

# 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: 01/21**

**Date to Members: 08/01/2021**

**Member's Deadline: 15/01/2021 (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](mailto: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 list below a-f where a representation is received within the notification period which is contrary to the officers recommendation from the Parish or Town Council within whose boundary the proposal lies wholly or in part.

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

### **Additional guidance for Members**

Always make your referral request by email to [MemberReferral@southglos.gov.uk](mailto: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:**

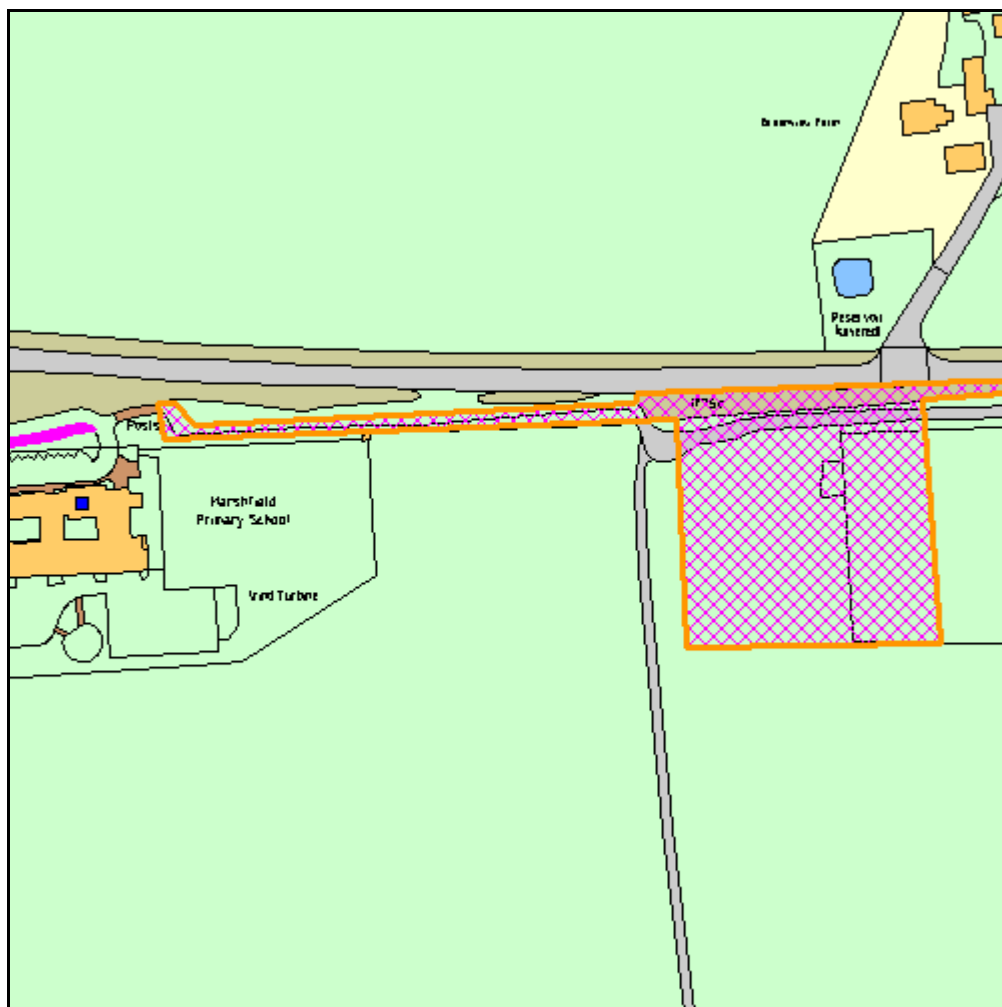
To be emailed to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk)

# CIRCULATED SCHEDULE - 08 January 2021

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/19778/F	Approved Subject to Section 106	Land West Of Garston Farm Marshfield South Gloucestershire	Boyd Valley	Marshfield Parish Council
2	P20/17527/F	Approved Subject to Section 106	21, 23, 25 And 27 Mendip Crescent Downend South Gloucestershire BS16 6UF	Emersons Green	Emersons Green Town Council
3	P20/19466/F	Approve with Conditions	10 Ridgeway Yate South Gloucestershire BS37 7AE	Yate Central	Yate Town Council
4	P20/20329/F	Approve with Conditions	29 Champion Road Bitton South Gloucestershire BS30 6AD	Bitton And Oldland	Bitton Parish Council
5	P20/21170/F	Approve with Conditions	Co Op At Parkway Tavern 43 North Road Stoke Gifford South Gloucestershire BS34 8PB	Stoke Gifford	Stoke Gifford Parish Council
6	P20/21350/F	Approve with Conditions	17 St Annes Drive Wick South Gloucestershire BS30 5PN	Boyd Valley	Wick And Abson Parish Council

**CIRCULATED SCHEDULE NO. 01/21 -8th January 2021**

<b>App No.:</b>	P19/19778/F	<b>Applicant:</b>	Mrs Christine EdenMarshfield Community Land Trust
<b>Site:</b>	Land West Of Garston Farm Marshfield South Gloucestershire	<b>Date Reg:</b>	13th January 2020
<b>Proposal:</b>	Erection of 18no. dwellings with associated landscaping and highways works including new road access to Chippenham Road (A420).	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	379117 173825	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Major	<b>Target Date:</b>	13th April 2020



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 100023410, 2008. **N.T.S.** **P19/19778/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 7<sup>th</sup> May 2020 a report was included on the Members Circulated Schedule relating to the erection of 18 no. dwellings with associated landscaping and highways works including new road access to Chippenham Road (A420). The report was referred in accordance with the Council Constitution as a total of three objections were received that are contrary to the Case Officer's recommendation. The application was not referred to the Development Management Committee.

At the current time therefore there is a resolution in place to grant consent for the development subject to conditions and the signing of a S106 agreement.

On the 1<sup>st</sup> October 2020 a further request for further time to allow for the signing of the S106 agreement was made, in the light of Section 7.2 of the original report (See Appendix below). Advice from the Council Legal Officer is that further time is required. A further extension was allowed until 15<sup>th</sup> January 2021 was allowed

It is understood that the a limited period of additional time is required to finalise the agreement.

## **RECOMMENDATION**

That a limited period of additional time until 15<sup>th</sup> March 2021 is given.

### **1. THE PROPOSAL**

- 1.1 This application is for the erection of 18 no. dwellings to the east of Marshfield. The development is made by the Marshfield Community Land Trust and will comprise 12 units of affordable housing (10 units being made available for Social Rent and 2 for Shared Ownership), 3no. Units that will be retained by the landowner with 3no. Units being sold as outright sale (it is indicated that these will help fund the development).
- 1.2 Access to the site is located midway on the northern elevation. Visibility splays are to be provided each side of the entrance. It is proposed to construct a new pedestrian and cycle path on the southern edge of the layby that runs alongside the A420 to give access to the village and in particular the school. 35 parking spaces are indicated, the majority of which will be located at the northern edge of the site.
- 1.3 The development will comprise largely barn style structures which while two storey are designed to sit low in the landscape (almost appearing single storey when viewed from the wider landscape. These buildings are set around a central courtyard. In contrast a cluster of three units (those to be retained by the landowner) will be located at the south-eastern corner and these appear more in keeping with the tradition form of a rural farmhouse with their own

courtyard in a farmyard style. The development therefore comprises four groups of dwellings.

