3-bedroom self-build dwelling (Use Class C3) with a new access, parking and associated works.
- 1.4 The application is supported by the following documents:
 - Planning Statement
 - Arboricultural Report by Silverback April 2021
 - Ecology Report by Seasons Ecology March 2020
- 1.5 The proposal was the subject of a pre-application enquiry to which the Council were generally supportive.
- 1.6 During the course of the application, an originally proposed garage was deleted from the scheme.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP1 Local Distinctiveness
 PSP2 Landscape
 PSP3 Trees and Woodland
 PSP7 Development in the Green Belt
 PSP8 Residential Amenity
 PSP10 Active Travel Routes
 PSP11 Transport Impact Management
 PSP16 Parking Standards
 PSP18 Statutory Wildlife Protection
 PSP19 Wider Biodiversity
 PSP20 Flood Risk, Surface Water, and Watercourse Management
 PSP21 Environmental Pollution and Impacts
 PSP40 Residential Development in the Countryside
 PSP42 Self-build and Custom Housebuilding
 PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
 South Gloucestershire Design Checklist (Adopted) 2007)
 South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
 Affordable Housing SPD (Adopted) Sept.2008.
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
 SPD – (Adopted) March 2021
 SPD: Development in the Green Belt (Adopted) 2007
 South Gloucestershire Council Waste Collection: guidance for new
 developments SPD (Adopted) Jan 2015

3. **RELEVANT PLANNING HISTORY**

3.1 None

4. **CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council

The comments of the Parish Council are Objection. The application is within greenbelt land and has poor access. The Parish Council note, and agree with, the officer reports concerns with reference to ecology, arboriculture and highways boundaries. As with all new builds the Parish Council would encourage developers to consider sustainability, biodiversity and the

environmental impact and stress the importance of designing a sustainable building

Westerleigh Parish Council

4.2 Other Consultees

Highway Structures

Details of excavations and the temporary support that is to be provided during construction of vehicular access are to be submitted to satisfy the highway authority that support to the highway is provided at all times

Lead Local Flood Authority

No objection in principle.

Transportation D.M.

No objection to the revised access details, the amended garage dimensions, location and turning areas. Some concerns about whether in a sustainable location. Any approval should be subject to conditions to secure:

- access and visibility splays
- parking/garage and turning area
- provision of a 7Kw 32 Amp Electric Vehicle Charging Point

Landscape Officer

No objection subject to conditions to secure a robust scheme of landscaping and a revised Tree Protection Plan.

The Tree Team

There are no objections to the proposal of the dwelling or driveway. If the garage is removed or moved then the Arboricultural report will require updating to include protection for the 2 trees T13 and T14.

The garage was subsequently removed from the scheme and an updated Arboricultural Report submitted accordingly

Ecology Officer

No objection subject to standard conditions.

Other Representations

4.3 Local Residents

16no. local residents have registered objections to the application. The concerns raised can be summarised as follows:

- The site lies in the Green Belt.
- The site is not within the village.
- The scheme is not infill development.
- Not a continuous line of development.
- The gated access has not been used for 15 years.
- Would set a precedent for other similar schemes.
- Loss of vegetation will cause excess run-off to area that already floods.

- Additional traffic generation.
- Adverse impact on wildlife.
- Loss of privacy due to overlooking of nos. 21 & 15 Bury Hill
- Increased on-street parking to detriment of highway safety.
- Access would be in a dangerous position.
- Loss of trees.
- Loss of character.
- Excessively large house.
- Inadequate visibility at access.
- Insufficient parking provision.
- Encroachment into the countryside.
- The traffic data is not representative of normal times due to Covid lockdown.
- There have been many traffic accidents on Bury Hill.
- Lack of pavement on Bury Hill.
- The lane is used by hikers, dog walkers and horse riders.
- Loss of wildlife habitat.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The South Gloucestershire Local Plan: Core Strategy was adopted by the Council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2012 (NPPF). The Policies, Sites & Places Plan was adopted in Nov. 2017 and also now forms part of the Development Plan.

5.3 It has recently been established via the 2020 Annual Monitoring Revue (AMR) that, using the Standard Method, South Gloucestershire can now demonstrate a 5.28 years housing land supply. The revised NPPF (para. 11) reiterates that; at the heart of the Framework is the presumption in favour of sustainable development. At para. 11 c) the NPPF states that development proposals that accord with an up-to-date development plan should be approved without delay.

5.4 Furthermore, The South Gloucestershire Local Plan Core Strategy adopted (Dec 2013) Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. In accordance with the NPPF para. 38, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible. Policy CS17 of the Core Strategy sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities.

- 5.5 Chapter 9 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.6 It is noted that the NPPF puts considerable emphasis on delivering sustainable development and not acting as an impediment to sustainable growth, whilst also seeking to ensure a high quality of design and good standard of amenity for all existing and future occupants of land and buildings. The NPPF encourages efficient use of land and requires (para.59) the need to boost significantly the supply of homes.
- 5.7 Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 seeks to secure good quality designs that are compatible with the character of the site and locality.

Green Belt Issues

- 5.8 The site lies within the Bristol/Bath Green Belt. The main issues to consider are therefore:
- Whether the proposed development would be inappropriate development in the Green Belt having regard to the NPPF and any relevant development plan policies.
 - The effect of the proposed development on the character and appearance of the area.
 - Whether the location of the development is an appropriate location for housing with regard to the development plan and national policy.
 - If the proposed development is inappropriate development within the Green Belt, whether that harm by reason of inappropriateness, and any other harm, is outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Inappropriate development

- 5.9 The NPPF at para. 133 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The five purposes that the Green Belt serves are listed at para. 134 and these include at sub para. c) "to assist in safeguarding the countryside from encroachment".
- 5.10 Para. 143 of the NPPF states that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.11 Para. 145 of the Framework sets out that the construction of new buildings in the Green Belt should be regarded as inappropriate development, unless the development is one or more of a list of exceptions. These exceptions include the following:
- e) limited infilling in villages;

- 5.12 Policy CS34 of the South Gloucestershire Core Strategy 2006-2027 (CS) relating to development in rural areas indicates, amongst other things, that the designated Green Belt will be protected. CS Policy CS5 indicates that within the Green Belt, small-scale development may be permitted within the settlement boundaries of villages shown on the Policies Map.
- 5.13 Policy PSP7 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (2017) sets out that “inappropriate development is harmful to the Green Belt and will not be acceptable unless very special circumstances can be demonstrated that clearly outweigh the harm to the Green Belt, and any other harm”. Both Policy CS5 of the Core Strategy and Policy PSP7 of the PSPP are therefore consistent with the Framework in their approach to development within the Green Belt.
- 5.14 Whilst the site is not within the settlement boundary for Winterbourne/Winterbourne Down the National Planning Policy Framework (the Framework) indicates that ‘limited infilling in villages’ should not be regarded as inappropriate in the Green Belt. Settlement boundaries can provide a useful indication of the extent of a village, but the situation on the ground should also be considered. Recent appeal decisions (see PT18/2416/F - Appeal Ref. APP/P0119/W/18/3214856 allowed 26th March 2019) indicate that even if a site is outside the Established Settlement Boundary it can still be considered as being ‘in the village’ for the purposes of Green Belt Policy.
- 5.15 In this instance the plot lies only 30m south of the development boundary. Your Officer observed during his site visit that the built development to the south of Winterbourne Down continues along Bury Hill beyond the development boundary, albeit in a characteristically more sporadic nature.
- 5.16 The land sits on a corner of Bury Hill with the road abutting the east and south boundaries of the site. Beyond the road to the east is no. 21 Bury Hill and Victoria Cottage, both approximately 20m from the site. Beyond the road to the south is no. 23 Bury Hill with its garden to the west approximately 12m away. To the north is no. 20 Bury Hill, a residential dwelling, with outbuildings and a garden that sit just to the north of the application site. To the north of this is fairly dense residential development which leads up into the village of Winterbourne Down. Finally, to the west of the application site is a parcel of open countryside with more vegetation and trees with the Old Chapel residential dwelling and its curtilage beyond.
- 5.17 The proposed dwelling would be sited in-between no’s 20 and 23 Bury Hill, in a linear form, and respects the existing building line along Bury Hill. This reflects the pattern of development seen along Bury Hill and in the local vicinity. As a result, the plot is flanked by existing detached dwellings and also has detached dwellings on the opposite side of Bury Hill almost directly opposite. The plot itself is only some 40m wide and only one new dwelling is proposed, so any infilling would be **limited**.
- 5.18 Your officer is of the opinion that the introduction of 1no. 3-bedroom house as proposed, would constitute **limited infilling** that would be a logical continuation of the built development along Bury Hill. As such, the proposed development

would **not** be inappropriate development within the Green Belt and by definition not harmful to the openness of the Green Belt and would therefore not conflict with the Green Belt aims set out in CS Policies CS5 or CS34, or the Framework (NPPF).

- 5.19 There are currently no buildings on the site. However, in accordance with the Judgement of *Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 404*, if development is found to be not inappropriate, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land within the Green Belt (see APP/P0119/W/18/3214856 para.12).

Impact on Character and Appearance

- 5.20 Prior to the submission of this application, the site was heavily vegetated with self-seeded trees and undergrowth, being devoid of built development; more recently much of the undergrowth within the site has been cleared. The proposed dwelling and any associated driveway, parking area and curtilage, with all its paraphernalia, would to some degree have an adverse impact on the rural character and appearance of the locality than the existing situation. The scheme has however been sensitively designed, and if planning permission were allowed, the impacts could be satisfactorily limited by imposing a condition to remove permitted development rights to prevent further extensions or the erection of outbuildings etc. as well as securing a robust scheme of landscaping.
- 5.21 In terms of scale and design, the proposed dwelling would be two-storey and of a similar scale to surrounding properties. The proposed appearance of the new dwelling would be of a traditional style, with a dual-pitched roof, windows sitting just below the eaves with small gables, and a centrally located porch with pitched roof. The walls to the main house would be finished in a light coloured render with natural stone porch and quoins. The roof would be finished with grey interlocking concrete tiles and the windows with either grey or green upvc. This would be sufficiently in-keeping with the established architectural vernacular of the village. There would therefore be no significant adverse impacts on the character and appearance of the location.

Location of Development

- 5.22 Core Strategy Policy CS5 indicates that development outside the defined settlement limits will be strictly limited. The types of permissible development are set out in PSPP Policy PSP40 and do not include general housing. CS Policy CS34 seeks to deliver the Council's vision for rural areas, balancing the conservation and enhancement of the countryside and rural settlements with sustaining and promoting thriving rural communities and the economy. This includes through protecting, conserving and enhancing distinctive character, beauty and landscapes, agricultural land and maintaining settlement boundaries.
- 5.23 The site's location outside the settlement boundary brings the proposal into conflict with these policies. However, the proposed dwelling would be sited so as to have minimum harm on the character and appearance of the area, especially as a good number of the existing trees within the site are to be

retained and the site appropriately landscaped. The proposal would not result in the expansion of Winterbourne Down beyond the existing built form but would be more incorporated within it and as such the site is not in the strictest sense within the 'open countryside'. Officers consider therefore that there would be no fundamental conflict with the overall aims of Policies CS5 and CS34

Transportation Matters

- 5.24 PSP11 requires that new developments would not generate traffic that would have an unacceptable impact on highway safety, create or contribute to severe congestion, severely impact the local road network or have an unacceptable impact on environmentally sensitive areas. The transport information submitted alongside the application has been updated through the application process.

Access

- 5.25 It is proposed that access to and from the site will be taken from a new access onto Bury Hill, on the eastern boundary of the site. The existing gated access, on the southern boundary of the site, has been in use for many years and therefore benefits from having an unfettered use, however it is not considered that this access point would best serve or utilise the site in terms of achieving the best layout. Use of this access would result in a long driveway having to be constructed which would have a greater amenity impact than the new access proposed.

- 5.26 The access drawing demonstrates that adequate visibility splays would be provided at the new site access between emerging vehicles and those on Bury Hill approaching the access. The walls constructed either side of the access within the visibility splays would not exceed 600mm in height and this can be secured by condition.

- 5.27 Revised plans have been submitted showing the originally proposed garage removed to allow enhanced turning areas within the site. This will allow vehicles to exit the site in forward gear.

Parking

- 5.28 Parking for the development has been assessed based on the Council's minimum parking standards outlined under Policy PSP16, which require 2 parking spaces for a 3 bedroom dwelling. Revised plans have been submitted to show the garage removed; 2 no. parking spaces can easily now be accommodated within the site plus adequate turning space. Officers are therefore satisfied that the scheme provides adequate off-street parking and manoeuvring provision.

Sustainable Location

- 5.29 From a sustainability point of view, whilst in absolute walking distances, the site location may meet some of the distances to the key services as highlighted within policy PSP11 terms, the actual route (110m) along Bury Lane to the junction with Down Rd is, for much of its length, narrow and lacking footway facilities.

- 5.30 The access road, Bury Lane is a single lane width road with no connecting footway between the site and the wider highway networks making access to any facilities in the area problematic for those on foot.
- 5.31 Bury Hill connects to Down Road to the north which is a road with a footway alongside it which leads into Winterbourne Down and Winterbourne beyond. There are pubs, some facilities and employment opportunities within walking/cycling distance of the site. The nearest bus stops on Badminton Road are some 650m walking distance which is in excess of the 400m distance which is described as appropriate in policy PSP11. However the Y1 & Y2 service that travels along Badminton Rd. is a regular service linking Yate with Bristol via Harlequin Business Park. Furthermore, PSP11 states that (para.5.24) for bus stops served by Metrobus services, an appropriate walking distance would be between 400 and 800 metres. Whilst not yet in place it is envisaged likely that the Metro Bus route will at some point be extended to Yate (see JLTP)

Impact on Highway Safety

- 5.32 Some concerns have been raised about the narrowness of the rural lanes in the vicinity of the site and the lack of footways on Bury Hill. Bury Hill and Down Road already provide access for a number of existing residential dwellings and, whilst it is noted that there is a lack of footway on Bury Hill, Manual for Streets (MfS) states that lanes in rural areas can provide other functions than just movement, including various leisure activities such as walking, cycling and horse riding.
- 5.33 The submitted Data recorded by ATC's on Bury Hill (albeit between the 10h and 16th October 2020.during Covid Lockdown) demonstrates that vehicular flows are extremely low (by far the busiest hour peaked with 15 movements per hour on a Friday and Sunday, and the average was well below this). Manual for Streets states that shared surface schemes are likely to work well where the volume of motor traffic is below 100 vehicles per hour, which is applicable in this instance as Bury Hill in the vicinity of the site effectively functions as a shared surface. The ATC's recorded 85th percentile speeds of <16mph (which would still be representative of the pre-Covid era) this reflects the geometry and nature of the road, meaning that conflict between pedestrians and vehicles is very unlikely to occur.
- 5.34 The personal injury accident data for Down Road shows 3 recorded PIA accidents, which are presumed to be within the most recent 5-year period; 3 accidents in 5 years is considered to be representative of a reasonably good safety record, with there being no clusters and therefore the prevalence of accidents in the vicinity of the site is not considered to be a cause for concern with only one accident involving a vulnerable road user. The police report gives no information as to how it occurred but there is nothing to suggest that the road layout, geometry or pedestrian infrastructure contributed to the accident. The remaining two accidents involved vehicular traffic and resulted in slight injuries, with the location of one of these undetermined.
- 5.35 The additional pedestrian (and vehicular) movements associated with the proposals are also likely to be minimal, meaning the existing situation is

unlikely to be impacted significantly with numerous other dwellings in the vicinity of the site operating comparably. As stated in the National Planning Policy Framework (NPPF), 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. The low vehicular flows and speeds along Bury Hill, coupled with the extremely small scale of the proposals mean the impact on highway safety is minimal and the impact on the road network would therefore be negligible.

- 5.36 The recorded vehicular speeds and nature of the highway network in the vicinity of the site is considered to accord with relevant design standards and is therefore considered suitable for use by both vehicular and non-vehicular modes. The amount of traffic generated by a single 3-bed house would be minimal.

Impact on Residential Amenity

- 5.37 Policy PSP8 of the PSP Plan states 'Development proposal(s) will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to):

- a. loss of privacy and overlooking;
- b. overbearing and dominant impact;
- c. loss of light (daylight/sunlight);
- d. noise or disturbance; and
- e. odours, fumes or vibration'.

- 5.38 The layout of the proposed development has been designed so as to minimise its impact on neighbouring properties. No windows are proposed at first floor level on the side elevations. There are two small windows at ground floor level on the southern elevation however due to the distance between this elevation and no. 23 Bury Hill there would be no undue loss of privacy. It is not considered the proposal would result in an undue loss of light on either of the neighbouring properties or have a dominant or overbearing impact.

- 5.39 Specific concerns have been raised by the occupiers of nos. 21 & 15 Bury Hill about overlooking of their properties. Some overlooking of neighbouring properties in residential areas, including villages, is only to be expected and given the distances to these properties there would be no significant loss of privacy. Views would to some extent be baffled by the retained trees, boundary treatments and new planting secured via the landscape scheme.

- 5.40 Adequate residential amenity space would be provided in accordance with PSP43 which requires a minimum of 60 sq.m. for a 3 bedroom dwelling; which is achievable on this site.

Landscape Matters

- 5.41 Whilst the site lies close to the Established Settlement Boundary, it is characterised by being highly vegetated by self-seeded trees and scrub, and its road frontage is characterised by low stone walling with sections of

hedgerow/scrub/trees. The trees are not protected in any way and could have all been removed at any time. Whilst much of the scrub has already been removed, the scheme retains the main trees.

- 5.42 An Arboricultural Report has been submitted to the satisfaction of the Council's Tree Officer. The majority of the trees on the site are categorised as either U or C. This is mainly due to the presence of Ash dieback in the existing Ash tree population on this site. Those trees with these categories are proposed for removal for arboricultural reasons.
- 5.43 The Council's Landscape Architect has concluded that the proposals will be visible from the adjacent sections of Bury Hill and Cuckoo Lane and in private views from overlooking houses, to have a discernible, but not substantial, visual impact on the openness of the Green Belt.
- 5.44 Subject to conditions to secure an updated tree/hedgerow protection plan and a robust scheme of landscaping plan, to include new tree/hedgerow planting, there are no landscape objections.

Ecology

- 5.45 An Ecological Appraisal (Seasons Ecology, March 2020) and a technical note (Seasons Ecology, February 2021) has been submitted. The site sits close to the River Frome which is an SNCI, the works are not expected to impact the site.
- 5.46 Species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended):

Bats

The site provides suitable foraging and commuting habitat for bats. There are a number of trees on and off site which have bat roosting potential, these are to be retained as part of the development. Sensitive lighting is required in order to not deter bats. Enhancements have been recommended and are welcomed.

Great crested newt (GCN)

Two ponds identified within the original report are located 150m to the north of the site beyond the River Frome, the river provides a significant barrier to GCN dispersal, no further assessments are required. If GCN are found during any phase of the development, works are to cease immediately and a suitably qualified ecologist consulted.

Dormice

At the time of the survey the scrub across the site had been cleared leaving isolated shrubs and trees, the northern boundary hedge provides a small area of suitable habitat and this hedgerow will be retained, suitable fencing is to be erected to ensure that the hedgerow is protected.

Otter

No otter holts were found on site during the survey. The site does provide some habitat suitable for otter, a precautionary approach has been recommended which is welcomed.

5.47 Species protected under the Wildlife and Countryside Act 1981 (as amended):

Birds

The habitats on site provide suitable nesting opportunities for birds. Suitable mitigation has been provided.

Reptiles

There is potential for common reptiles to be on site, supervised works are recommended and this is welcomed.

5.48 Badgers protected under the Badger Act 1992:

No signs of badgers were found, though mammal paths were recorded. Mitigation for commuting badgers has been recommended and is welcomed.

5.49 Species of principle importance (Priority Species) Section 41 Natural Environment and Rural Communities (NERC) Act and Local Biodiversity Action Plan Species:

Hedgehog

Hedgehogs have not been mentioned within the report, mitigation has been proposed for badgers which will also be applicable for hedgehogs. During the supervised works a search is also to be conducted for hedgehogs prior to any vegetation removal.

5.50 Subject to conditions to secure the mitigations measures recommended within the Ecological Appraisal, a bat sensitive lighting scheme and a Habitat Enhancement Scheme, there are no objections on ecological grounds.

Environmental Issues

5.51 The site lies in Flood Zone 1 and is not prone to flooding and has not been undermined for coal. The site is not the subject of excessive vibration, noise or dust. The Council's Drainage Engineer has raised no objection to the proposal.

CIL Matters & S106 Obligations

5.52 The latest South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2021. CIL charging commenced on 1st August 2015 and this development, if approved, would be liable to CIL charging.

5.53 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.

Other Matters

- 5.54 Concerns have been raised about this proposal setting a precedent for future similar applications. This is not a material consideration as each application must be determined on its individual merits having regard to the relevant Government and Local Plan policy at that time.

Planning Balance

- 5.55 The proposal would make a positive contribution to the overall 5-year housing land supply within the County, albeit a small one which nevertheless does weigh in its favour; this matter carries moderate weight. The scheme would make efficient use of what is otherwise an area of waste land within the village and furthermore it is intended that the property would be a self-build scheme. Such schemes are positively supported by Policy PSP42 and are considered to have a number of advantages over mainstream developer models (see PSP42 para. 8.47); this also weighs in favour of the scheme.
- 5.56 Furthermore the social and economic benefits of the scheme would be positive considerations, but given the small scale of the scheme, these would only carry limited weight.
- 5.57 The scheme is considered to be limited infilling within a village and as such is not inappropriate development within the Green Belt. Case history has established that; if development is found to be not inappropriate, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land within the Green Belt.
- 5.58 Given the matters offered in mitigation and secured by condition, the impacts on landscape, character and appearance and ecology are neutral. Whilst some conflict with Policy PSP11 has been identified, this is only in as much as the proximity of the site to the nearest bus stops and a short stretch of unpaved road. Whilst this may, to some extent, deter pedestrians from walking to the bus stop, the degree of harm is minimal and in any event the overall cumulative impact of the scheme on highway safety is not considered to be severe (see NPPF para.109).
- 5.59 On balance therefore, officers consider this scheme to be sustainable development that should be approved without delay.

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

Location Plan Drawing No. MH-010 01 received 26th Jan. 2021

Site Plan Drawing No. MH-010 02 received 26th Jan. 2021

Proposed Site Plan Drawing No. MH-010 03 Rev D26021 received 27th April 2021

Block Plan Drawing No. MH-010 04 Rev D26021 received 27th April 2021

Proposed First Floor Plan Drawing No. MH-010 05 received 26th Jan. 2021

Proposed Ground Floor Plan Drawing No. MH-010 05 received 26th Jan. 2021

Proposed Elevations Drawing No. JH-010 06 Rev A-170920 received 26th Jan. 2021

Access Arrangements Drawing No. 2005690-001 received 26th Jan 2021

Reason:

To define the terms and extent of the permission.

3. The building works hereby approved shall not commence until the access and visibility splays have been provided in accordance with the submitted details shown on Access Arrangements Plan No. 2005690-001. The walls constructed either side of the access within the visibility splays shall not exceed 600mm in height.

Reason

In the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013.

4. Prior to the first occupation of the dwelling hereby approved, the access, parking and turning areas shall be provided in accordance with the approved Block Plan Drawing No. MH-010 04 Rev D260421.

Reason

To ensure the satisfactory provision of access, car parking and turning facilities; in the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013.

5. The dwelling house hereby approved, shall not be occupied until a 7Kw 32 Amp Electric Vehicle Charging Point has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable travel and to accord with Policy CS8 of the South Gloucestershire Local Plan ; Core Strategy (Adopted) Dec. 2013

6. Prior to the commencement of the development hereby approved, a scheme of landscaping, specifying the location, species, stock size, planting centres and quantities of all proposed tree and hedgerow/structure planting (to be undertaken in the first planting season following completion of construction works); together with details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required; shall be submitted to and approved in writing by the Local Planning authority. Development shall be carried out in accordance with these agreed details.

Reason

To protect the visual amenity of the Green Belt and landscape in general to accord with Policy PSP2 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) 6th Nov. 2017 and Policy CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013. This is a prior to commencement condition to ensure that existing landscaping is not sterilised and that the site can be adequately screened.

7. The development shall be carried out in full accordance with the tree protection measures outlined in the submitted Arboricultural Report by Siverback April 2021 received 30th April 2021.

Reason

To ensure that the existing trees are protected and retained to protect the visual amenity of the Green Belt and landscape in general to accord with Policy PSP2 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) 6th Nov. 2017 and Policy CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013. This is a prior to commencement condition to ensure that existing landscaping is not compromised.

8. The hours of working on site during the period of construction shall be restricted to 07:30 to 18.00 Monday to Friday and 08:00 to 13:00 on Saturdays with no working

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

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017.

9. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Appraisal (Seasons Ecology, March 2020) and a technical note (Seasons Ecology, February 2021) which includes supervision of clearance works.

Reason

In the interests of protected species and the bio-diversity of the location, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

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

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

Reason

To ensure there isn't excessive light spill onto adjacent habitats; in the interests of protected species and the bio-diversity of the location, to accord with Policy PSP19 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

11. Prior to the first occupation of the development hereby approved, a habitat enhancement scheme is to be submitted to the local authority for review, this is to expand on the details already submitted within the Ecological Report and include a plan showing all enhancements

Reason

In the interests of protected species and the bio-diversity of the location, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

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

Reason

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

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

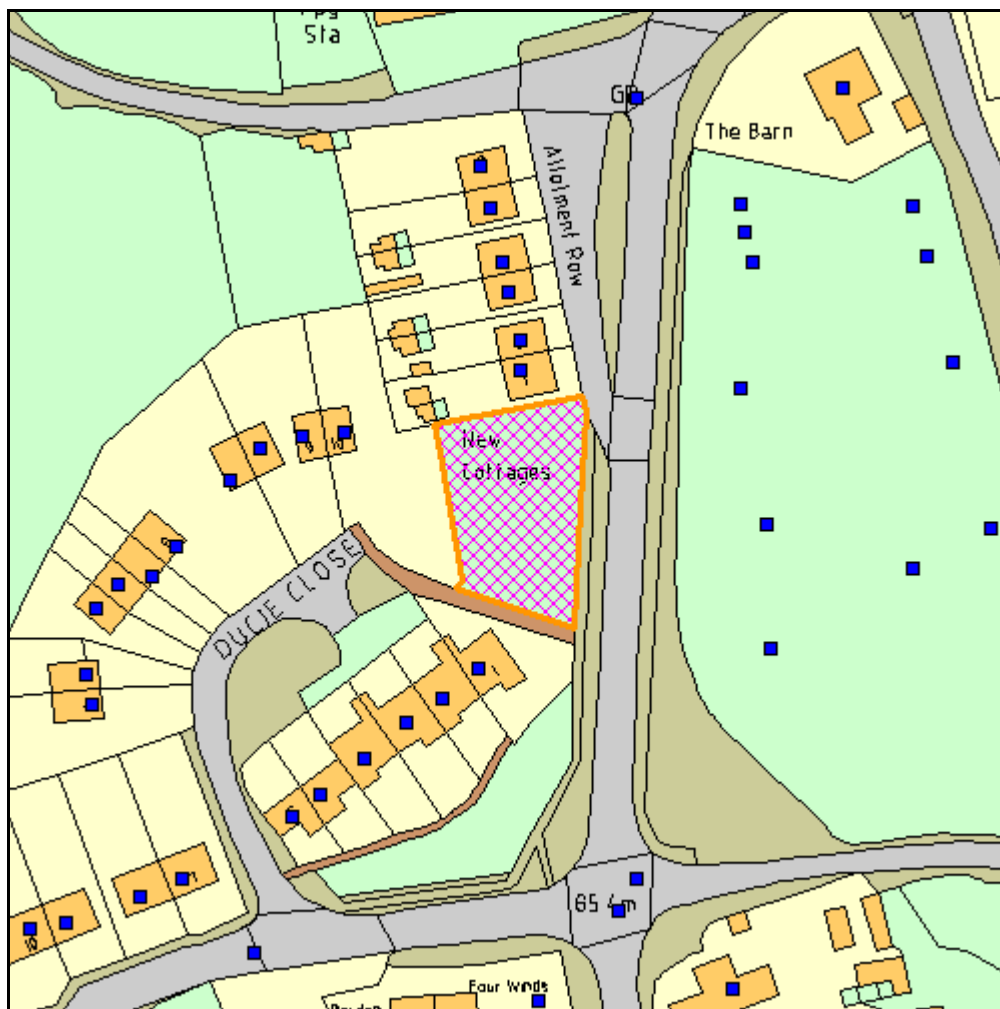
Reason

To protect the openness of the Green Belt and the character and appearance of the area to accord with Policies CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1 & PSP2 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and the National Planning Policy Framework.

Case Officer: Roger Hemming
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P21/00703/RVC	Applicant:	DCrewe Ltd
Site:	Land Adjacent To New Cottages Cromhall South Gloucestershire	Date Reg:	15th February 2021
Proposal:	Variation of condition 6 to amend the approved plans, attached to planning permission P19/09056/F. Erection of 2no. dwellings with access parking and associated works.	Parish:	Cromhall Parish Council
Map Ref:	369625 190671	Ward:	Charfield
Application Category:	Minor	Target Date:	8th April 2021



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P21/00703/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 APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This planning application is made under Section 73 (“s73”) of the Town and Country Planning Act 1990 (as amended) (“the Act”). Applications made under this section of the Act seek to develop land without compliance with conditions previously attached to the relevant planning permission.
- 1.2 The applicant is seeking to vary condition 6 (approved plans) of planning permission P19/09056/F, to facilitate a change in the design.
- 1.3 The application site is located within the Cromhall settlement boundary. The site is within the setting of locally listed buildings due North of the site (Allotment Row). 1-6 Church Lane due South of the site are also locally listed.
- 1.4 During the course of the application, amended plans have been received and a round of public re-consultation took place from the 31st March to the 22nd April.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP5	Undesignated Open Spaces
PSP8	Residential Amenity
PSP11	Transport Impact Management

PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007
 Local List SPD (Adopted) March 2008
 Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 DOC21/00054 (conditions discharged 13/04/2020):
 Discharge of conditions 2 (landscaping), 3 (archaeology) and 4 (materials) attached to planning permission P19/09056/F. Erection of 2no. dwellings with access parking and associated works.
- 3.2 P19/09056/F (approved 27/02/2020):
 Erection of 2no. dwellings with access parking and associated works.