- 1.4 The site is situated beyond the eastern boundary of Marshfield on 0.83 hectares of land. The site is farmland situated to the immediate south of the A420 and is surrounded to the west, south and east by further farmland. Immediately to the west of the site lies a farm track (which is a public right of way running south into the Doncombe Brook Valley), with Marshfield Primary School lying a further 100 metres away. A small Airstrip lies approx. 260 metres to the south used for limited recreational flying. To the east lies further farmland and approximately 40 metres from the site lies a hedgerow and the first farm buildings associated with Garston farm. To the north lies the A420 separated from the site at present by a low rise bund and hedgerow. A rough roadway runs parallel to the A420 between the site and the school to the west.

In terms of topography the site is relatively flat albeit with a slight slope from east to west (the fall is indicated as being 2 metres).

- 1.5 The application site is situated outside of the settlement boundary of Marshfield within the Area of Outstanding Natural Beauty (AONB) and the Green Belt. The application is submitted as a Rural Affordable Housing Exception Site. There are no other constraints.
- 1.6 In support of the application, in addition to the Design and Access Statement and Plans, the following documents have been submitted; Affordable Housing Needs Survey Report, Affordable Housing Statement, Landscape Visual Impact Assessment, Arboricultural Report, Geophysical Survey, Drainage Strategy, Ecological Impact Assessment, Transport Statement and Energy Statement.

## **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
CS19	Rural Housing Exception Sites
CS24	Green Infrastructure, sport and recreation standards
CS34	Rural Areas



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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP5	Undesignated Open Spaces
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

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

4. **CONSULTATION RESPONSES**

**Please note, some of the consultation responses, given their length are set out in summary form. The full comments are on the South Gloucestershire Website.**

4.1 **Marshfield Parish Council**

Marshfield Parish Council strongly supports this small-scale housing scheme on an 'exception site' within the current settlement boundary, led by a community initiative, which delivers a small number of local requirement homes to meet the identified need. These 18 new homes will be secured in perpetuity for local people and for this reason MPC favours the inclusion of rented accommodation.

MPC strongly approves of the design which is in keeping with the rural/agricultural landscape along with the sustainable and energy efficient approach to the design and build.

4.2 **Other Consultees**

**Sustainable Transport Team**

Initial Comments (summary)

The development is considered to have two key material planning considerations. Firstly whether the site is in a sustainable location and secondly whether there will be an adverse impact upon the surrounding highways network.

### Sustainability

The site is within the vicinity of local services inc a primary school, doctors surgery, two convenience stores, community centre, post office and two pubs. Public Transport facilities meet the criteria although there is no Sunday service. The minimum criteria of walking distances to services exists subject to the provision of the footpath to the front.

### Highway Impact

Visibility is considered appropriate at the access. The applicant has agreed to the provision of the extension of the 50mph limit further to the east of the site entrance. Also the provision of a footway to link the site to the village and school. There is a need for a “right turn” facility to avoid waiting traffic on the A420, this has been identified by the safety audit officer and must be provided.

Parking provision meets the Council standard.

### Conclusion

1. Whilst, we transportation development control have no in-principal objection to a residential development on this site, we request that the developer reviews its junction design and to provide right turn lane facility all in compliance with safety auditors' recommendations.

2. We would also recommend that all works in relation to the new junction is secured under an appropriate legal agreement.

Following the submission of revised details the following comments have been received:

The applicant has now submitted a revised plan showing a revised junction layout - this incorporates provision of a right turn lane facility all designed in line with the highway design standards. In view of the revised plan then, there is no objection to the proposed access.

Other highway works associated with this scheme would involve the creation of a new footway/cycle link connection between the new site and Marshfield. Construction of a footway/cycleway link is essential if the development is to be made sustainable site in respect of access being available on foot and by cycling to all those existing facilities within Marshfield including accessing the Marshfield primary school nearby off Chippenham Road. Proposed footway /cycleway link should be minimum of 2m wide.

Other highway works proposed with this involves a review of the speed limit on the main road. Safety Auditor has recommended that the current speed limit outside the site is to be reviewed from currently being de-restricted to 50mph passing the new site and this is something that the Highway officers support too.

All highway works as outlined above ought to be secured under an appropriate legal agreement. In this respect, we recommended that the works are covered under a s106 legal agreement.

Conclusion - In view of all the comments made previously, and within this response then, there is no highway objection to this application subject to the applicant first entering into a s106 legal agreement to secure the junction and all associated works, the footway and the speed limit review (to 50 mph).

A condition is required to ensure that all the parking and manoeuvring areas on the approved plans are completed and retained as such thereafter.

### **Environmental Protection**

No objection subject to a condition to a Construction Environmental Management Plan condition and advices.

### **Public Open Space**

Initial Comments:

It is unclear whether public open space is being provided on site. If it is not the contribution to community infrastructure would be as follows:

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount provided on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space	470.4	0	470.4	£12,955.10	£22,835.62
Natural and Semi-natural Open Space	Adequate existing supply of Natural and Semi-natural Open Space within the settlement boundary of Marshfield				
Outdoor Sports Facilities	633.6	0	633.6	£34,702.34	£10,503.25
Provision for Children and Young People	84	0	84	£15,415.86	£16,209.90
Allotments	Adequate existing supply of Allotments within the settlement boundary of Marshfield				

### Wales and West Utilities

The applicant is advised that there are gas pipes in this area and that no plant or apparatus can be built over.

### Waste Engineer

Initial Comments:

Confirmation is required regarding waste collection arrangements in line with the SPD.

This information has now been supplied and is acceptable.

### Environmental Policy Team

Initial Comments (summary):

The overall approach is welcome however the following points are raised:

- The developer is encouraged to consider designing and constructing the scheme to PHI Low Energy building standard as a means of enhancing and certifying the quality and energy performance of the scheme
- Thermal bridging needs be explained
- How will air tightness be assessed?
- Details of MVHR units required
- Ground source heat pumps strongly supported. Recommendations made re the detailed arrangements
- Energy table calculations (regulated and unregulated emissions) need to be checked – appear low
- PV encouraged to be on all units including market sale
- Measures to prevent overheating recommended, use of green infrastructure
- Applicant encouraged to provide 100% of parking spaces with ECV points

The applicant has submitted a detailed Energy Statement that covers the above points. The Environmental Policy Team now state that the development meets the objectives of PSP6 and recommend the following condition:

*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 (Energy Statement, Adam Sims, Energy Compliance Ltd, April 22nd 2020) prior to occupation.*

*In accordance with the approved Energy Statement a total 41% reduction in carbon dioxide emissions (based on the DER and TER) beyond Part L 2013 Building Regulations shall be achieved, and a 20.20% reduction in carbon dioxide emissions below residual emissions (that is regulated and unregulated emissions) through renewable technologies shall be achieved.*

Ecologist (summary)

The impact of the site is assessed as being site to local level of ecological importance. The main constraints are bats, birds, reptiles, hedgehogs and dormice. Though no further dormice surveys were considered needed, because of their presence in the surrounding habitat a check will need to be completed as part of bird nesting checks and reptiles checks to confirm absence of dormice by a suitably qualified ecologist.