Other planning history is available for the site, however it is not considered relevant to this application to amend P19/09056/F under s.73.

4. CONSULTATION RESPONSES

4.1 Cromhall Parish Council

Objects and fully supports views of conservation officer. Reiterated concerns regarding the access and highway safety.

No updated comments have been received.

4.2 Sustainable Transport

No comments have been received in either consultation.

*As the application makes **no changes** to the access arrangements that **have been approved**, it was not considered imperative to chase comments on this occasion.*

4.3 Conservation Officer

Initial response:

Objection

Updated response:

Revisions have addressed majority of concerns (layout and configuration). Matter now left for case officer to determine.

4.4 Highway Structures

No comment x2

4.5 Drainage (LLFA)

Initial response:

No objection

Updated response:

As previous

Other Representations

4.6 Local Residents

1no. representation objecting to the proposal has been received, summarised as follows:

- Concern regarding access points
- Supports comments of parish council that access is unsuitable
- Appreciate that highways have no objection but they do not live here and witness use of the road
- Speed on road is uncontrollable and SGC have declined additional calming
- Concerns regarding impact on pedestrian walkway
- Draw attention to previous objection
- If Council are to completely ignore the concerns of people who have lived here for many years, why ask us?
- Feels nothing more than a 'paper exercise' to tick boxes and allow infilling of our villages

5. ANALYSIS OF PROPOSAL

Principle of Development

- 1.1 Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established and is not able to be re-visited.
- 1.2 If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly. If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused

- 1.3 This application seeks to vary 6 attached to P19/09056/F. Condition 6 relates to the approved plans, and reads as follows:

The development hereby approved shall be implemented strictly in accordance with the following plans;

*ES002A P(0)001
ES002A P(0)002
ES002A P(0)003
ES002A P(0)004
ES002A P(0)005
ES002A P(0)006
ES002A P(0)007
ES002A P(0)008*

as received by the Local Planning Authority on the 19th November 2019

*ES002 E(0)001
ES002 SL(0)001*

as received by the Local Planning Authority on 15th July 2019

For the following reason:

For the avoidance of doubt.

- 1.4 The substitution of the approved plans for new plans would have the effect of permitting a change to the appearance of the development. The application initially included the Southern plot (A) being 'handed' so that the garage would be to the North as opposed to the South side (as approved). This was removed from the proposal due to amenity concerns and concerns from the conservation officer. Changes are also proposed to the side projections on each property, with the twin apex roofs replaced with a single apex roof. This also raised concerns as the overall height would increase, however this was later amended.
- 1.5 What is now proposed is alterations to the fenestration and alterations to the side projection roof (twin to single apex), with a reduction in ridge height of c.600mm to negate concerns from officers initially.
- 1.6 The change would see the following plans substituted:

Approved plans	Proposed plans
ES002A P(0)001 (proposed site plan)	No new plan.
ES002A P(0)002 (Proposed ground floor plan)	Proposed ground floor plan (rev 2.0)
ES002A P(0)003 (Proposed first floor plan)	Proposed first floor plans (rev 2.0)
ES002A P(0)004 (Plot A elevations)	Elevations plot A (rev 2.0)
ES002A P(0)005 (plot B elevations)	Elevations plot B (rev 2.0)
ES002A P(0)006 (proposed street scene and site section)	Proposed street scene elevation
ES002A P(0)007 (proposed site plan & visibility splays)	Amended version of ES002A P(0)007 (proposed site plan & visibility splays)
ES002A P(0)008 (proposed drainage plan)	Drainage plan (rev 2.0)
ES002 E(0)001 (existing site plan)	No new plan.
ES002 SL(0)001 (site location and block plan)	No new plan.

Analysis

1.7 Design, Visual Amenity and Heritage

The changes would see the ridge lowered by c.600mm from c.7.9 metres to c.7.3 metres. The side projection on each unit would have a single apex as opposed to twin apex roof with valley gutter and the fenestration would be amended. In addition, the proposed plans with the s73 application remove areas of oiled timber cladding and areas of elevation that would be faced with red brick, brick details and stack bond detailing to the gable ends. The materials that are proposed have already been approved under DOC21/00054.

1.8 The change in form of the side projection would result in an increase in massing as there would no longer be a valley between two apexes. Whilst the extant design added a layer of interest to the roof form, officers' note comments from the applicant that this design would be very difficult to actually implement in practice. What is proposed, following a subsequent reduction in ridge height can be considered to be acceptable in terms of design. This is because the new design would not be rendered unacceptable by the change, despite some considered loss of architectural interest.

1.9 Changes to the windows would see the proposed larger windows with oiled timber cladding swapped out for more traditional two and three light casement windows with stone lintels. The elevational treatments would also take a more traditional style, of coursed stonework. The stonework has been approved as Bekstone (colour Yate Gray) with Portland coloured masonry lintels, via the discharging of the materials conditions (condition 4) attached the original permission.

1.10 Officers would contend that the reduction in variation of materials and alterations to the fenestration can be considered to present a reduction in the overall design quality of what was approved. The approved scheme took a distinctly modern approach to its design and could be considered to add a layer of interest to the street scene. What is proposed on the other hand appears

- less interesting and appears more as standard new build two storey dwellings, perhaps to be expected of volume developers.
- 1.11 However, these reservations aside, the proposed changes and resultant appearance would not be such that they would cause harm to the character of the area, and the overall appearance and visual amenity of the street scene. This conclusion is reached when taking in to account the surrounding built form, including the new development opposite. In essence, whilst reservations are stated due to the overall reduction in the quality of the original design, what is proposed would not be considered to present inherently poor design and as such, officers do not consider there to be grounds to resist the amendment on design grounds.
- 1.12 Initially, concerns were raised with the alteration of plot A's 'handling' and the apparent raise in ridge height. This was considered to conflict with the original design approach which aimed to retain space around the locally listed buildings and minimise any impacts on their settings. Since this has been removed from the scheme, officers are satisfied that, notwithstanding the above comments about a reduction in design quality, the proposed change would not be harmful towards the adjacent locally listed buildings.
- 1.13 Residential Amenity
Initially, concerns were present from officers regarding the 'handling' of plot A, as this would have presented serious amenity concerns with respect to the properties to the South of the site. However, since this no longer forms part of the proposal, officers do not consider there to be any material overbearing or overshadowing issues, should the amendment be granted.
- 1.14 In terms of glazing, no new windows are proposed, with the changes being to the design and style instead. Windows that are on the side and were noted as being obscure glazed on the consented plans remain so on the revised plans for which approval is now sought. As such, officers do not consider there to be any material privacy issues.
- 1.15 Officers do not consider the proposed changes to present any material amenity impacts with regards to the future occupiers of the development itself.
- 1.16 Highways
It is noted that concerns are raised by the Parish Council and a resident regarding the access to the development. To be clear, this s73 application does not propose any changes to the access for the new dwellings. The access arrangement was considered acceptable under P19/09056/F and had been approved as part of that permission. Accordingly, there are no objections to the proposal on the grounds of access and parking, with the approved arrangements remaining as approved previously.
- 1.17 Archaeology
The extant P19 permission required an archaeological watching brief on all ground disturbance (a programme of archaeological investigation) to be secured by condition to any consent as a pre-commencement condition. This condition has been discharged under DOC21/00054, following consultation with

the Council's Archaeologist. As the programme of archaeological works has been agreed, a pre-commencement condition is no longer required, however a compliance condition will be needed to ensure that works proceed in accordance with the agreed details.

1.18 New condition wording

Following the above assessment, officers consider the proposed amendment to be acceptable. As such, condition 6 will need to be re-worded to take account of the amended plans. The new condition should be worded as follows:

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

ES002 E(0)001 – Existing site plan

ES002 SL(0)001 – Site location and block plan

As received by the Local Planning Authority 15th July 2019

Proposed street scene

As received by the Local Planning Authority 18th March 2021

Street elevations (rev.2.0)

As received by the Local Planning Authority 26th March 2021

Drainage plan (rev.2.0)

Proposed first floor plan (rev.2.0)

Proposed ground floor plan (rev. 2.0)

Proposed site plan & visibility splays

As received by the Local Planning Authority 28th March 2021

Elevations plot B (rev.2.0)

Elevations plot A (rev.2.0)

As received by the Local Planning Authority 30th April 2021.

Reason

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

Other Conditions

- 1.19 As a decision under s73 has the effect of granting a new (revised) planning permission, the other conditions attached to P19/09056/F must be reviewed.

<i>No.</i>	<i>Brief Description</i>	<i>Discussion</i>	<i>Action</i>
1	Time implementation	Development started	Remove
2	Landscaping	Discharged under DOC21/00054. Condition should be re-worded from pre-commencement to a compliance condition.	Vary
3	Archaeological investigation	Discharged under DOC21/00054. Condition should be re-worded from pre-commencement to compliance condition.	Vary
4	Material samples	Discharged under DOC21/00054. Condition should be re-worded from pre-commencement to compliance condition.	Vary
5	Off-street parking provision	Development underway however this is a prior to first occupation condition. As development not substantially complete or occupied, this condition should be carried over as is.	Retain
6	Plans	This condition is subject to the above assessment and is the condition that the application seeks to vary. It should be varied per the above assessment and wording.	Vary

Impact on Equalities

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

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

6. CONCLUSION

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

7. **RECOMMENDATION**

- 7.1 It is recommended that planning permission be **GRANTED** for the proposed variation.

CONDITIONS

1. The development shall be implemented in accordance with the scheme of landscaping agreed under DOC21/00054 (discharged 13/04/2021) and shall be maintained thereafter.

Reason

In the interests of visual amenity and to enhance the setting of the locally listed buildings on Allotment Row and Church Lane, in accordance with policies PSP1, PSP2 and PSP17 of the Policies Sites and Places Plan (Adopted) Nov 2017, policies CS1 and CS9 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Reason

In order to ensure that a suitable boundary treatment is erected around the rear garden of plot B, in order to protect the privacy of the adjacent property on Allotment Row, in accordance with policies PSP8 and PSP38 of the Policies Sites and Places Plan (Adopted) Nov 2017, policies CS1 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

2. The development shall proceed in strict accordance with the archaeological programme of investigation (watching brief on all ground disturbance), as agreed under DOC21/00054 (discharged 13/04/2021).

Reason

In order to protect an archaeology on site, in accordance with policy PSP17 of the Policies Sites and Places Plan (Adopted) Nov 2017, policy CS9 of the Core Strategy (Adopted) December 2013 and the NPPF.

3. The development shall be implemented in accordance with the details and samples of roofing and external facing materials as agreed under DOC21/00054 (discharged 13/04/2021).

Reason

In order to ensure the materials are of a high quality in order to accord with policy CS1 of the Core Strategy (Adopted) December 2013, and the National Planning Policy Framework.

4. The off-street parking and turning facilities shown on the plan hereby approved, as well as the visibility splays, shall be implemented before the development is first occupied, and thereafter maintained as such.

Reason

In the interests of highway safety and satisfactory parking provision, in accordance with policy PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the National Planning Policy Framework.

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

ES002 E(0)001 - Existing site plan
ES002 SL(0)001 - Site location and block plan

As received by the Local Planning Authority 15th July 2019

Proposed street scene

As received by the Local Planning Authority 18th March 2021

Street elevations (rev.2.0)

As received by the Local Planning Authority 26th March 2021

Drainage plan (rev.2.0)
Proposed first floor plan (rev.2.0)
Proposed ground floor plan (rev. 2.0)
Proposed site plan & visibility splays

As received by the Local Planning Authority 28th March 2021

Elevations plot B (rev.2.0)
Elevations plot A (rev.2.0)

As received by the Local Planning Authority 30th April 2021.

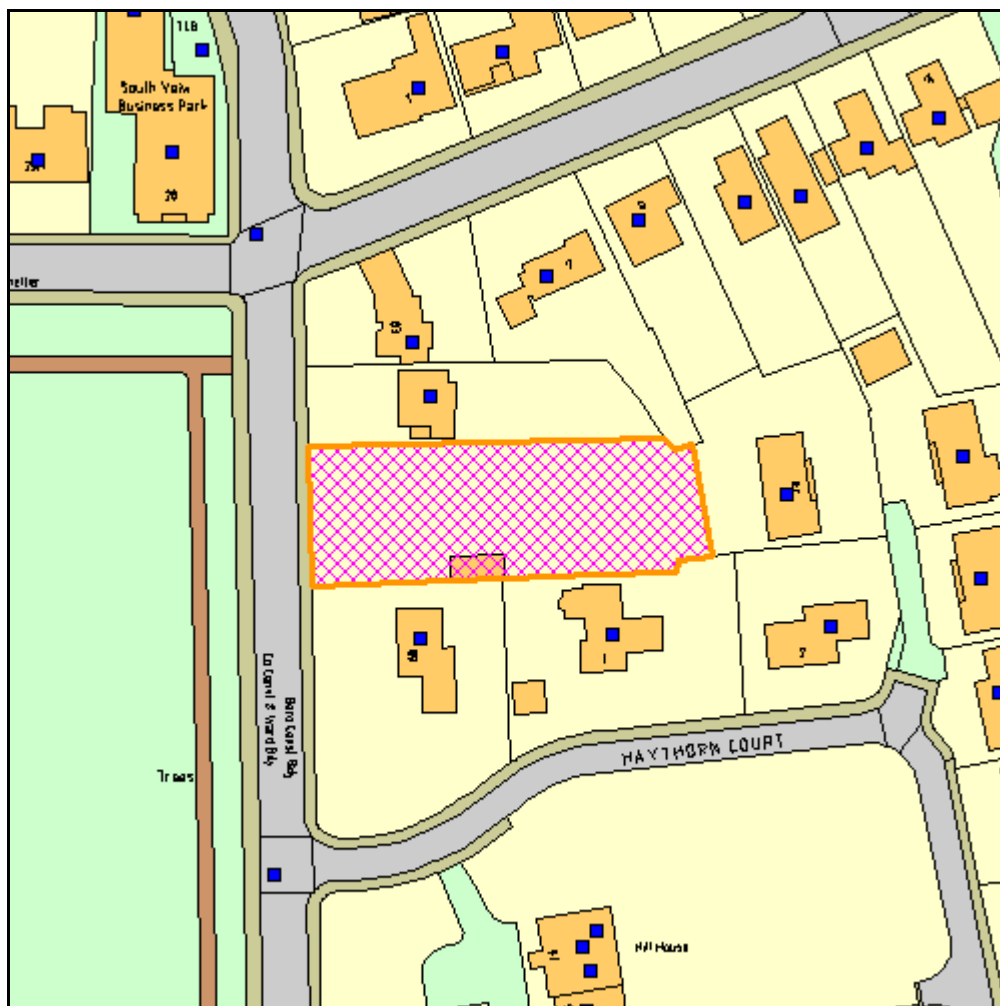
Reason

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

Case Officer: Alex Hemming
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P21/00916/RM	Applicant:	Mr Mark Andrews
Site:	87 Hill House Road Mangotsfield South Gloucestershire BS16 5QW	Date Reg:	22nd February 2021
Proposal:	Erection of 4 no dwellings approval of reserved matters to include appearance and landscaping (to be read in conjunction with PK18/5362/O).	Parish:	
Map Ref:	365683 176124	Ward:	Staple Hill And Mangotsfield
Application Category:	Minor	Target Date:	15th April 2021



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N.T.S.

P21/00916/RM

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

Reason for referring to the Circulated Schedule

The application appears on the Circulated Schedule due to in excess of 3 representations being received from local residents, which are contrary to the findings of this report and its recommendation.

1. THE PROPOSAL

- 1.1 Approval of the reserved matters is sought for the erection of 4no. dwellings, approved by outline consent PK18/5362/O. The outline consent determined the access, scale and layout. The reserved matters for which consent is now sought are appearance and landscaping.
- 1.2 The application site is a vacant plot on the Eastern side of Hill House Road, opposite the Eastern side of Page Park. The site is within the East fringe of Bristol Urban Area. It is understood that prior to 2006 there was a large dwelling at the site, which had a similar appearance to no. 85 Hill House Road. However, in 2006 the property at 87 was demolished which coincided with two permissions to demolish the dwelling and erect buildings on the site.
- 1.3 The outline consent was sought on the basis of a phased self-build scheme. Condition 5 attached to outline consent PK18/5362/O submits that development shall proceed in accordance with the approved phasing plan, with phase one consisting of the implementation of the access road and service provisions for each plot. Rather than separate reserved matters applications, this singular application has been submitted to deal with all four plots, however the development would still need to be phased in accordance with this condition attached to the outline consent.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Local List SPD (Adopted) March 2008

Residential Parking Standard SPD (Adopted) December 2013

CIL and S106 SPD (Adopted) March 2015

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK18/5362/O (approved 15/01/2019):
Erection of 4 no dwellings (Outline) with access, scale and layout to be determined, all other matters reserved.
- 3.2 PK16/3268/O (approved 20/10/2016):
Erection of 4no. dwellings (outline) with access, layout, appearance and scale to be determined. All other matters reserved.
- 3.3 PK10/0743/EXT (approved 20/05/2010):
Erection of 2 no. self-contained flats with associated access, carparking, landscaping and works.(Consent to extend time limit implementation for PK05/0254/F).
- 3.4 PK06/1927/F (approved 25/08/2006):
Demolition of existing house and garages to facilitate the erection of 6 No. apartments (4No. two bedroom, and 2 No. one bedroom) with associated car parking and garages, landscaping, access and works.
- 3.5 PK05/0254/F (approved 29/03/2005):
Erection of 2 no. self-contained flats with associated access, carparking, landscaping and works.
- 3.6 PK02/1216/F (approved 27/05/2002):
Change of use from dwelling (C3) to children's day nursery (D1).
- 3.7 PK04/1085/F (Withdrawn 01/06/2004):

- Conversion of existing dwelling to form 3no. self-contained units with associated works. Erection of two storey front and rear extension with balcony and canopy, alteration to roof to facilitate loft conversion.
- 3.8 PK04/2435/F (approved 04/10/2004):
Conversion of existing dwelling to form 3no. self-contained units with associated works. Erection of two storey front and rear extension and use of loft space as accommodation (Resubmission)
- 3.9 K6733 (approved 08/10/1990):
Erection of detached snooker room and workshop (previous id: k6733)

4. **CONSULTATION RESPONSES**

- 4.1 Parish Council
The area is unparished
- Downend and Bromley Heath Parish Council have been consulted but have provided no comment.*
- 4.2 Conservation Officer
Comments that there would be no harm to the setting of the nearby listed building (Hill House). Reiterates concerns raised regarding how the proposals relate to prevailing street pattern, plot layout and compliance with CS1 and PSP1.
- 4.3 DC Transport
No objection subject to conditions
- 4.4 Highway Structures
No comment
- 4.5 Drainage (LLFA)
No objection subject to condition (SuDS) and informative.
- 4.6 The Gardens Trust
No comments have been received
- 4.7 Local Residents
4no. representations have been received from local residents objecting to the proposed development, which are summarised as follows (full copies are available online):
- Second floor accommodation will affect privacy. This has been refused previously
 - Rear windows will overlook
 - 21 metre distance not sufficient
 - Density is excessive
 - Plots 2 and 3 no in the building line of adjacent properties
 - Concerns over parking. Two spaces for occupants not sufficient

- Not in keeping
- Would swell an already congested area
- Have not received official notification of the planning application
- Overdevelopment
- Eight dwellings have been refused before
- Inadequate room to provide amenities for each residence
- Will set precedent.

5. **ANALYSIS OF PROPOSAL**

1.1 The proposal seeks approval of reserved matters for the erection of 4no. dwellings, in accordance with outline application PK18/5362/O. The matters up for determination in this instance are appearance and landscaping.

Principle of Development

1.2 The principle of development has been established on the site for 4no. dwellings. The matters that have already been determined at the outline stage are access, scale, and layout. Accordingly, these three elements are not up for re-consideration in this application and the focus will be solely on the remaining matters not determined at outline stage (the 'reserved matters'). As noted previously, the matters for consideration in the proposal are the appearance and the landscaping of the development.

1.3 The purpose of this application is to allow the Local Planning Authority to consider details submitted in respect of matters reserved at the outline stage. The assessment of those matters is set out in more detail below. The principle of the development is established and the outline consent remains extant. Officers are satisfied that the detail of the proposed development submitted under this application is consistent with the scope and parameters of the outline planning consent.

1.4 During the course of the application, revisions have been made to the plans to ensure that the height of the units is in accordance with the parameters agreed at outline stage, and that details required as part of the reserved matters by the outline consent (cycle storage and EV charging) were present. As the changes were all minor in nature, no further consultation was considered necessary as it was not considered that anyone would be disadvantaged.

The following covers the two reserved matters to be considered under this application.

1.5 Appearance

Policy CS1 is the Council's principal design policy. CS1 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.

1.6 The proposed dwellings all follow a broadly similar design in terms of their appearance and form. Each unit would have a saltbox type roof, though this would be reversed so that the eaves are lower at the front, giving more of a chalet appearance at the front whilst a two-storey appearance to the rear. On

- the front of each unit would be a forward projecting gable and to the rear on plots 1, 3 and 4 would be a flat roofed single storey projection, whilst on plot 2 would be a lean-to projection. On the rear of each roof slope would a modest metal clad dormer (flat roofed) with Juliette balcony, as part of the design.
- 1.7 Overall, what is proposed would appear as something of a departure from the style of existing built form. No.85 for example is in arts and crafts style, whilst no.89 is a pseudo-Georgian Style. Elsewhere nearby can be observed inter and post war suburban development. The proposal would take what could be described as a more contemporary appearance in terms of proportions and overall style. However, officers would not consider this to be an inherently negative thing.
- 1.8 Certain parts of the proposal appear to take certain cues from neighbouring properties, for example the steep front roof pitch and front projection could be considered as design cues taken from no.85 to the North. However, it is clear that the new properties would appear 'of their time' and would be read clearly as a modern addition to the locality, in comparison to their older neighbours.
- 1.9 Comments about the layout and amount of development are noted, however these have already been determined, and this application can only consider the visual appearance of each unit.
- 1.10 Broadly speaking, officers consider the appearance of the proposed dwellings to be acceptable in design terms. Whilst officers consider the suggested materials to be appropriate, a condition requiring finer details/samples would be recommended, should permission be granted. This would ensure that the final development as built would be acceptable in terms of its final finish.
- 1.11 Landscaping
The site would be served by a central access which would adjoin Hill House Road at two points. This access would be formed of Addaset bound resin gravel. On the frontage of the site would be 2no. trees (Betula Pendula – Silver Birch) to replace the existing 2no. conifers, whilst each plot would have landscaped rear gardens with 1no. Sorbus Aucuparia tree in (each), with the front two plots (1 and 4) having 1no. Prunus Accolade (flowering Cherry) tree in front (of each). Hedging would bound the gardens of plots 1 and 4, which would be laid to grass. Having regard to the character of the area, officers have no fundamental concerns with the proposed soft landscaping and central access road
- 1.12 Officers note that there is a heavy use of block paving, particularly on the frontages of the plots. However, given the requirements for parking and the outline approved layout, this approach is perhaps to be expected. Overall, officers consider the proposed landscaping to be acceptable. A suitably worded compliance condition should be applied, should permission be granted, to ensure the landscaping is provided prior to the first occupation of each phase.

Other planning issues

- 1.13 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. Officers note that concern is raised with regards to impacts on residential amenity. Concerns are raised with regards to overlooking and impacts on privacy.

Amenity of neighbouring occupiers

- 1.14 Whilst the overall layout has been determined, as appearance is being considered, things like the placement of windows (not shown previously) could impact upon the amenity of neighbours if incorrectly placed. On the Northern, Eastern and Southern boundaries of the site are residential properties. To the North, 85 Hill House Road and its curtilage abuts the site. To the East, 2a Haythorne Court and its curtilage abuts the site. To the South, 89 Hill House Road and 1 Haythorne Court and their respective curtilages abut the site.
- 1.15 The two units to the rear of the site (plots 2 and 3) would have separation distances between the rear first floor and attic windows and 2a Haythorne Court of 21+ metres, and distances in excess of 7 metres from the rear garden boundaries and the first-floor/loft windows. These distances are in accordance with the SGC residential amenity TAN and the newly adopted household design SPD and therefore indicate that an acceptable level of separation is available to allay any serious/unacceptable overlooking concerns. The addition of accommodation in the roof is noted, however this does not increase the number of storeys beyond 2 and attic accommodation is a commonality in residential urban areas. Had this been considered an issue at outline stage, a condition removing permitted development rights would have been applied.
- 1.16 The front of the plot 2 unit would have a 21-metre separation distance from the rear of no. 85 Hill House Road (a two-storey property) and the plot 3 unit would have a separation distance from the rear of 89 Hill House Road of 27 metres, both distances being acceptable in terms of mitigating unacceptable overlooking impacts and in accordance with the relevant guidance as cited above. Plot 3 has first floor windows, but it is noted that these would serve bathrooms and would therefore be likely to be obscure glazed, however an appropriately worded condition to that effect should be applied in any event, should permission be granted. This recommendation for an obscure glazing condition for side elevation windows should apply to all four units, to avoid any undue overlooking issues with respect to neighbouring properties.
- 1.17 Officers are aware of there being some differentiation between the site level and that of neighbouring properties, however this differentiation is not to an extent that would pose an issue or would warrant an increase in the level of separation that is required.
- 1.18 In terms of overbearing, as the proposal has been accepted in principle in this layout and scale, it is evident that no overbearing concerns were considered to be present at outline stage. In the interest of completeness and full assessment

in this case, officers consider the level of separation to be sufficient to mitigate any overbearing with regards to neighbouring occupiers.

- 1.19 Officers note that the outline consent also contains a condition restricting the hours of working on site, which would need to be complied with. This would help to protect the amenity of neighbouring occupiers during the course of the development being implemented.

Amenity of future occupiers

- 1.20 The fronts of the rear units (plots 2 and 3) are at least 20 metres from the backs of the front units (plots 1 and 4), and between the fronts of the rear units and the rear amenity space of the front units at least 7 metres is available. These distances indicate that the proposal would not present any unacceptable levels of intervisibility between the front and rear units. The layout, separation, and relationship between the four units is such that officers do not consider there to be any overbearing issues within the site.
- 1.21 It is clear that each of the four units would benefit from acceptable living conditions in terms of outlook and light, with all primary rooms having at least one window which is afforded good outlook.
- 1.22 PSP43 submits that 4+ bed dwellings should offer at least 70sqm of private amenity space. Each unit would fall under this requirement. Private amenity space should not include parking and turning areas and front gardens. From the plans, it is evident that each unit would benefit from the required level of private amenity space. That layout and design of the private amenity space is considered acceptable.
- 1.23 Transportation
The outline application determined access; however, it is noted that concerns are raised with regards to access and parking. The parking arrangements have been considered acceptable at outline stage, with condition 7 of the outline consent requiring the access and parking for each phase to be provided in accordance with the then submitted details.
- 1.24 The outline consent required the reserved matters application for each phase to include a plan detailing two secured undercover cycle spaces per phase per condition 8. Refuse collection facilities were also required per condition 9 and facilities for plug in or other ultra-low emission vehicles was also required at reserved matter stage, per condition 10.
- 1.25 The plans indicate outdoor facilities for refuse storage within each curtilage. At the front of the site where the site adjoins Hill House Road is indicated a temporary refuse store, which would allow occupants to place receptacles out in this area on collection days, whilst the receptacles could be stored otherwise within each curtilage.
- 1.26 Each plot would benefit from 2no. secure undercover cycle spaces, with details provided in the form of elevations which are considered acceptable. The plans suggest EV charging for each plot. It is therefore considered that the reserved

matters submission is in accordance with the outline consent, where transportation matters are concerned.

1.27 Condition 7 of the outline consent submits that no dwelling shall be occupied until the access and parking have been provided for each phase. As such, it is not necessary to condition to the provision of parking on this application, should permission be granted. Appropriately worded conditions should however be applied to ensure provision of the cycle parking and EVCP facilities.

1.28 Drainage

Officers note comments from the drainage team in which a SuDS condition is recommended. Condition 14 of the outline consent also required such details to be submitted prior to the commencement of development on site. Given that the outline consent is in effect the overall planning permission for the development and already has the required condition (which would need to be discharged), a SuDS condition on this reserved matters application would not be necessary.

Impact on Equalities

1.29 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.

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

Other Matters

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

Consultations

1.32 Having checked the consultations, officers are satisfied that everyone who should have been consulted, has been.

Previous applications

1.33 Officers note comments regarding previous applications. Whilst a material consideration, ultimately every case stands to be determined on its own merits.