The strimming of the grass to a lower level included in the reptile mitigation is to be supervised by a suitably qualified ecologist.

As badgers and hedgehogs could be using the site, any excavations must be covered at night and a means for escape should be installed such as a ramp should an animal become trapped. The excavations should be also checked on a daily basis. These informatives should form part of the LEMP.

No objection subject to conditions to; ensure that all works take place in accord with the mitigation strategy in the EIA report; the submission of a lighting design strategy; installation of ecological enhancement features, bird boxes, bat boxes, permeable fencing (hedgehog highways) and native planting; the submission of a landscape and ecological management plan.

Arts Officer

No comment

Housing Enabling Officer (summary)

This application to build 18 homes on a rural exception site meets the required criteria under CS19 of the Council's adopted Core Strategy Development Plan Document. The Strategic Housing Enabling Team support this proposal for Affordable Housing in Marshfield.

Recommendation: No Objection.

Lead Local Flood Authority

## Initial Comments (summary)

The proposed drainage strategy has been reviewed. There are questions that must be resolved.

- Treated effluent cannot be discharged to ground via a soakaway after being through the treatment plant. The applicant must gain an Environment Agency permit to allow discharge
- Surface water disposal via soakaways throughout the site is acceptable however infiltration tests need to be complete
- Some soakaways are located close to tree roots and need to be located elsewhere as they need to be accessed for maintenance

### Police

The proposal is not acceptable in its current form. For the following reasons:

Footpaths lie to the rear of the two blocks of terrace housing; gates should have a key lock; there is excessive permeability throughout the site.

Following the submission of amended details subject to the inclusion of 6.8mm laminated glass on the ground floor windows and doors, this objection is removed.

### Highway Structures

No objection subject to informative

### Landscape Officer

#### Initial Comments

The site is within the AONB, and Greenbelt and is close to the village of Marshfield, a conservation area, with multiple listed buildings. The proposed site is outside the settlement boundary, with views towards Marshfield, and is close to sites of nature conservation interest, and a registered Park, garden and battlefield. Given the designation of the site, views into and out of the site are of importance to the wider landscape and the landscape character of the area.

The Landscape Design and Detail to be conditioned and to include the following. All rear gardens to have fruit trees, all rear gardens to have hedgerows running along the length of the proposed chain link fence, the proposed boundary fence to be stock fence, with the proposed native species hedgerow with hedgerow trees, all walls to be permeable for hedgehog, reduce the number of Hedera helix, Sorbus torminalis to be included in hedgerow trees and include Oak trees within the planting plan.

Further comments have been received following further correspondence with the applicant's agent (summary – full comments on website):

It is considered that the application is acceptable with regard to landscape and compliant with our current landscape policies. The submission of a revised planting plan as a condition of planning is considered appropriate.

### Urban Design Officer

No objection. A question over whether sufficient parking is provided. The proposed materials are to be welcomed. A condition should be applied that secures details of pavers, access surfaces, kerbs, self-bound gravel, window frames, doors/garages, lintels and sills, fibre cement tiles/sheet, facing bricks, stone cladding, mortar, guttering. A condition should also secure a palette of materials to show the principle facing materials including brick, stone cladding and fibre cement cladding.

### Cotswold Conservation Board (summary)

The provision of affordable housing is an important consideration as evidenced by the Housing Needs Survey. The scheme is proportionate to the existing settlement

The Board is concerned that the development has the potential to have a significant adverse impact on the purpose of the AONB designation which is to conserve and enhance the natural beauty. There is concern that the proposed development is physically detached from the settlement boundary (this is incompatible with the landscape characterised by a very open and exposed nature).

The Landscape and Visual Impact Assessment (LVIA) is not sufficient in failing to assess the effect of the development on the landscape character. Great weight should be given to this impact, also the site is in the Green Belt. A detailed assessment of the LVIA is included in an annexe (details can be seen on the website).

If consent were to be given the percentage of affordable housing should be increased to at least 75% (15 out of 18) or (12 out of 16).

The farmstead design concept is welcome particularly given the immediate context. If permission is granted the building materials should include locally quarried limestone rather than just yellow brick.

## **Other Representations**

### **4.3 Local Residents**

2 letters of objection has been received. The grounds of objection can be summarised as follows:

- This will set a precedent for future development in Marshfield  
The proposal will add to existing traffic problems in Marshfield High Street
- The site is located within an extremely sensitive location and the proposals would not conserve and enhance the scenic qualities of the AONB. The proposed development would therefore not be compliant with paragraphs 172 of the NPPF, policy CS9 of the Core Strategy, and policies PSP 2 and 3 of the Local Plan. The proposed development would result in demonstrable harm to the character, appearance and special qualities of the AONB and these considerations should not be overridden by virtue of the proposals being for affordable housing. As such, the proposed development should be refused on landscape and visual grounds.

79 letters of support have been received. The grounds of support can be summarised as follows:

- The site is ideally placed for facilities.
- Easy access to the school, playing field and Community Centre
- Low cost affordable housing is much needed in Marshfield which is expensive place to live
- Marshfield needs more housing especially smaller units
- It is a good scheme because it includes a large element of social housing

- People who view Marshfield as home can remain (too many individuals and young families forced to relocate to neighbouring towns)
- The proposal meets the requirements for a Rural Exception
- The design is appropriate for the rural context
- Delivers on the localism agenda
- The proposal follows inclusive local consultation and represents feeling in the village
- Good low energy design
- Will enhance the village
- Will help the school which has low numbers
- Planning condition should secure the footpath to the front of the site
- Marshfield residents should get first priority
- This is a valuable addition to the local community

## 5. **ANALYSIS OF PROPOSAL**

The application proposes the erection of 18 no. dwellings with associated landscaping and highways works including new road access to Chippenham Road (A420).

### 5.1 Principle of Development

In considering the principle of development, the application site is situated outside of the settlement boundary of Marshfield in the open countryside. Furthermore the site is situated within the Bristol/Bath Greenbelt and the Cotswold Area of Outstanding Natural Beauty (AONB).

### 5.2 *Locational Strategy*

The locational strategy for the District is set out in policy CS5 and, in this instance, CS34 of the Core Strategy. Under these policies, new residential development is directed to the strategic housing allocations, existing urban areas, and defined rural settlements as shown on the proposals maps. In rural areas, new residential development outside of a defined settlement is strictly controlled and would have to comply with the provisions of policy PSP40.

This application proposes development outside of a defined rural settlement, however policy PSP40 indicates that development will be acceptable for rural housing exception initiatives which accord with Core Strategy Policy CS19 (Rural Housing Exception Sites).

CS19 states that:

*Proposals for permanent affordable housing to meet an identified local need (including a small element of market housing where this will facilitate the successful delivery of the affordable housing) will be permitted as an exception on sites where market housing would not normally be acceptable.*

*Proposals should be:*

- *Supported by an approved housing needs survey*



- *Well related to a rural settlement*
- *Modest in scale and in keeping with the form and character of the settlement and the local landscape setting; and*
- *Supported by the appropriate Parish Council*

*The permission will be subject to conditions, or a legal obligation to ensure that the affordable housing is reserved in perpetuity for those in local affordable housing need.*

In association with the South Gloucestershire strategic housing enabling team, corporate research team and Marshfield Parish, a housing needs survey was carried out between July and September 2018. There was a response rate of 34.4% to this survey which concluded that 17 households were in need of Affordable Housing of which 13 required affordable rented accommodation. These findings are supported by and endorsed by Marshfield Parish Council.