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.
- 6.3 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission is sought for any works to have special regard to the desirability of preserving the listed building or its setting, or any features of special architectural or historic interest in which it possesses. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

7. **RECOMMENDATION**

- 7.1 It is recommended that permission is **GRANTED**, subject to the following conditions:

CONDITIONS

1. Plans Condition

The reserved matters hereby approved shall be implemented in accordance with the following plans:

245 01 - Location and block plan
 245 02 - Existing site plan
 245 04 - Proposed first floor plans
 245 05 - Proposed second floors
 245 06 - Proposed roof plans
 245 11 - Site elevations
 As received 17th February 2021

245 03 - Proposed ground floor plans
 245/07 A - Proposed plans and elevations plot 1
 245/08 A - Proposed plans and elevations plot 2
 245/09 A - Proposed plans and elevations plot 3
 245/10 A - Proposed plans and elevations plot 4
 As received 5th May 2021

Reason
 For the avoidance of doubt

2. Facing Materials

Prior to the commencement of the relevant parts of the development, details/samples of the roofing and external facing materials proposed to be used shall be submitted to

and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To 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.

3. Electric Vehicle Charging / Cycle Parking

The cycle parking as shown on plans 245/07(A); 245/08A; 245/09A and; 245/10A (proposed plans and elevations plot 1;2;3 and; 4 as received 5th May 2021) and electric vehicle charging points as indicated on plan 245 03A (proposed ground floor plans, as received 5th May 2021) shall be provided prior to first occupation of each phase, and shall be retained thereafter.

Reason

In the interest of providing a satisfactory level of secure covered cycle parking and promoting sustainable travel options in accordance with PSP16 and PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. Landscaping

All Hard and soft landscaping shall be implemented in accordance with the details as indicated on the approved plans, in particular, 245 03 A (proposed ground floor plans, as received 5th May 2021). The works shall be carried out in the first planting season following the first occupation of each phase (per approved phasing plan 1803-0L-006 A as received 2nd January 2019 attached to PK18/5362/O, or any subsequent variation) of the development hereby approved.

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.

5. Prior to the first occupation of the dwellings, and at all times thereafter, the proposed first floor windows on the side (North and South) elevations of all dwellings shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed'.

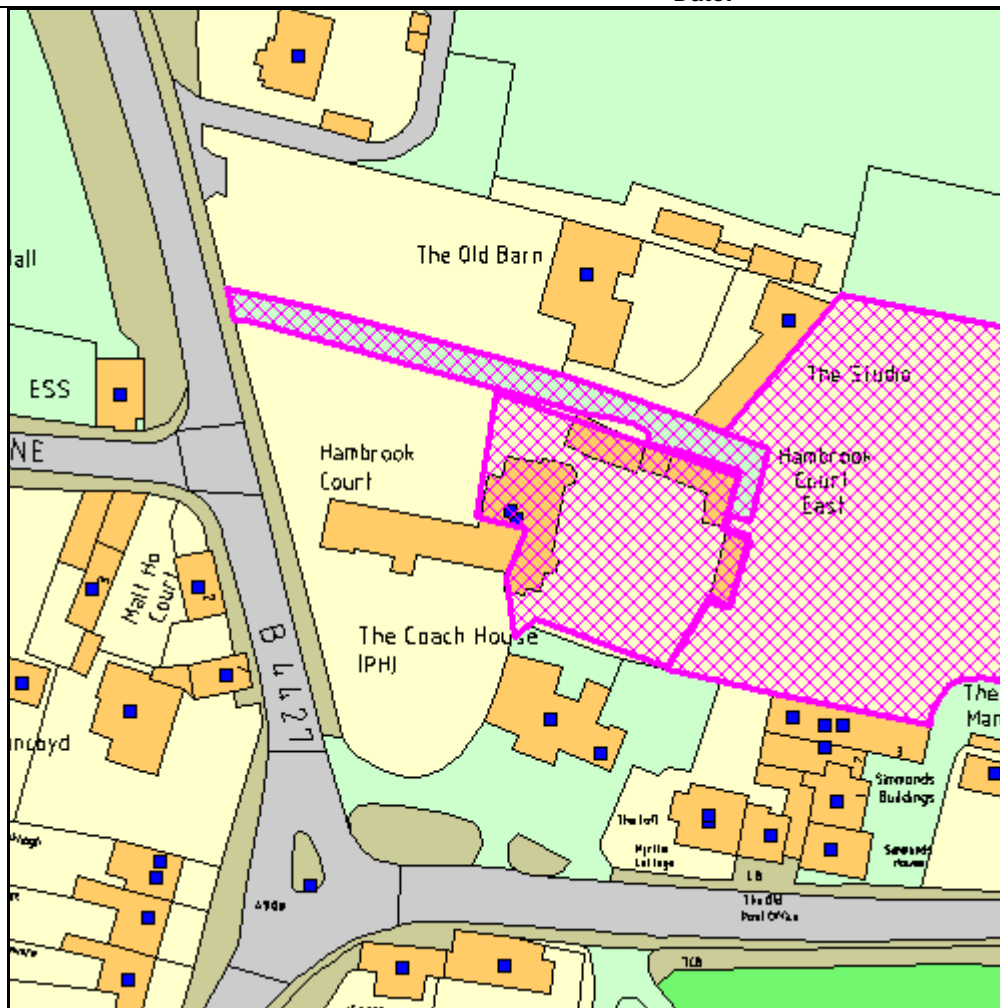
Reason

In the interest of protecting the residential amenities of neighbouring occupiers in accordance with PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P21/01045/LB	Applicant:	Mr Harry Evans
Site:	Hambrook Court East Bristol Road Hambrook South Gloucestershire BS16 1RY	Date Reg:	5th March 2021
Proposal:	Amendments to P20/01679/LB to accommodate Pool House dehumidifier store to driveway side, and change existing Pool house utility room door to a window.Variation of condition 2 (list of plans) attached to planning applications P20/01714/F to amend the plans to accommodate Pool House dehumidifier store to driveway side, and change existing Pool house utility room door to a window, retention of french doors and repositioning of main entrance and amendments to an element of the roofing material- (P20/01679/LB -Internal and external alterations to include the demolition of the existing side extension/conservatory and erection of replacement single storey side extension with link extension between dwelling and outbuilding. Blocking up of existing entrance door and creation of new entrance with canopy over. Replacement of all windows. Demolition of internal walls and creation of new partitions, installation of replacement staircase from ground to first floor. Replacement of tiled roof above entrance hall with lead roofing and installation of 2 no. roof lanterns).	Parish:	Winterbourne Parish Council
Map Ref:	364158 179043	Ward:	Winterbourne
Application Category:	Minor	Target Date:	30th April 2021



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 100023410, 2008. N.T.S. **P21/01045/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.

INTRODUCTION

This application appears on the Circulated Schedule as it is being considered with the a full application (Ref. P20/22583/RVC), for which it has been necessary to report to the Circulated Schedule, due to consultation responses received.

1. THE PROPOSAL

1.1 This application is submitted as a Listed Building application to vary details previously approved. The details are contained in plans listed in condition 2 (listed plans) of permission ref. P20/01714/F. That permission was for the erection of a single storey side extension to form additional living accommodation, erection of link extension to facilitate conversion of existing garage to pool house and the erection of a replacement building to the east to form garage.

1.2 The condition (2) that is sought to be varied states:
The development hereby approved shall be carried out in accordance with the following plans:
 010 Location and Site Plan
 011 Site Imagery

013 Basement Plan Existing
 014 Ground Floor Plan Existing
 015 Outbuilding Ground Floor Plan Existing
 016 First Floor and Second Floor Plan Existing
 017 East Existing
 018 West Elevation Existing
 019 North/South Elevation Existing
 020 Outbuilding North Existing
 022 HCE Section AA Existing
 023 Ground Floor Appraisal
 024 First and Second Floor Appraisal
 025 Barn Plan and Elevations Existing REVA
 026 Annex Elevations Existing
 027 Sliding Sash Timber Windows Details Existing
 028 Sliding Sash Timber Windows Elevation Existing
 029 Sliding Sash UPVC Window Details Existing
 030 Sliding Sash UPVC Window Elevations Existing
 031 Main Staircase Existing
 033 Basement Plan Proposed
 035 Outbuilding Ground Floor Plan Proposed REVB

041 Outbuilding South Proposed REVA
 046 Casement Window Details Proposed
 047 Casement Window Details Proposed
 048 Sliding Sash Window Details Proposed
 049 Sliding Sash Window Details Proposed
 050 Main Staircase Proposed
 051 Main Staircase Proposed Details
 052 Extension Details Proposed
 053 Doors Internal Proposed
 054 Doors External Proposed
 055 Proposed Kitchen Update
 received by the Council on the 30th January and 7th February 2020
 and

012 Site Roof Plan Existing REVA
 021 Outbuilding South Elevation Existing REVA
 032 Site Roof Plan Proposed REVB
 034 Ground Floor Plan Proposed REVB
 036 First and Second Floor Plan Proposed REVA
 037 East Elevation Proposed REVB
 038 West Elevation Proposed REVB
 039 North South Elevations Proposed REVB
 040 Outbuilding North Elevation Proposed REVB
 042 HCE Section AA Proposed REVB
 044 HCE Barn Plan Elevations Proposed REVB
 received by the Council on the 13th May 2020.'

- 1.1 This Listed Building application seeks to make revisions to the previous consent and to substitute the above approved plan numbers as follows:
- 032 D Site and Roof Plan Proposed
 - 034 C Ground Floor Plan Proposed

- 035 C Outbuilding Floor Plans Proposed
- 036 B First and Second Floor Plan Proposed
- 037 D East Elevation – Proposed
- 038 C West Elevation - Proposed
- 040 C North and South Elevations - Proposed

- 1.2 The main changes these within these further plans are considered to be:
 - Updated plans to accommodate Pool House dehumidifier store to driveway side, and an existing door to be changed to a window in the utility room of the Pool House and the addition of conservation glazing bars to the approved Velux windows of the pool room, retention of French doors and relocation of main entrance, and replacement roofing material to the entrance hall and kitchen extension.
- 1.3 The site is Hambrook Court East. The building is Grade II Listed. The site is within Hambrook Conservation Area and is located within the Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

Planning (Listed Building and Conservation Area) Act 1990
 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
 CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017
 PSP1 Local Distinctiveness
 PSP17 Heritage Assets and the Historic Environment
 PSP19 Wider Biodiversity

3. RELEVANT PLANNING HISTORY

- 3.1 DOC20/00282 – Design and details, pursuant to condition 3 of P20/01679/LB. Discharged 1/12/20

P20/22583/RVC - Variation of condition 2 (list of plans) attached to planning applications P20/01714/F to amend the plans to accommodate Pool House dehumidifier store to driveway side, and change existing Pool house utility room door to a window, retention of french doors and repositioning of main entrance and amendments to an element of the roofing material- (P20/01714/F - Erection of single storey side extension to form additional living accommodation, erection of link extension to facilitate conversion of existing garage to pool house. Erection of a replacement building to the east to form

garage). - Application under consideration concurrently with this application.

P21/01045/LB - Amendments to accommodate Pool House dehumidifier store to driveway side, and change existing Pool house utility room door to a window. Application under consideration concurrently with this application.

P20/01679/LB - Internal and external alterations to include the demolition of the existing side extension/conservatory and erection of replacement single storey side extension with link extension between dwelling and outbuilding. Blocking up of existing entrance door and creation of new entrance with canopy over. Replacement of all windows. Demolition of internal walls and creation of new partitions, installation of replacement staircase from ground to first floor. Replacement of tiled roof above entrance hall with lead roofing and installation of 2 no. roof lanterns. Approved 24.07.2020.

P20/01714/F - Erection of single storey side extension to form additional living accommodation, erection of link extension to facilitate conversion of existing garage to pool house. Erection of a replacement building to the east to form garage. Approved 24.07.2020

P85/2362 - Alterations and extensions to facilitate change of use to form two self-contained dwelling units (in accordance with the amended plans received by the Council on 4th October 1985). Approved 20.11.1985.

P85/2363/L - Alteration and extension to facilitate change of use to form two self-contained dwelling units (in accordance with the amended plans received by the Council on 4th October 1985). Approved 20.11.1985.

Numerous historic permissions and listed building consents for alterations, extensions and outbuildings.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council
No objection

4.2 Listed Building/Conservation Officer
Following confirmation of the scope of amendments being sought in an email from the applicant's agent dated 29/04/21, there are no objections to the proposed amendments.

Other Representations

4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The National Planning Policy Framework seeks to ensure the desirability of sustaining and enhancing the significance of heritage assets. Section 16(2) of

the Planning (Listed building and conservation area) act 1990 states that when determining a listed building application the local planning authority shall have special regard to the desirability of preserving the building or its setting and any features of special architectural or historic interest which it possesses.

- 5.2 There is a duty placed on the Council under s16 of the Planning (Listed Buildings and Conservation Areas) Act to pay special regard to the preservation of the building or its setting. Furthermore, it has a duty under s72 of the Act to pay special attention to the preservation or enhancement of the character of the surrounding conservation area.
- 5.3 The principle of the overall proposals are established. The issue for consideration therefore is whether the changes highlighted above, through the substitution of certain plans, raise any further issues or give rise to different considerations.
- 5.4 Conservation Area/Listed Building Considerations - Design/Visual Amenity
The proposals incorporate some relatively minor changes through altering a door to a window. A relatively small dehumidifier enclosure is also proposed on the side of the pool house. This will be constructed in stone to match the buildings and it is considered that there is sufficient details to view this modest structure. The addition of conservation glazing bars to the approved Velux windows of the pool room and change from a door to a window on the west elevation is considered acceptable. Other changes are the retention of french doors and repositioning of the main entrance and amendments to an element of the roofing material on the entrance hall and kitchen extension with the use of Greencoat PLX finish to replace those areas previously proposed as rolled lead. These proposals are not considered to fundamentally alter or materially detract from the approved scheme. The varied scheme is considered acceptable and does not raise any material or additional issues and the proposals are considered acceptable in their own right in this respect. There are no listed building objections to the proposals.
- 5.4 In the consideration of the application, it is therefore considered that the Council's statutory duties have been fulfilled.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That Listed Building Consent is granted, subject to the conditions recommended.

CONDITIONS

1. The works hereby permitted shall be begun before the 24th July 2023.

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

010 Location and Site Plan
 011 Site Imagery
 013 Basement Plan Existing
 014 Ground Floor Plan Existing
 015 Outbuilding Ground Floor Plan Existing
 016 First Floor and Second Floor Plan Existing
 017 East Existing
 018 West Elevation Existing
 019 North/South Elevation Existing
 020 Outbuilding North Existing
 022 HCE Section AA Existing
 023 Ground Floor Appraisal
 024 First and Second Floor Appraisal
 025 Barn Plan and Elevations Existing REVA
 026 Annex Elevations Existing
 027 Sliding Sash Timber Windows Details Existing
 028 Sliding Sash Timber Windows Elevation Existing
 029 Sliding Sash UPVC Window Details Existing
 030 Sliding Sash UPVC Window Elevations Existing
 031 Main Staircase Existing
 033 Basement Plan Proposed
 041 Outbuilding South Proposed REVA
 046 Casement Window Details Proposed
 047 Casement Window Details Proposed
 048 Sliding Sash Window Details Proposed
 049 Sliding Sash Window Details Proposed
 050 Main Staircase Proposed
 051 Main Staircase Proposed Details
 052 Extension Details Proposed
 053 Doors Internal Proposed
 054 Doors External Proposed
 055 Proposed Kitchen Update
 received by the Council on the 30th January and 7th February 2020
 and
 012 Site Roof Plan Existing REVA
 021 Outbuilding South Elevation Existing REVA
 039 North South Elevations Proposed REVB
 042 HCE Section AA Proposed REVB
 044 HCE Barn Plan Elevations Proposed REVB
 received by the Council on the 13th May 2020,

and:

035 Outbuilding Ground Floor Plan Proposed REVC

038 West Elevation Proposed REVC
 040 Outbuilding North Elevation Proposed REVC
 received by the Council on the 12th November 2020

and:

032 D Site and Roof Plan Proposed
 034 C Ground Floor Plan Proposed
 036 B First and Second Floor Plan Proposed
 037 D East Elevation - Proposed
 received by the Council on the 31st March 2021

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).

3. Sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

4. The development shall be completed strictly in accordance with the agreed details of the detailed design of the following items:
 - a. All new windows and fixed glazing (including cill, head, reveal and glass details)
 - b. Rooflights (patent glazing)
 - c. Roof lanterns
 - d. All new external doors (including frames and furniture)
 - e. All new vents and flues

- submitted to and approved in writing by the Local Planning Authority under reference DOC20/00282, pursuant to condition 3 of P20/01679/LB.

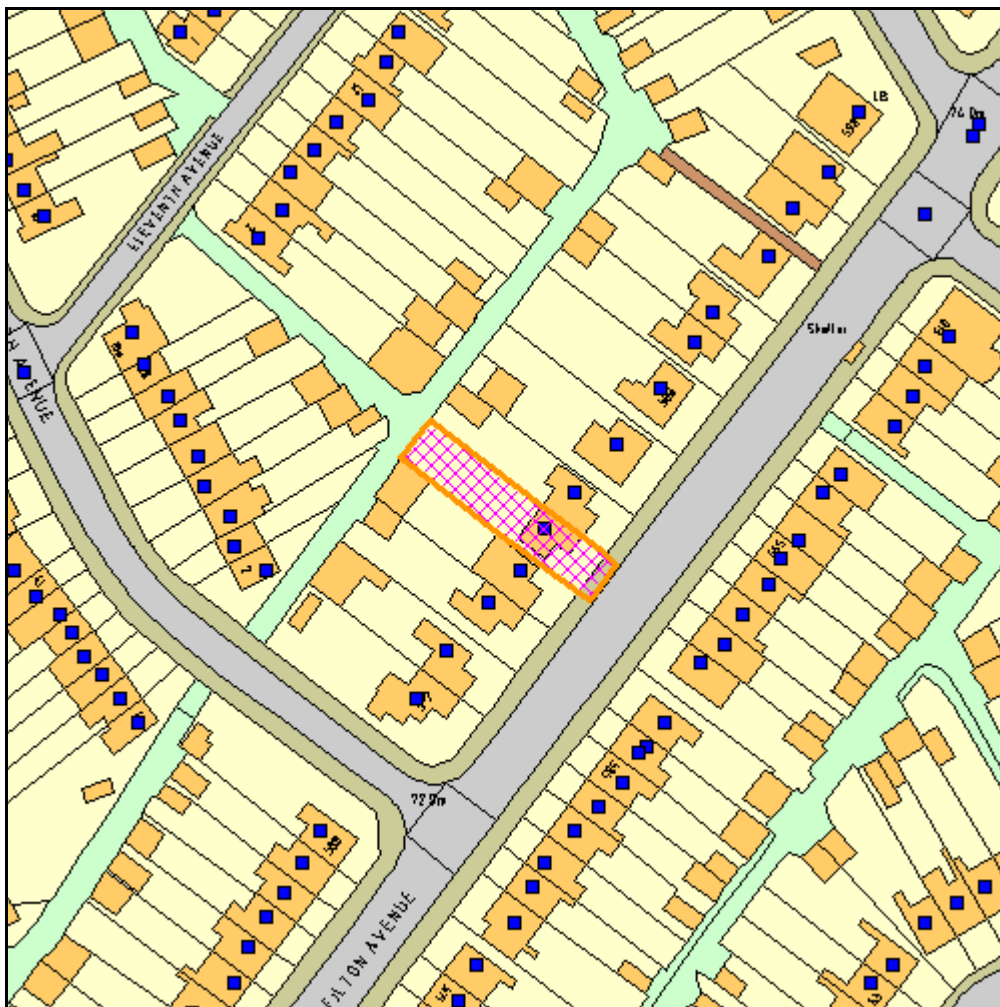
Reason:

In order to ensure 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, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

Case Officer: Simon Ford
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P21/01207/F	Applicant:	Ms Baili Yang
Site:	580 Filton Avenue Horfield South Gloucestershire BS7 0QQ	Date Reg:	12th March 2021
Proposal:	Erection of single storey front extension to form additional living accommodation. Alterations to roofline to facilitate loft conversion. Creation of vehicular access.	Parish:	Filton Town Council
Map Ref:	360651 178385	Ward:	Filton
Application Category:	Householder	Target Date:	5th May 2021



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P21/01207/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 a local member which although does not explicitly object, could be construed as such.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey front extension and alterations to the roof line to facilitate a loft conversion. The proposal also includes creation of a vehicular access on to Filton Avenue, a classified C road.
- 1.2 The application site is a semi-detached bungalow the fronts on to Filton Avenue and is within the North Fringe of Bristol Urban Area.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT13/2913/PNH (no objection 13/09/2013):
Erection of single storey rear extension which will extend beyond the rear wall of the original house by 3.25 m the maximum height would be 3.5 m and for which the height of the eaves would be 2.9 m.

4. **CONSULTATION RESPONSES**

- 4.1 Filton Town Council
No comments have been received.

- 4.2 Sustainable Transport
Adjustments needed regarding the front parking proposal.

Updated comments:

No objection; informative.

- 4.3 Tree Officer
There is a Cedar tree on the front which has been subject to inappropriate management and not therefore a constraint to development or appropriate for a TPO. The tree is showing as retained so it would be in the interest of the applicant to protect the tree, alternatively they might like to consider replacing the tree.

- 4.4 Local Residents
No comments have been received from residents.

1no. representation neither objecting nor supporting the application has been received from Local Member, Cllr Chris Wood, stating concern regarding the impact of an additional bedroom without additional parking which may breach parking SPD.

5. **ANALYSIS OF PROPOSAL**

- 1.1 The proposal seeks to erect a single storey front extension with alterations to the roof line to facilitate a loft conversion. The proposal also includes creation of a vehicular access.

- 1.2 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.

1.3 Design and Visual Amenity

The host property is a semi-detached bungalow which has spar rendered elevations, hipped double roman tiled roof, quoin details and single front bay window. At present, the bungalow has a side projection of c.2.7 metres, with the total width of the bungalow being c.6.9 metres. This side projection is set back from the rest of the principal elevation by c.1.8 metres and down from the higher part of the ridge by c.800mm and is understood to be part of the original property. What is proposed would essentially see the front of the side projection be brought flush with the rest of the principal elevation. The roof ridge of the side projection would be raised to match the main ridge, by c.800mm. This would allow the creation of a third bedroom in the loft space. No dormer windows are proposed, though 1no. front and 1no. rear rooflight would be installed. The works to create an access at the front would require the removal of part of the front boundary wall.

- 1.4 What is proposed is for all intents and purposes almost identical to what has been done to the attached neighbouring property. In that respect, the proposal would have the effect of re-balancing the existing frontage. The alteration would appear appropriately in accordance with the design cues of the existing property and would present a design that can be considered to be suitably in keeping with the character of the host property and street scene. The partial removal of the front boundary wall would be to a degree regrettable, however it is acknowledged that it is necessary to create the access, as has been done on both neighbouring properties.

1.5 Residential Amenity

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

- 1.6 The increase in ridge height of the existing side projection would not present any material overbearing or overshadowing concerns. The rooflights would not present any degree of overlooking that would be considered unacceptable in nature. The property would continue to benefit from a sufficient level of private amenity space (excluding parking areas), should permission be granted. The creation of an access would also not present any material residential amenity concerns.

1.7 Parking Standards

PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand. PSP11 permits development that generates

demand for travel in principle where (inter alia) appropriate, safe, accessible, convenient, and attractive access is provided for all mode trips and where new transport related infrastructure would not create or exacerbate traffic congestion or have an unacceptable impact on highway and road safety.

- 1.8 At present, the property has 2 bedrooms, which has a parking requirement of 1no. space. There is space to the rear of the back garden for parking, which is accessed from an unmade access road serving the rear of the site and adjacent properties, accessed from Tenth and Eleventh Avenue. This rear hardstand is sufficient in space to provide parking for at least 1no. vehicles. A further space is provided to the front, to be served by the proposed access.
- 1.9 The access would be on to Filton Avenue, a 30mph road that is residential in nature. Given this, it is not considered necessary to require facility for vehicles to turn and exit in a forward gear. No safety concerns with the access have been raised by the transport officers.
- 1.10 The space served by the access would be parallel to the property. Whilst this is not the most preferable arrangement, it is noted that both neighbouring properties have this kind of space and access. The highways officer raises no objections to this, subject to some adjustments, which have been secured during the course of the application.
- 1.11 Subject to a condition ensuring the parking is provided in accordance with the approved plans, officers consider the proposal to be acceptable in terms of parking and access, with the level of parking fully compliant with PSP16 and the associated residential parking standard SPD.
- 1.12 Trees
There is a cedar tree on the frontage, however as noted by the tree officer this has been subject to inappropriate management and is not worthy of a TPO and would not be a constraint to development due to its low quality. Officers note that the plan suggests it is to be removed, which given its lack of protection and low quality, there is no objection to. In this case, given the garden nature of the tree, whether or not to replace it elsewhere is something left for the applicant to determine on this occasion and a condition to that effect is not considered necessary or reasonable.

Impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that permission is **GRANTED** subject to 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 development shall be implemented in accordance with the following plans:

Sheet 2 - Existing and proposed elevations

Sheet 1 - Existing and proposed ground floor plans

Sheet 3 - Existing and proposed loft plans

Received 08/03/2021

Site location plan

Received 10/03/2021

Sheet 4 - block plan

Received 28/04/2021

Reason

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

3. The parking and access arrangements shall be implemented to provide 2no. off street parking spaces as indicated on plan: Sheet 4 (received 28/04/2021, Proposed block plan) prior to the substantial completion of the extension hereby approved.

Reason

In the interests of highway safety and to ensure a satisfactory level of parking provision in accordance with PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

Case Officer: Alex Hemming

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	P21/01951/TRE	Applicant:	Wright Silverback
Site:	Lyndhurst High Street Tormarton South Gloucestershire GL9 1HZ	Date Reg:	23rd March 2021
Proposal:	Works to fell 1 no. Atlas Blue Cedar as covered by Tree preservation order SGTPO 35/16 dated 14th February 2017.	Parish:	Tormarton Parish Council
Map Ref:	376779 178798	Ward:	Boyd Valley
Application Category:		Target Date:	14th May 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 REPORTING TO THE CIRCULATED SCHEDULE/COMMITTEE

This application is referred to the Circulated Schedule as comments have been received that are contrary to the Officer's recommendation.

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

1. THE PROPOSAL

1.1 Works to fell 1 no. Atlas Blue Cedar as covered by Tree preservation order SGTPO 35/16 dated 14th February 2017.

1.2 Lyndhurst, High Street, Tormarton, GL9 1HZ

2. POLICY CONTEXT

2.1 National Guidance

- i. The Town and Country Planning Act 1990
- ii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. RELEVANT PLANNING HISTORY

3.1 PK16/4354/TCA - Decision: SPLT, Date of Decision: 31-AUG-16, Proposal: Works to fell 1no Blue Spruce tree and 1no Weeping Beech tree situated within Tormarton Conservation Area.

3.2 PK10/2688/TCA - Decision: NOB, Date of Decision: 10-DEC-10, Proposal: Works to remove 1no. Salix tree, reduce 1no. Acer psuedoplatanus (purpurea) tree by 30%, reduce 1no. Acer psuedoplatanus tree by 50%, reduce 1no Quercus Ilex tree by 25%, reduce 1no. Laurel tree by 30% and coppice 1no Holly tree in the Tormarton Conservation Area

4. CONSULTATION RESPONSES

4.1 Tormarton Parish Council

Tormarton Parish Council wish to express their support of this planning application. The Parish Council feel the proposed tree replacements are adequate and would like to acknowledge the exemplary way in which the applicants have gone about this application

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Works to fell 1 no. Atlas Blue Cedar

5.2 Principle of Development

The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.

5.3 Consideration of Proposal

The tree in question is a young Blue Atlas Cedar standing at approximately 10m in height and located in the front garden of the property. The tree borders the main road running through Tormarton and has very high amenity value. At the time of my site visit, I saw no defects that would require immediate removal of the tree however, there were signs of historic branch failure, typical of the species.

One reason given for removal, which was also been submitted in a previous application (PK16/4354/TCA), is in relation to how much shade is cast by the tree. While I acknowledge this, there is no inherent right to light and therefore, it is not considered to be sufficient reasoning for the removal of a protected tree. Furthermore, there are many other trees in the plot that also cast shade and have not been applied for. In comparison to the neighbouring Acer, the cedar is fairly modest in size.

It is also considered that if shade is an issue, then it would not be logical to plant more trees as mitigation. This would result in the site becoming dense with foliage, less light, more shade and more debris. The planting of more trees is positive however, it would be contrary to the aim of the application.

Within the arb report, it discusses the future impact of routine maintenance and the cost that is involved with such works, and that it would create a constraint on the tree owner. It is considered that when moving into a house with trees, it would be reasonable to assume that there would be some management responsibility for the tree. Similarly in the same vein as routine house maintenance.

TPO's do not get in the way of reasonable and justified tree works. After visiting the tree, I would agree that some pruning could be undertaken to lift the trees canopy over the road. I do not believe it would be reasonable to fell the tree and lose the amenity provided by the tree in lieu of some minor pruning.

In conclusion, there is insufficient justification presented for the removal of the protected tree.