The design and access statement indicates that a thorough site selection process was undertaken, with the site being chosen for a number of reasons. These reason include: proximity to the village and the services/facilities that it can offer future residents; topography – it is relatively level; the site is able to accommodate sufficient affordable and market housing; there are no on site constraints such as archaeology and lastly the site is available on reasonable terms. The form and scale of the development is considered acceptable. The provision of a footway linking the site to the remainder of the village (to the school) will ensure that although there is a degree of separation from the settlement boundary, the relationship is considered acceptable. A more detailed assessment of the impact upon the landscape is set out in the body of the report below.

It is therefore considered that the proposal meets the criteria set out in Policy CS19 and thus can be considered a Rural Housing Exception Site, thus fulfilling criteria 1 of PSP40.

It is important to note that PSP40 also requires that:

*In all circumstances, development proposals including any alterations, extensions or creation of a residential unit, will be acceptable where they do not have a harmful effect on the character of the countryside or the amenities of the surrounding area.*

This is considered in detail below however subject to this assessment the proposal is considered acceptable in these terms.

### 5.3 *Green Belt*

The site is located within the Green Belt. Among other criteria, the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open, to preserve the setting and special character of historic towns and to assist in safeguarding the countryside from encroachment. The essential characteristic is their openness and permanence.

For the above reasons the forms of development deemed appropriate in the Green Belt is strictly limited.

Para 145 (f) of the National Planning Policy Framework does however indicate the following as an exception to the general rule that the construction of new buildings in the Green Belt should be treated as inappropriate:

*Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)*

As set out above in 5.2, the site is considered to meet the criteria for a Rural Housing Exception Site that are set out in Policy CS19 of the Core Strategy and it therefore follows that the development is deemed to be an appropriate form of development in the Green Belt.

#### 5.4 *Area of Outstanding Natural Beauty*

The site is situated within the Cotswolds Area of Outstanding Natural Beauty where, in accordance with guidance in the NPPF, great weight should be given to conserving landscape and scenic beauty. To this end, policy PSP2 seeks to resist proposals that would have an adverse impact upon the natural beauty of the AONB. The NPPF is more specific; with regard to development in designated areas such as AONBs it states that 'major' development that would affect the AONB should be refused unless it is in the public interest.

The protection of the Cotswold Area of Outstanding Natural Beauty both in terms of the protection of its character and appearance is also set out within Policy CS9 of the Core Strategy as well as the aforementioned PSP2 and also PSP3.

No definition of major development is given in the NPPF. This has been a matter of contention across the country however in *R (Trevone Objections Group) v Cornwall Council [2013] EWHC 4091* the judge concluded that the definition of 'major' development in the AONB should be a matter of planning judgement rather than defined in the Development Plan. The judge in *Aston v SSCLG [2-13] EWHC 1963* stated that there is no uniform meaning to the phrase 'major development' in relation to the AONB and each should be assessed in its context.

In this case given the number of units and location it is considered reasonable to conclude that the proposal constitutes major development.

The NPPF indicates that consideration of such major applications should include an assessment of:

- a) *The need for the development, including in terms of any national considerations and the impact of permitting it or refusing it upon the local economy*
- b) *The cost and scope for developing outside the designated area or meeting the cost in some other way*

*c) Any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated*

As set out above there is a demonstrable need for the development. This need is specific to Marshfield and thus the development has to be within the parish boundary. This need is recognised and the development supported by the Parish Council. Other sites have been examined but this is a site which has become available and would allow for the delivery of the development meets all the requirements needed within the confines of the Marshfield Parish.

In terms of criteria C, that considers whether the proposal would have a detrimental effect on the environment, the landscape and recreational opportunities (and extent to which the impact can be moderated) the following assessment is made.

#### *Landscape (existing) Considerations*

An objection has been received that contends that the proposal would demonstrably harm the character and appearance and special qualities of the AONB and that the proposal would not be in accord with its management plan. The objection contends that *“landscape protection considerations should not be overridden simply by virtual of the proposals being for affordable housing within a rural exception site”*.

The Case Officer completely concurs with the sentiment expressed in this objection and considers that it is for this reason that the NPPF has been written as it has with three distinct and separate criteria that must be **all be satisfied, thus any benefit from the provision of the Affordable Housing cannot outweigh any impact upon the environment and landscape of the AONB.** To reiterate the three criteria are: *The need for the development, including in terms of any national considerations and the impact of permitting it or refusing it upon the local economy; the cost and scope for developing outside the designated area or meeting the cost in some other way; any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.*

**The impact upon the Cotswold AONB in these terms goes to the heart of whether the application is acceptable in principle. The extent of that impact and whether it is detrimental and the extent to which it can be moderated is however a matter of planning judgement.**

An objection as set out above has been received from the Cotswold Conservation Board (CCB). This objection is available on the website in its entirety. The CCB recognises the benefits of the proposal in terms of the provision of affordable housing and considers the development proportionate in scale to the existing settlement. In the event the scheme is given approval it is considered that the percentage of affordable housing should be increased and a different choice of materials used in part. Notwithstanding this it is considered that the scheme will have a detrimental impact upon the landscape given its

nature and separation from the settlement. The supporting Landscape Visual Impact Assessment is also criticised for underplaying the impact and technically not supporting its conclusions in the submission.

The Council's Landscape Officer has assessed the impact of the proposal, and notwithstanding the comments received from the Cotswold Conservation Board, has made that assessment based upon her professional opinion and interpretation of the information that has been supplied. The assessment set out below is made having regard to criteria C as set out above that major development must consider "*any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated*". The assessment has full regard for the site's context within the AONB and the sensitivity of the site having regard to the designation of the site, views into and out of the site in particular are of importance to the wider landscape.

The site is within LCA2 'The Marshfield Plateau' as identified in the Landscape Character Assessment SPD. In terms of its attributes, the landscape is identified as being gently sloping, open, and agricultural in nature.

It is considered that views of the site will be largely in passing from the A420, from the footway alongside the site or more distant views from land to the south. The applicant has indicated that a number of measures have been taken to mitigate the impact upon the landscape. These include management and replanting of hedgerows, recessive building materials, clustering of buildings, tree planting, avoiding hard surfacing, keeping dry stone walling. It is noted that the design of the terraced buildings which although two storey appear as single storey from the outside of the site due to the roof form design.

A detailed Landscape Visual Impact Assessment (LVIA) has been submitted which demonstrates a limited impact from the proposal. This acknowledges sensitivity to change. This LVIA was produced following detailed discussion between the Council Landscape officer and representatives of the applicant. It should be noted that a total of 46 viewpoints were considered following Zone of Theoretical Visibility modelling and a number of more distant southerly views were ruled out as the site was not visible from these locations. A selection of representative viewpoints were then agreed with the applicant to form the basis of the LVIA.

Concerns that the assessment is not sufficient or broad enough are noted, in particular that the site would be visible from a considerable distance and also that an existing nearby waste management site should be taken into account. The assessment of the impact has been made having regards to the degree of separation of the site from the Marshfield village boundary and its position in the landscape however the Guidelines for Landscape and Visual Impact Assessments (GLVIA 3 2013) require the assessment to be proportionate to the scale of the development. Notwithstanding the objection received, it is the professional view of your officers that the LVIA provides a suitable level of information and accords with the guidance in the GLVIA being considered sound for the purposes of assessing the scheme.

The conclusion of significance of impact has been calculated with regard to the high level of landscape mitigation proposed. It is noted that concern has been expressed that the site currently has no physical boundaries and is in an exposed position within an arable field, however the Landscape Strategy within the Marshfield Plateau landscape character area is ; ‘to “provide a positive enhancement to the current landscape and biodiversity and ensure the conservation and enhancement of the diverse habitats within this character area, to ensure their connectivity via informal broadleaf tree planting and native species hedgerows’.

It is considered that the landscape proposals are in accordance with this strategy requirement and furthermore, additional planting has been secured, as including trees to rear gardens and hedgerows to divide rear gardens, bird and bat boxes, minor amendments to tree species and additional tree planting within the southwestern boundary of the site. It is considered that the planting proposals are appropriate and provide a good level of mitigation and biodiversity enhancement. A revised planting plan incorporating these additional improvements to the scheme will be submitted as a condition of planning

Concern has been raised that the approval of this application and subsequent development, would leave the area of land between this site and the primary school vulnerable to development. It is not considered that this is a matter that can be considered in detail here as each application must be assessed on its own merits. In this case however any such application would have to meet the same very stringent policy considerations that this application is assessed against not least whether it meets those criteria above that define a “rural housing exception site”.

Overall, if permitted the development would be unlikely to have a significant or demonstrable impact on the landscape character of the area. While the aim of the AONB is to preserve land to protect natural beauty, the development would not notably detract from the character of the AONB or degrade the natural beauty of this location within the AONB.

Great weight should be attached to the preservation of the landscape in the AONB in accordance with national guidance, however while there would be some landscape impact, this impact is limited in nature and as a result would not have a significant adverse impact.

#### 5.5 *Principle of Development (summary)*

It is concluded that the application is acceptable in principle. The remainder of this report will considered the detailed material planning considerations.

#### 5.6 Landscaping (proposed)

The impact upon the existing landscape, forms part of the assessment of the principle of development given the location in the Area of Outstanding Natural Beauty.

In terms of the future landscaping of the site itself, this needs to be carefully considered.

A balance needs to be struck between the need to provide a boundary around the site and the need to ensure that the site blends into the existing landscape in a natural way (as indicated above the landscape is generally open). Careful consideration needs to be given to the treatment on the southern boundary in particular. For occupiers of the site, the view across this landscape and the south facing aspect is clearly an important consideration, so it is considered by officers that a dense and high tree belt would not be appropriate either as a response to the landscape character or in terms of the amenity of the occupiers. Against this consideration needs to be given to security and a boundary to the site. Given the prevailing winds perhaps a more substantial cluster of trees is appropriate at the south-western corner of the site. Along the southern boundary a native hedge is appropriate with trees of a suitable size and species at intervals.

In addition officers would like to see all rear gardens to have fruit trees and to have hedgerows running the length of the chain link fence. A stock fence on the boundary is considered appropriate to the rural character (along with the native species hedgerow and hedgerow trees discussed above). Walls should be permeable for hedgehog and oak trees should be included in any planting plan.

It is considered appropriate to attach a condition to the decision to secure a detailed landscaping plan (as indicated elsewhere in the report a condition will also be included to secure a Landscape and Ecological Management Plan).

## 5.7 Ecology

Policy CS9 of the Core Strategy and Policy PSP19 of the Policies, Sites and Places Plan indicate that development should conserve and enhance the natural environment, avoiding or minimising impacts upon biodiversity. PSP19 in particular indicates that where appropriate biodiversity gain will sought proportionate to the size of the scheme.

An Ecological Impact assessment has been submitted with the application, which has been viewed and agreed with by officers.

While the site is not within a designated site for nature conservation, it is within an area that would have the potential to impact upon the St Catherine's Valley SSSI, however it is considered given the scale of the development that this would not in fact be the case. Turning to those species that are protected under the habitat regulations:

### *Bats*

There were no trees or other features on the site that were found to provide roosting sites. Some activity has been recorded within the northern hedgerow but this is limited given the proximity to the main road and regular hedge maintenance. It is concluded that the low level of activity is present and the ecological value for bats is low.

### *Great Crested Newts*

There is a lack of suitable waterbodies and these are unlikely to be found although some areas of the site may be used by toads.

### *Dormice*

Due to intensive agricultural practices it is considered that while the site potentially could offer a suitable habitat these are unlikely to be present.

### *Birds*

The site provides a suitable habitat for ground nesting birds

### *Reptiles*

Notwithstanding the fact that the site largely comprises arable farmland, the margins in particular the stone wall and rougher grassland/scrub may provide habitat however it is considered that the site is unlikely to support a population.

### *Badgers*

No signs of badgers were recorded although they may cross the site.

### *Hedgehog*

The site provides suitable sheltering and hibernation habitat for hedgehogs within the areas of dense scrub, field margins and hedgerow bases.

### *Invertebrates (e.g. noble chafer)*

No notable invertebrates were recorded during the survey and the habitats are considered to be of sub-optimal quality for invertebrates due to the agricultural management and species poor hedgerows and field margins.

It is concluded that the site would have a local level of ecological importance with the main potential being with regards to bats, birds, reptiles, hedgehogs and dormice.

The proposal is considered acceptable in ecological terms subject to conditions to ensure that all works take place in accordance with the recommendations set out in the "Mitigation Measures" section of the submitted Ecological Impact Assessment report and a condition to secure a detailed lighting design strategy (bats, badgers and hedgehog). Also a condition will be attached to ensure that the ecological enhancement features that are set out in the Ecological Appraisal are installed prior to the first occupation of the development, these features should include but not be limited to bird boxes, bat boxes, permeable fencing and native planting. Lastly a condition will be attached to the decision notice requiring the submission of and implementation of a landscape and ecological management plan (LEMP).

## 5.8 Affordable Housing

As set out in the section above (5.1 to 5.5), the provision of a Rural Housing Exception Site through this proposal allows for the development of affordable housing in a rural location where because of planning policy the provision of market housing would not normally be acceptable. Policy CS19 states;

Proposals for permanent affordable housing to meet an identified local need (including a small element of market housing where this will facilitate the successful delivery of the affordable housing) will be permitted as an exception on sites where market housing would not normally be acceptable.

Proposals should be:

- Supported by an approved housing needs survey
- Well related to a rural settlement
- Modest in scale and in keeping with the form and character of the settlement and the local landscape setting; and
- Supported by the appropriate Parish Council

The permission will be subject to conditions, or a legal obligation to ensure that the affordable housing is reserved in perpetuity for those in local affordable housing need. Taking the above criteria in turn:

*Proposals should be Supported by an Approved Housing Needs Survey*

In April 2018 Marshfield Parish Council (MPC) asked SGC's Housing Enabling Team to conduct an Affordable Housing Needs Survey (AHNS) as the previous one had come to the end of its 5-year shelf-life.

Following discussions with MPC, survey questions and distribution method were agreed and the survey was conducted during the summer, closing in mid-September 2018.