6. **RECOMMENDATION**

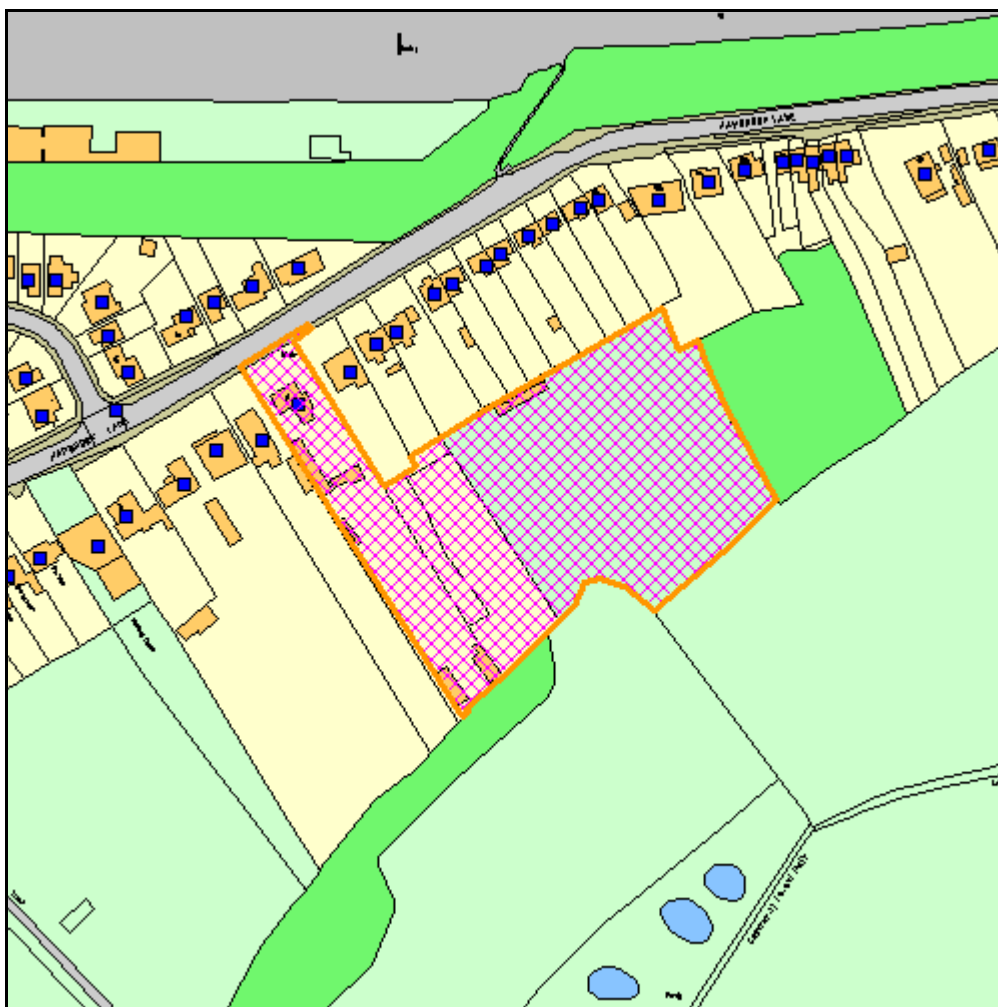
6.1 **REFUSE**

Case Officer: Ben Wainhouse

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 18/21 -7th May 2021

App No.:	PT17/2490/F	Applicant:	Yarlington Homes Ltd
Site:	14 Hambrook Lane Stoke Gifford Bristol South Gloucestershire BS34 8QB	Date Reg:	12th July 2017
Proposal:	Partial demolition of no. 14 Hambrook Lane to facilitate the erection of 31no. dwellings with new access, parking, landscaping and associated works.	Parish:	Stoke Gifford Parish Council
Map Ref:	362734 179432	Ward:	Frenchay And Stoke Park
Application Category:	Major	Target Date:	2nd October 2017



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PT17/2490/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.

INTRODUCTION

On 15th October 2020 the Development Management Committee resolved to give consent subject to the signing of a Section 106 Agreement and conditions (PT17/2490/F) for the:

Partial demolition of no. 14 Hambrook Lane to facilitate the erection of 31no. dwellings with new access, parking, landscaping and associated works.

Included within the recommendation, Para 7.3 of the report was set out follows:

It is recommended that should the Agreement not be completed within 6 months of the date of the resolution to grant planning permission, the application shall:

- (i) be returned to the Circulated Schedule for further consideration; or,*
- (ii) that delegated authority be given to the Director or Environment and Community Services to refuse the application.*

A request has been received to extend the time needed to complete the Legal Agreement by a further 3 months and therefore in accordance with 7.3 (i) above the application is returned to the Circulated Schedule for Members to consider.

The original report including the S106 provisions is included as Appendix 1 below.

RECOMMENDATION

That a limited period of additional time until 6th August 2021 is given.

Appendix 1

INTRODUCTION

This application was referred to the circulated schedule as comments were received contrary to the officer recommendation.

Subsequently the report was referred to the Development Management Committee by Councillor Brown for the following reasons:

Over development with no infrastructure in place to deal with the proposed additional properties. Strong concerns once again expressed about the potential for significant increases in the number of motor vehicles placed upon Hambrook Lane and neighbouring roads, especially at peak times. Concerns also expressed about noise and air pollution, along with the general impact on residential amenity. Council note the large amount of objections submitted online by residents. As the name implies this is an old village lane and will need considerable road structure improvement before adding additional traffic.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of 31 dwellings on land to the south of Hambrook Lane in Stoke Gifford. Access to the site would be provided between the existing buildings at nos. 14 & 16 and part of no.14 would need to be demolished to facilitate this. On entry into the site, there would be a 'quad' of development with housing around a square. To the east of this, the development provides in effect a cul-de-sac.
- 1.2 The application site is within the defined North Fringe of Bristol. It is adjacent to (but excluded from) the strategic housing allocation of East of Harry Stoke.
- 1.3 Given the site's location, abutting the strategic allocation, one of the major factors in the determination of this application has been ecology as there is a population of great crested newts within the strategic allocation. Another major issue was sustainable transport as one of the logical routes from the strategic housing allocation to existing infrastructure (such as Bristol Parkway) would be through this site – or others like it – onto Hambrook Lane. However, the capacity of Hambrook Lane to accommodate additional vehicular traffic is beginning to reach the stage where this could be a constraint to development.
- 1.4 As the site is not within the strategic allocation, the development would be CIL liable.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS24	Green Infrastructure, Sport and Recreation Standards
CS25	Communities of the North Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP2	Landscape

PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP37	Internal Space Standards
PSP43	Private Amenity Space Standards
PSP44	Open Space, Sport and Recreation

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007
 Residential Parking Standard SPD (Adopted) December 2013
 Affordable Housing and ExtraCare SPD (Adopted) May 2014
 Renewables SPD (Adopted) November 2014
 Landscape Character Assessment SPD (Adopted) November 2014
 CIL and S106 SPD (Adopted) March 2015
 Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. **RELEVANT PLANNING HISTORY**

- 3.1 There is no relevant planning history although the proposal was subject to pre-application discussion which resulted .

4. **CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council
 Objection: congestion on Hambrook Lane; impact on residential amenity (through traffic); alternative access should be provided through new neighbourhood.
- 4.2 Winterbourne Parish Council (adjoining parish)
 Objection: traffic; impact on biodiversity; unresolved issues

Internal Consultees

- 4.3 Archaeology
 No objection subject to condition
- 4.4 Arts and Development
 Public art should be secured through condition
- 4.5 Conservation
 No comment
- 4.6 Ecology
 No objection subject to condition

- 4.7 Environmental Protection
Conditions applied with regard to construction sites and contamination
- 4.8 Highway Structures
No comment
- 4.9 Housing Enabling
Affordable housing should be provided. Issues over shared ownership mix, design standards, and wheelchair provision
- 4.10 Landscape
Development could harm character of area; no details of tree protection; concern over area of public open space
- 4.11 Lead Local Flood Authority
No objection; request SUDS condition
- 4.12 Public Open Space
Concern over specification of public open space provision and retaining features
- 4.13 Sustainable Transport
Concern over gradient of road; comments over layout; comments regarding parking; travel plan recommended (subject to financial contribution and therefore should be secured through S106)
- 4.14 Trees
Detailed arboricultural information is required
- 4.15 Waste
No objection, minor comments in relation to bin storage location

Statutory / External Consultees

- 4.16 Avon and Somerset Constabulary
No objection
- 4.17 Wessex Water
Objection. Sewer is unable to accept further connections until downstream capacity improvements have been made

Other Representations

- 4.18 Local Residents
48 comments of objection have been received which raise the following matters:
- Additional traffic/ impact on Hambrook Lane
 - Concern over quality of survey work
 - Development at no.10 refused
 - Development would be isolated from rest of strategic development
 - Drainage concerns

- Garden grabbing
- Impact on biodiversity
- Impact on existing community
- Impact on property value
- Impact on residential amenity
- Impact on trees
- Increased noise
- Lack of consultation
- Level of development already permitted in locality
- No local desire for more houses
- No real changes from revisions to proposals
- Pressure on local services
- Previous applications failed in High Court
- Site topography difficult
- Too many houses proposed

5. **ANALYSIS OF PROPOSAL**

5.1 Planning permission is sought for the erection of 31 dwellings in Stoke Gifford.

Principle of Development

5.2 The site is within the defined urban area. Under policy CS5, development is directed to the existing urban areas and defined settlements. In locational terms, the proposal accords with the adopted development strategy. However, the site is not an allocated site for housing. Any housing which was to come forward as a result of this development would be 'windfall' housing. Windfall housing makes a valuable contribution to the overall supply of housing within the District.

5.3 This development would not conflict with the council's locational strategy – as the Development Plan does not seek to restrict housing in this location; it would provide additional housing which would assist in meeting general housing needs across the district.

5.4 In summary, the principle of development is established as acceptable. The proposal should therefore be considered on site specific factors as set out below to assess whether planning permission should be given.

Design

5.5 This is a full application; detailed designs of the proposed dwellings and the proposed layout have been submitted for consideration.

Character and Appearance

5.6 Hambrook Lane sits in an elevated position over what is currently open fields with views towards the Cotswolds Escarpment in the far distance; there is an approximate 5.5 metre fall between the north and south of the site. This situation will change when the housing allocation is built out as the open sense of space to the south of the site will become developed and sub-urban in

nature. The built form along Hambrook Lane is varied in size and style with a variety of housing types of different ages. It has no clearly distinct architectural style or form but nonetheless has a pleasant appearance to it.

- 5.7 The proposed development would have little interaction with the street scene of Hambrook Lane. It could be described as 'backland' development although it would be an unfair portrayal given the extensive planned development for the whole area between Hambrook Lane and the M4 and M32 motorways and the A4174 Avon Ring Road.
- 5.8 In terms of its planned appearance, the proposal would result in the formation of a rather standard modern residential estate. Its architecture is simple in nature with limited or plain ornamentation. While policy PSP1 seeks to promote local distinctiveness, Hambrook Lane does not have a particularly defined character and the new residential development from the early-2000s development at 'Harry Stoke 1' is of its self a simple, modern, residential estate.
- 5.9 Given its location and context, the proposed development is considered acceptable. The layout indicates that the proposal would have its own character rather than a strong interaction with Hambrook Lane. In terms of appearance, while it cannot be said to be innovative or particularly distinctive, it equally cannot be considered to be of poor design as there are many examples of similar properties nearby or planned in the area.

Layout and Density

- 5.10 The layout is compact in nature; it appears to make good use of the site. In terms of density the proposal equates to 28.4 dwellings per hectare although this includes the access road so the density of developed area of the site will be higher.
- 5.11 The entrance to the site is relatively long, and descends the slope to an area of open space. This provides the 'quad'. From here, a future access to the strategic housing allocation is proposed to encourage walking and cycling in the wider area; the delivery of that link would, however, be dependent on future development to the south. A row of houses follow the back of the existing properties along Hambrook Lane. There would be some terracing of the rear gardens. In front of this to the eastern side of the site is a cul-de-sac of housing which also provides a potential future link (for pedestrians and cyclists only) into the nearby planned housing development; again, subject to that development coming forward.
- 5.12 In layout, the proposal provides a strong sense of enclosure from within the scheme and well defined boundaries. Along the southern and eastern boundaries, provision has been made for land to be set aside for newt friendly environments. Internally, the properties are positioned close to the roads which also adds to the compact and tight character of the development identified earlier.

- 5.13 In form, there is a mix of detached and semi-detached properties. The dwellings will all be two-storeys in height with single storage garages. The form and scale of development is appropriate for the site and its context, particularly given the changing ground levels across the site.

Residential Amenity

- 5.14 Development should not have an adverse impact on the amenities of nearby occupiers or provide less than satisfactory living conditions to future occupiers.
- 5.15 The most significant impact on existing properties would be felt by nos.14 & 16 Hambrook Lane. The access road would run between these properties and in close proximity to the flank wall of no.14 itself. This would have an impact on the amenity enjoyed by that property. It certainly is very different to the amenities currently enjoyed. However, while there would be harm to the amenity offered to no.14, it is of moderate weight. The property retains a good sized rear garden and therefore it is likely that most impacts could be mitigated through physical intervention. Nevertheless, a moderate harm to amenity of that property should still be entered into the overall planning balance.
- 5.16 The gardens provided to the proposed properties are of various sizes with varying topography, orientation, and outlook. The proposed gardens are considered to be sufficient to provide adequate levels of amenity to the future occupiers of the dwellings. With perhaps the exception of plots 7 and 8, there are none that appear small. It would appear that those two properties have been disadvantaged by the need to provide a suitable ecological corridor. While these properties have smaller gardens, to some occupiers that is a benefit. It is not considered that these properties would have unsatisfactory outdoor amenity space.
- 5.17 Along the northern boundary, a number of plots are terraced into the land. This means that some of the ground floor windows in the rear elevations would have a limited outlook. There is no built form in close proximity to the site boundary. Therefore, although the outlook may be limited it is not expected to be oppressive or lead to a prejudicial impact on the amenity that may be enjoyed by these properties.
- 5.18 The positioning and layout of the properties make it unlikely that there would be amenity concerns arising from overlooking, overshadowing, or overbearing impacts. The analysis has concluded that the proposal is acceptable with regard to the amenity offered to the proposed dwellings.

Natural and Historic Environment

- 5.19 Natural environment considerations cover: landscape and trees; ecology and biodiversity; drainage and water management; and, environmental effects. Historic environment considerations relate to archaeology.

Landscape and Trees

- 5.20 The landscape officer seeks to protect the green and vegetated nature of the Hambrook Lane ridgeline as it would provide some separation and relief from the planned strategic development on the south. Previous landscape

assessment concluded that the ridge should remain undeveloped to provide relief within the landscape.

- 5.21 A number of landscaping suggestions have been made by the landscape officer. Greater detail on landscaping could be achieved through the use of an appropriate planning condition. Comments made about the stark nature of the access are fully accepted; it is agreed that the access provides little opportunity for softening with appropriate planting. This is a design harm that would result from the development and given that it effects the access – the point at which all persons going to the development will pass – it is a moderate harm. This will be weighed in the overall planning balance.
- 5.22 Mitigation for any impact on trees can be secured through the use of appropriate planning conditions. While it is desirable for prominent trees in the landscape to be preserved, a balance must be drawn between the benefit of additional housing in a sustainable location and the impact on the landscape.