Subsequent analysis took several months but the final consultation report was published in January 2019 and concluded the housing need as set-out below:

Affordable Housing	
<b>Social rent tenure</b>	<b>13 households</b>
<b>Shared ownership (40% or 50% product)</b>	<b>4 households</b>
Total	17 households

The survey also offered further detail on the house-types required:  
10 x 1-bed, 5 x 2-bed and 2 x 3-bed

Table 2 provides a summary of the number of affordable homes needed by tenure and bedroom size.

Table 2: Affordable Homes needed by tenure and size
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Tenure	1bf	2bf or 2bh	3bh
<b>Social rented</b>	7	4	2
<b>Shared Ownership</b>	3	1	
Total	10	5	2

In association with the South Gloucestershire strategic housing enabling team, corporate research team and Marshfield Parish, a housing needs survey was carried out between July and September 2018. There was a response rate of 34.4% to this survey which concluded that 17 households were in need of Affordable Housing of which 13 required affordable rented accommodation. These findings are supported by and endorsed by Marshfield Parish Council.

It is therefore considered that the above evidence demonstrates that there is a genuine need for affordable housing within Marshfield from those with close connection to the parish.

*Proposals should be Well Related to a Rural Settlement*

By definition exception sites are outside of the village's development or settlement boundary, as is the case with this application. This site is situated just outside the settlement boundary where a footpath to the front of the site will provide access to the facilities that Marshfield is able to provide. Although there is a gap top the settlement boundary it is considered that the site relates well to the village.

*Proposals should be Modest in Scale and in Keeping with the Form and Character of the Settlement and Local Landscape Setting*

The impact of the design and layout of the proposal upon the local landscape setting is discussed elsewhere in this report in detail. The proposal is considered to meet this criteria.

*Proposals should be Supported or Initiated by the Appropriate Parish Council*

Marshfield Parish Council outlined their position in January 2016 when they endorsed South Gloucestershire Council's stance for an 'exception site' where this would allow a small-scale development, under local control, to potentially come forward. Officers of the Housing Enabling Team note that the Parish Council have supported the work of Marshfield Community Land Trust and endorsed the finding of the housing needs survey at a meeting on 5<sup>th</sup> March 2019. The Parish have also shown their support for the proposal in their response to this planning application (see 4.1 above)

It is proposed to provide the following as part of the development:

**Social Rent**

**Quantity & Type**

**Min Size m<sup>2</sup>**

4 x 1 bed 2 person flats	50
4 x 2 bed 4 person houses	79
2 x 3 bed 5 person houses 2 storey	93

### Shared Ownership

Type	Min Size m <sup>2</sup>
2 x 2 bed 4 person houses	79

The remainder of the units i.e. 6 dwellings will help subsidise the affordable element.

In terms of the design, delivery, rent levels, these have been set out and with one exception meet the requirements of the SPD. The one exception is that in this case it is considered that the provision of one wheelchair accessible unit can be waived. This judgement has been made in association with the occupational therapist on the basis that:

1. As a semi-rural location, its geography can make access to facilities, public services & retail challenging.
2. Public transport can be challenging or infrequent and this may cause isolation for the disabled person.
3. Commissioning care from Care agencies is challenging in semi- rural communities.

In terms of the design the affordable units are to be built to the same high quality design standards and will be visually indistinguishable from the market units and in addition, Part M of the Building Regulations accessibility standards M4(2), Secured by Design Silver, Part Q Building Regulation standards and compliance with the RP Design Brief;

- i. All rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels;
- ii. All properties to have vinyl/tiles on floor in all ground floor rooms;
- iii. Ceiling height tiling to 3 sides of bathroom to be provided;
- iv. Provide wall mounted shower (either electric or valve and kit);
- v. Provide gas and electric points to cooker space (where gas is available);
- vi. Painted softwood curtain battens to each window (where construction is traditional as opposed to timber frame)

In terms of the delivery and phasing the applicant has confirmed that should permission be achieved, the development will proceed over one development phase.

The Council to refer potential occupants to all first lettings and 75% of subsequent lettings. As a rural exception site a local lettings policy will be agreed between SGC, and Marshfield CLT.

Affordable housing on rural exception sites will be subject to a condition or legal obligation, which limits occupancy to those with the local connection, (defined in CS19, paragraph 10.55). Should dwellings remain unoccupied for a period of time a cascade approach to widen the area of connection will come into effect. The cascade approach will be defined in a legal agreement, together with details of how the dwellings will be reserved as affordable in perpetuity.

In terms of the rent levels and affordability Social Rent homes to be let at Target Rent (Rent Standard Direction 2014). Shared Ownership homes to be sold at no more than 40% of market value, and annual rent on the equity retained by the RP should be no more than 1.5%. Service charges will be capped at £650 per annum (April 2016 base and linked to RPI) to ensure that all housing costs are affordable to future occupants.

The Affordable Housing provision will be secured through a planning obligation as set out in Section 7(a) below, both in terms of the quantity, tenure and details set out above.

#### 5.9 Environmental Protection

Policy PSP 21 states that proposals for development on land which may be affected by contamination will be acceptable where adequate remedial measures are taken. Officers note the current use as arable land and that the chance of contamination is low however it is considered appropriate to apply a precautionary condition to require the reporting of any contamination found during construction and to secure measures to deal with this if it is found. Subject to this condition the development is considered acceptable in these terms.

#### 5.10 Transportation

Policy CS8 of the Core Strategy considers the location of new development and encourages new development that is sustainably located where development can secure access to facilities and services by means other than the private car. PSP11 in more detail requires development to have an acceptable impact on highway and road safety.

In support of the application the applicant has submitted a Transport Statement.

#### *Sustainability*

The application site is situated just beyond the settlement boundary by approximately 260 metres, the nearest development being the Marshfield Primary School and its grounds. The access profile for Marshfield shows a dedicated community centre, post office, two public houses, there are also two convenience stores. Unusually for a rural settlement there is a Doctors surgery (Three Shires Practice Back Lane) approximately 800 metres from the site.

Within the settlement there is a small safeguarded employment area (Listed under Policy CS12 as the Sungard Vivista Premises). As indicated above the settlement has a primary school with walking and cycling distance.

Marshfield lacks facilities such as a library, pharmacy, dentist, large food retail store, secondary school and major employers. MJ Church is approx. 2km from the site further to the east along A420 but is not considered to be accessible easily/safely by anyone wanting to walk or cycle so is discounted.

In terms of Public Transport, a Service (No.53) runs between Kingswood and Marshfield. PSP11 sets out the accessibility criteria for bus services, indicating that this should have at least one service arriving before 9am and at least one that returns after 5pm. The criteria indicates that on Saturdays there should be one service that arrives before midday and returns after 3pm. The above service meets these criteria. There are no public transport connections on a Sunday.

In terms of distances to facilities for walking and cyclists from the entrance onto the A420, these are as follows (the appropriate standard set out in Policy PSP11 is included in brackets :

Primary School	260m (3200m)
Post Office	930m (1200m walking/800 cycling)
Community Centre	600m (800m)
Local Shops	1100m (1200m)
Lord Nelson (nearest Public House)	790m (800m)
GP Surgery	790m (800m)
Bus Stop (Chippenham Road)	360. (400m)

In summary it is considered that there is a mixed picture. The principal transport mode will be the private motor car. For a rural settlement the available facilities can be considered appropriate and those available although likely to be accessed by car, all fall within the minimum criteria in PSP11 for walking and cycling.

#### *Highway Safety – Site Access*

The single vehicular access to and from the site is in the form of a simple “T” Junction. Visibility is considered acceptable. A safety audit undertaken made three recommendations; the provision of a new footway between the site and the access road serving the school (where connection exist to the remainder of the settlement); the extension of a 50mph speed limit between the site and a point to the east on the A420 and lastly a right turn facility from A420.

The applicant has agreed to the provision of the above through a S106 agreement (see Section 7 below). Considerable negotiation has taken place to secure an appropriate design for the right turn facility but that is now agreed. Officers consider the number of likely traffic movements justify this facility on

Highway Safety grounds. The footpath is absolutely critical in ensuring connectivity to those facilities available.

### *Parking*

South Gloucestershire Council residential parking standards are set out in PSP16 and in the Supplementary Planning Document (SPD) adopted in 2013. The standards are described as minimum provision, plus visitor allowance. For this proposed development consisting of 4no. 1-bed and 6no. 2 bed and 8no. 3-bed the minimum parking requirement is 33 including 4 visitors' spaces. The submitted details show a total of 36 car parking spaces. This therefore exceeds the minimum standards and as such is considered acceptable.

In summary subject to the signing of a legal agreement to secure the above provisions and a condition to secure the provision of the parking spaces prior to first occupation the development is considered acceptable in transportation terms.

## 5.11 Urban Design

Policy CS1 (and PSP1, of the Policies, Sites and Places Plan) of the Core Strategy indicates that development will only be permitted where *"the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that siting, form, scale, height and massing, detailing, colour and materials are informed by, respect and enhance the character distinctiveness and amenity of both the site and its context."* Integration with the landscape such that it is integral to the design, safety and security are all considerations.

The design of the proposal is as set out above in 5.1 to 5.6, one of the considerations in considering the principle of development in so far as this is a factor both in terms of consideration of the AONB where the development must make a positive contribution but also in terms of meeting the tests of meeting the definition of a Rural Housing Exception Site i.e. being *"Modest in scale and in keeping with the form and character of the settlement"*.

The site has an unusual context as it is effectively a "stand-alone" rural development where there is a degree of separation from Marshfield. The context is therefore largely open farmland.

The applicant has set out that the scale, massing and layout of the proposal is considered to respond to the various aspects of the context by minimising the visual impact of the development. The development is set out as a courtyard development with largely linear barn like structures that are set around shared communal space. The exception to this is a cluster of three buildings at the south-east corner to be used by the farmer. These have the appearance of standard farmhouses. Buildings will be two storey and avoid north facing elevations. They are set back from the road and an area of car parking is provided back from the northern edge, although smaller areas of parking can be found within the site.

The buildings while two storey, given the pitch of the roof appear as single storey when viewed from long views into the site. This reduces the impact of the development upon the landscape significantly. The “taller eaves” i.e. where the building appears two storey face onto the communal space and thus are view from much closer. The three dwellings at the south east corner are detached but connected at the ground floor by stone walls. This to a degree ensures that this part of the site reads as a single unit.

In terms of materials, the linear barn like structures will be of light-weight materials of a similar type to agricultural buildings. Fibre cement roofs and gable ends with the longer elevations front and back being clad in yellow brick which is said to replicate that to be seen on stone walls. The three dwellings situated at the south east corner are to be clad in masonry with the garden walls that attach the properties to each other at ground floor level to be of buff stone. The fibre cement will match that on the other buildings.

The access/internal roads are to be privately maintained. There will be a communal bin store for the 4 no. flats and each house will be provided with an individual store. There was a concern in relation to the provision of waste storage at the south-east corner of the site as this exceeded the distance to which refuse storage would be collected. As a result a bin storage area is now provided to the west of the earlier location such that it is accessible for the users and collectors within the distance limitation of 25m set out in the Council's waste standards. Cycle storage is provided with one store per house (to allow storage of 2 no. cycles), with the flats have a separate communal cycle store.

The scheme is not of a scale that would warrant the provision of public art.

Initial concerns were raised by the police with respect to the security of the site. These concerns related to the footpaths to the rear of the properties and natural surveillances, and the preference of gates to these footpaths. The applicant has agreed to add gates to the ends of these footpaths to make clear that this is private or public space. Fence heights have been increased closer to the road. The Case Officer however accepts the view of the applicant following submitted evidence that open areas are overlooked. There are only two access points for the occupiers of the site, one vehicular and one pedestrian and the main public area is overlooked at the centre of the development and anyone not from the site would be visible. The applicant is also showing on the plans the use of thickened laminated glass at ground floor level. The police are now satisfied with the proposal from a safety/security perspective.

Subject to appropriate conditions to secure the submission of details of materials and a specific condition to secure the provision of a sample palette in situ of the facing materials the proposed development is considered acceptable in design terms.

## 5.12 Climate Change/Environmental Policy

PSP6 in line with the NPPF requires local planning authorities to adopt proactive strategies to mitigate and adapt to climate change.

PSP6 requires all development proposals to be encouraged to minimise end user energy requirements over the current building regulations. In addition all major greenfield residential development will be required to reduce Carbon Dioxide emissions further by at least 20%. This proposal falls within this category.

An initial Energy Statement was submitted with the proposal and as set out above (consultation response), further information was requested. Following a few further revisions the energy statement has been accepted by officers.

The applicant intends to build the scheme to Passive House Standards and to use a consultant during the construction phase of the development. The following key areas are to be used:

Low thermal fabric u-values go far beyond the guidance set out in Part L 1A.  
Highly efficient Kensa Shoe Box Ground Source Heat Pump heating system to supply both heating and hot water.

Low u-value TRIPLE glazed windows and highly insulated entrance doors.

High levels of thermal bridging performance/efficiency.

Low air permeability

Highly Efficient MVHR (mechanical ventilation with heat recovery) ventilation systems.

100% LED lighting

The submitted information states that a 20.2% Carbon Dioxide saving can be achieved. Furthermore Passivhaus methodology will allow the opportunity to assess overheating as summer temperatures increase. Electric vehicle charging points are to be provided. The Environmental Protection Team is satisfied with the proposed statement and a condition will be attached to the decision notice to ensure that all work is carried out in accordance with the recommendations held within it.

## 5.13 Drainage

Policy CS9 of the Core Strategy requires that development should be firstly located away from areas of flood risk and secondly should reduce and manage the impact of flood risk through among other criteria the use of Sustainable Drainage Systems (SuDS). PSP20 more specifically considers flood risk and surface water management.

The application site is located in Flood Zone 1 where there is the lowest risk from flooding and where vulnerable development such as that proposed should be located in the first instance.

Notwithstanding this fact, it is requirement that development proposals should reduce surface water discharge from the site area. This is a greenfield site and

it is a requirement that discharge is restricted through a controlled outflow to minimise surface water both within the site and to minimise off-site flood risk. Initial draft proposals were deemed inappropriate primarily because of inappropriate means of discharge from a package treatment system for foul rather than surface water.

It is now considered that it is possible to address this issue satisfactory subject to a condition to secure full details of a surface water and foul water sewage scheme ensuring flood prevention, pollution control and environmental protection, bearing in mind that no public sewer connection is possible in this location. The condition will specify the level of detail required including the exact location of any soakaways and details of a new sewage package treatment plant and method of disposal.