Ecology and Biodiversity

- 5.23 There has been significant delay in the determination of this application so adequate provision could be made for biodiversity measures. As stated, the site is next to a large housing allocation. As part of that allocation, provision is required for newt friendly habitat – the existing population of newts would need to be relocated. To ensure that newts can freely move around the site, corridors and habitat should be created. Although this site is outside of the allocation, the provision of newt corridors is required to feed into the overall mitigation scheme. Advice has been sought from the regulatory body as to the details of the mitigation scheme. This process has been far longer than initially envisaged. The basics of the strategy – if not the finer detail – have been established – if not endorsed. It is therefore possible to give the mitigation some weight and move forward with the determination of the current application.
- 5.24 Subject to the provision of the identified ecological corridors and a scheme of ecological and biodiversity improvement, the development is not considered to have a harmful impact on ecology and local biodiversity.

Drainage

- 5.25 Drainage is a concern in the locality. The statutory undertaker has raised an objection to the proposal as improvements are needed to the sewer network. It is a matter for the statutory undertaker as to whether they accept any additional connections into their infrastructure and works have been and are being undertaken in and around the wider area to improve capacity.
- 5.26 Technical queries remain with regard to the drainage and the surface water discharge (which is indicated to be over third party land). Overall, these are not insurmountable and could be controlled through the use of a SUDS condition.

Environmental Effects

- 5.27 The development would not in itself result in additional environmental effects. While the proposal would now be subject to policy PSP6, given the date of submission this policy has not been applied.

Archaeology

- 5.28 An archaeological desk based assessment supports this application. The assessment provides good background information as to the likelihood of in situ archaeological remains being present. On the basis of this information, archaeology can be preserved subject to a watching brief secured by condition.

Social Considerations

- 5.29 Social considerations have a relatively wide scope. However, as this site is within the urban area where residential development is acceptable in principle they are limited to the provision of affordable housing and public open space.

Affordable Housing

- 5.30 The development triggers a requirement to provide affordable housing in line with policy CS18 at 35% of the overall development. Negotiations have been undertaken to ensure that the affordable housing indicated meets the housing needs in district. Revised plans now show the type and form of housing that meet the council's standards. Subject to the applicant entering into a planning obligation to deliver the affordable housing, this aspect of the scheme is acceptable.

Public Open Space

- 5.31 The latest revised plans address issues of access gradient but have also taken the opportunity to improve the public open space. A high retaining wall is no longer required and the space has access directly from the adopted/ adoptable highway.
- 5.32 There is sufficient informal recreational open space in the vicinity to meet the needs arising from the development. While some natural and semi-natural open space is provided on site, there is a deficit of 577 square metres. There is also a deficit in outdoor sport provision (1,132.8 square meters) and allotments (141.6 square metres). Sufficient provision is made on site for children and young people. The site has level access from the highway and the retaining wall is reduced.
- 5.33 Financial contributions towards the provision, enhancement, and maintenance of alternative facilities can be secured through a planning obligation.

Transport

- 5.34 The site sits on the edge of a strategic housing allocation but access is provided from Hambrook Lane. Concern has been raised by local residents on the impact of the proposal on the local highway network.

Impact on Local Highway Network

- 5.35 The proposed development would generate 17 trips in the morning peak and 14 trips in the evening peak, with an overall two-way daily movement figure of 136 trips. The busiest time would be the morning peak. It is reasonable to assume that the movements would be split 50/50 with regard to the direction of onward travel along Hambrook Lane. This results in 9 additional movements each way.
- 5.36 This is not a significant increase in traffic and would not have an adverse impact on highway safety along the local highway network. Comments on the traffic conditions on Hambrook Lane and other recent planning approvals are noted.

Relationship with Strategic Land Allocation

- 5.37 This site sits adjacent to the strategic land allocation. Opportunities have been sought to allow for pedestrian and cycle links through the site into the new neighbourhood to encourage sustainable transport methods and provide suitable links. Provision within the development is made for future links to come forward.

Public Transport and Sustainable Travel

- 5.38 As mentioned the site sits in a position where it could assist in promoting sustainable travel patterns for the much larger development adjacent. Pedestrian and cycle links are positioned to enable interaction between the sites in the future should parties be agreeable.
- 5.39 The site has good access to employment and services already within the north fringe. Furthermore the site has access to public transport and transport interchanges at Bristol Parkway and UWE which are in easy access. Hambrook Lane also links to the Stoke Gifford link where Metrobus services run.

Access and Movement

- 5.40 A travel plan for the site should be required by condition so that sustainable travel options are embedded into the community as it forms.
- 5.41 The access point has acceptable visibility. The internal layout is acceptable and the use of shared surfaces is not considered problematic for a development of this scale.
- 5.42 The gradient of the access has been revised with a separate pedestrian route. While, visually, this has a more engineered appearance than is desirable, it does solve a problem and given that the retaining structures are not overly high, it is acceptable.

Parking

- 5.43 Development should provide parking that accords with the council's standards. This is calculated on the number of bedrooms in the property. Overall there is

no concern that inadequate parking would be provided on the site. Cycle parking should be secured given the sustainable location of the site.

Impact on Equalities

- 5.44 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.
- 5.45 With regards to the above this planning application is considered to have a neutral impact on equality.

Other Matters

- 5.46 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.47 Each application must be assessed on its own merits and developments that have been approved and refused should be treated as material planning considerations but not a precedent as to how this application should be determined.
- 5.48 The development is a speculative one but it is in the urban area and acceptable in principle; the level of development nearby is a material consideration but not one of significant weight.
- 5.49 The planning obligation secures contributions towards local services and the development is CIL liable.
- 5.50 The supporting documents are considered sufficient to make a judgement on the proposed development.

Planning Balance

- 5.51 The site is in the defined urban area where developments like this are directed in principle. The proposal would provide additional housing in a highly sustainable area with good access to public transport and strong pedestrian and cycle links.
- 5.52 However, the site topography is difficult. While this has resulted in certain design choices, the conditions of the site are not sufficient reason to resist development. The loss of the open land is noted, but as previously stated the site is in the urban area and not protected.

- 5.53 Impacts on traffic and transport, drainage, biodiversity, trees, landscape, and heritage can be mitigated through the use of appropriate conditions.
- 5.54 The positive of delivering additional housing in a suitable part of the district outweigh the limited harm that the development would have and therefore the balance falls towards granting permission.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 It is recommended that the authority be delegated to the Director of Environment and Community Services to grant planning permission subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- (i) **AFFORDABLE HOUSING**
35% of dwellings to be delivered as Affordable Housing, as defined by the NPPF, to be provided on site without any public subsidy.

8 units shall be provided as Social Rent and 3 units shall be provided as Shared Ownership.

The social rent units shall comprise:

- 1x 1-bedroom, 2-person, wheelchair accessible, flat with a minimum of 58sq.m. floor space [ground floor unit in block 15-18]
- 3x 2-bedroom, 4-person flats with a minimum of 70 sq.m. floor space
- 2x 2-bedroom, 4-person house with a minimum of 79sq.m floor space [units 26 & 27]
- 2x 3-bedroom, 5-person house with a minimum of 93 sq.m. floor space [plots 30 & 31]

The shared ownership shall comprise:

- 1x 2-bedroom, 4-person house with a minimum of 70sq.m. of floor space [plot 28]
- 2x 3-bedroom, 5-person house with a minimum of 93sq.m. of floor space [plots 19 & 29]

All affordable homes to be built to the same standards as the market units (if higher) and include Lifetime Homes standard, Part 2 of Secured by Design, and compliance with the RP Design Brief.

Reason

To secure the provision of affordable housing in accordance with Policy CS18 and the Affordable Housing and ExtraCare SPD.

(ii) PUBLIC OPEN SPACE

The following public open space provision shall be made on-site:

- 485sq.m. of natural and semi-natural open space
- 173.25sq.m. for the provision for children and young people

A financial contribution of the following shall be made to make up the shortfall of public open space provision:

OPEN SPACE	SHORTFALL (sq.m.)	CONTRIBUTION TO OFF-SITE PROVISION/ ENHANCEMENT	MAINTENANCE CONTRIBUTION
Natural and semi natural open space	577	£8,806.00	£14,608.26
Outdoor sport	1132.8	£59,453.88	£17,994.64
Allotments	141.6	£1,362.83	£1,737.72

An inspection fee of areas subject to private management of £52 per 100 square metres plus £500 core service fee.

Reason

To accord with the provisions of policy CS24.

(iii) TRAVEL PLAN

A contribution of £315 per dwelling (£9,765.00 in total) to prepare and implement a Travel Plan.

Reason

To manage travel demand in a congested part of the network and encourage sustainable travel options and to accord with policy CS8.

7.2 It is recommended that that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.

7.3 It is recommended that should the Agreement not be completed within 6 months of the date of the resolution to grant planning permission, the application shall:

- (iii) be returned to the Circulated Schedule for further consideration; or,

- (iv) that delegated authority be given to the Director or Environment and Community Services to refuse the application.

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 development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

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

This is required prior to commencement to protect any in-situ archaeology.

3. Prior to the commencement of development, a mitigation strategy for reptiles (slowworm) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of ecology and biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is required prior to commencement to prevent any harm to protected species.

4. Prior to the commencement of development, a mitigation strategy for hedgehog shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of ecology and biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is required prior to commencement to prevent any harm to protected species.

5. Prior to the commencement of development, a Landscape and Ecological Management Plan shall be submitted to and agreed in writing by the local planning

authority. The Plan shall accord with the agreed masterplan and mitigation strategies and include details of the existing habitat to be safeguarded (trees, hedges); any new habitat to be created (grassland, hibernacula and/or ponds) as part of the GCN Design Strategy; and its management. The Plan shall include a programme of monitoring of all works for a period of 5 years. The development shall be carried out in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of ecology and biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is required prior to commencement to prevent any harm to protected species.

6. Prior to the commencement of development, a Construction Ecological Management Plan (CEMP) shall be submitted to and agreed in writing by the local planning authority. The Plan shall detail how all semi-natural habitat and species of fauna will be safeguarded from development during construction. The development shall be carried out in accordance with the agreed details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of ecology and biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is required prior to commencement to prevent any harm to protected species.

7. Prior to the commencement of development, the application site be re-surveyed for badger and a report submitted to and approved in writing by the local planning authority. The report shall provide details of any and all works subject to the licensing provisions of the Protection of Badgers Act 1992. The development shall be carried out in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of ecology and biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is required prior to commencement to prevent any harm to protected species.

8. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments; and, areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. The scheme of landscaping shall include measures for the replacement of any tree/plant/ shrub within the communal parts of the development that becomes diseased,

damaged or dies within 5 years of being planted. Development shall be carried out in accordance with the agreed 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.

This is required prior to the commencement of development as it relates strongly to issues of ecology, biodiversity, and tree protection.

9. Prior to the commencement of development, an arboricultural report to include arboricultural method statement and tree protection plan (prepared in accordance with BS5837:2012) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

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.

This is required prior to the commencement to avoid damaged to retained trees.

10. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

This is required prior to commencement to avoid remedial works.

11. Prior to the commencement of development, a site specific Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.

The CTMP shall address:

- a) measures to control the tracking of mud off site from vehicles;
- b) measures to control dust from the demolition and construction works;
- c) measures for the adequate provision of fuel oil storage, landing, delivery and use, and spill containment and management;
- d) provision for the storage and delivery of materials;
- e) provision for contractor parking;
- f) access for construction traffic including lorry routing schedules; and,
- g) contact details for the Site Manager.

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.

This is required prior to commencement so that the construction phase can be managed.

12. Prior to the first occupation of any dwelling hereby permitted, a scheme for the provision of electric vehicle charging facilities shall be submitted to an approved in writing by the local planning authority. The scheme shall make provision for 7Kw 32Amp sockets at each dwelling which has an adjacent garage or parking space. The development shall be carried out in accordance with the approved details.

Reason

To encourage means of transportation by zero and low emission vehicles, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

13. Prior to the first occupation of any dwelling hereby permitted, a scheme for the provision of access to the highway shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of street lighting, base course level for the carriageway and surface course level for the footway or shared surfaces. No dwelling shall be occupied until the highway link, in accordance with the approved details, is complete.

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.

14. Prior to the first occupation of any dwelling hereby permitted, a scheme for a programme of public art shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved scheme within a period of two years from the commencement of development.

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.

15. No dwelling shall be occupied until the car and cycle parking has been provided for that dwelling in accordance with the approved plans.

Reason

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

16. No more than 15 dwellings shall be occupied before the pedestrian/ cycle link the adjacent site boundary in the south-west corner has been provided in accordance with the approved plans.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

17. The hours of working on site during the period of construction shall be restricted to
 Monday - Friday.....7:30am - 6:00pm
 Saturday.....8:00am - 1:00pm
 No working shall take place on Sundays or Public Holidays.
 The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenities of nearby occupiers during construction works and to accord with policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

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

28 May 2017

- CONSTRAINTS PLAN
- THE LOCATION PLAN

26 Jun 2018

- 0618-109A GARAGES AND BIN AND CYCLE STORE PLANS

13 May 2019

- 0618-116 CYCLE STORE
- 0618-1203.B PLOTS 15-18: PROPOSED FIRST FLOOR PLAN
- 0618-1204.B PLOTS 26-28: COMBINED PROPOSED PLAN
- 0618-1205.A PLOTS 3, 4 & 9: COMBINED PROPOSED PLAN
- 0618-1206.A PLOTS 12, 13, 24 & 25: COMBINED PROPOSED PLAN
- 0618-1207.B PLOTS 29 - 31: COMBINED PROPOSED PLAN
- 0618-1208.A PLOTS 2, 8 & 11: COMBINED PROPOSED PLAN
- 0618-1209.A PLOT 1 & 14: COMBINED PROPOSED PLAN
- 0618-1210.C PLOT 6: COMBINED PROPOSED PLANS
- 0618-1210-2.A PLOT 19: COMBINED PROPOSED PLANS
- 0618-1211.A PLOTS 7 & 23: COMBINED PROPOSED PLAN
- 0618-1212.A PLOTS 10 & 22: COMBINED PROPOSED PLAN
- 0618-1214.A PLOT 5: COMBINED PROPOSED PLANS

20 May 2019

- 0618-1213.B PLOTS 20 & 21: COMBINED PROPOSED PLAN

18 June 2020

200618618 Parking Matrix Issue 5-A4P
200618618-102 F Planning Layout-A2L
200618618-103 F Street Scenes-A2L
200618618-104 F External Works Layout-A0L
200618618-105 G Vehicle Tracking Layout-A2 200618618-106 D External Detailing-A3L
200618618-108 F Materials Layout-A2L
200618618-110 F Phasing Plan-A2L
200618618-111 F Storey Heights Plan-A2L
200618618-112 F Site Section-A2L
200618618-302-B Road Longitudinal Sections-A1L
200618618-320 G Drainage Strategy Plan
200618Lane - Planting Plan Rev J
200618Lane - Soft Landscape Typologies Rev K
200618Lane Play Area Rev D

03 Aug 2020

0618-105.F VEHICLE TRACKING

0618-302.A ROAD LONGITUDINAL SECTIONS

0618-SK2 21-4-20 ENGINEERING LAYOUT

Reason

In the interests of clarity.

Case Officer: David Stockdale
Authorising Officer: Marie Bath