Subject to this condition the development is considered acceptable in drainage terms.

#### 5.14 Public Open Space

Policy CS6 of the Core Strategy recognises that new development of a sufficient scale (and this proposal as a development of 18 no. dwellings falls within the thresholds specified in the National Planning Policy Guidance (NPPG), will add to the overall demand upon existing infrastructure. The policy states that the development will be required to provide on-site provision but also where the provision cannot be provided on site “financial contributions will be sought and may be pooled to secure the necessary off-site infrastructure investment”.

Within the supporting text (6.19), the provision of Green Infrastructure to include Open Space, play and outdoor sports facilities is included as a facility or service that a development may be required to contribute towards. The provision of a full range of open spaces is recognised as a key element in the delivery of sustainable communities supporting the residents’ health and social well-being.

It is predicted that an additional dwellings would result in a population increase of 39.6 people. An audit of existing provision has demonstrated a shortfall of Informal Recreational Open Space and provision for Children and Young People. There is a reasonable quantity of outdoor sports facilities however Withymead Playing Field has been identified in the SGC Playing Pitch Strategy as needing improvements through better maintenance. There is an adequate supply of Natural and Semi-natural Open space and allotments within the settlement boundary of Marshfield. Withymead Playing field is well connected to the site by footpaths either to the south or via the front of the site and to the side of the school (this puts emphasis on the importance of upgrading/providing this link to the front of the site).

It is considered that if informal recreational open space is provided on site then this is sufficient to meet the required amount. This will be maintained privately by the developer.



There is adequate existing supply of natural and semi-natural open space within the settlement boundary of Marshfield as well as Allotments. It is noted however that the submitted landscape plans indicate on-site provision of 510sq.m of Natural and Semi-natural Open Space and 314sqm of Ancillary Space and the Heads of Terms of the S106 will include this and the requirement for its inclusion in the future maintenance arrangements by the private management entity.

There is a requirement however for both outdoor sports facilities and equipment/facilities for children and young people as well as its future maintenance to be provided off-site and as indicated above this will be provided at nearby Withymead Playing Field. This is included in the S106 Heads of Terms set out in Section 7 below.

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount provided on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Outdoor Sports Facilities	633.6	0	633.6	£34,702.34	£10,503.25
Provision for Children and Young People	84	0	84	£15,415.86	£16,209.90

#### 5.15 Residential Amenity

Given the scale and the location of the proposed development and the relationship with the nearest residential properties, the proposed development will not result in any loss of amenity to existing residential occupiers.

Turning to the development itself the proposed development adopts a layout/inter-relationship that ensures that the amenity of future occupiers is protected in terms of privacy and outlook. In addition adequate private amenity space is provided for the future occupiers to accord with Policy PSP43 of the Policies, Sites and Places Plan.

#### 5.16 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.

## **RECOMMENDATION**

- 7.1 That authority be delegated to the Director of Environment and Community Services to grant 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:

a) **Affordable Housing**

- 12 dwellings to be delivered as affordable housing, as defined by the NPPF
- Tenure split as follows:

### **Social Rent**

<b>Quantity &amp; Type</b>	<b>Min Size m<sup>2</sup></b>
4 x 1 bed 2 person flats	50
4 x 2 bed 4 person houses	79
2 x 3 bed 5 person houses 2 storey	93

### **Shared Ownership**

<b>Type</b>	<b>Min Size m<sup>2</sup></b>

2 x 2 bed 4 person houses	79
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- In all other respects the development shall comply with the requirements as set out in para 5.8

Reason:

To accord with Policy CS19 of the South Gloucestershire Core Strategy 2013 and the Affordable Housing and Extra Care SPD 2014

b) Transportation

- The construction of a new junction off the A420 Marshfield Road in accordance with the details as shown in principal on drawing title 'REVISED HIGHWAY IMPROVEMENT SCHEME' plan (i.e. drawing no. SK004 rev A) together with all associated works.
- The construction of a new footway/cycleway (minimum 2m wide) link between the site and existing footway outside Marshfield Primary school off Chippenham Road together with all associated works as shown in principal on plan title 'SITE PLAN PROPOSED' ( i.e. Drawing 1811 (00) 002 rev P09.
- The Council's reasonable costs towards promoting a 50 mph speed limit along the development frontage on the A420 through an application for a Traffic Regulation Order (TRO) at this location.

c) Public Open Space

- On-site Informal Recreational Open Space shall be provided as shown on Drg. No 1811 (00) 130 P01 Public Open Space Plan (for the avoidance of doubt this is 1089sq.m). This Informal Recreational Open Space shall be made accessible to the public at all times.
- The on-site provision of 510sq.m of Natural and Semi-natural Open Space as shown on Drg. No 1811 (00) 130 P01 Public Open Space Plan and its future maintenance by the private management entity.

The provision of 314sqm of Ancillary Space as shown on Drg. No 1811 (00) 130 P01 Public Open Space Plan and its future maintenance by the private management entity.

- The Council charges a fee (£52.00 per 100sq.m.plus £500 core service fee) to inspect the open spaces to ensure their compliance with the approved plans prior to transfer to the private management entity.
- A contribution of £34,702.34 towards the provision of Outdoor Sports Facilities and £10,503.25 towards its future maintenance

- A contribution of £15,415.86 of provision for children and young people and £16,209.90 towards its future maintenance

Reason:

To accord with Policy CS24 of the South Gloucestershire Local Plan Core Strategy (adopted Dec 2013)

- 7.2 That should the agreement not be completed within 6 months of the date of the resolution that delegated authority be given to the Director of 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. Mitigation Measures (Ecology)

The development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 3 of the Ecological Impact Assessment (Clarkson & Woods, December 2019) this shall include the further monitoring recommended for bats.

Reason:

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

3. External Lighting Design

Prior to commencement of above ground works, 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:

a) 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;

b) 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.

c) All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained/retained thereafter in accordance with the strategy (no further external lighting shall be installed without prior consent from the local planning authority)

For the avoidance of doubt the strategy/plans shall prevent light spill over bat commuting/foraging habitat created or retained as open space (European Protected Species), most particularly along the northern boundaries. The lighting plan should concord with BCT/ILP Guidance Note 08/18 'Bats and Artificial Lighting in the UK.

Reason:

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

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

#### 4. Landscape and Ecological Management Plan (LEMP)

A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence managements.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.

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

Reason:

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

#### 5. Ecological Enhancement Measures

Prior to first occupation of the two areas identified on Drawing No.1811 (00) 109 P01 (Proposed ecological enhancement areas received 30th September 2020) , evidence of the installation of the ecological enhancement features recommended in the Ecological Appraisal (Clarkson & Woods, December 2019) shall be submitted to the

local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes, permeable fencing (hedgehog highways) and native planting

Reason:

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

## 6. Land Contamination

Any contamination found during the course of construction of the development shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found 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 the development will not be affected by existing contamination and to accord with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Nov 2017.

## 7. This decision relates only to the plans identified below:

Received 24th December 2019

1811(00)001 P01 SITE LOCATION PLAN

Received 10th January 2020

1811(00)050 P04 EXISTING SITE PLAN/TOPOGRAPHICAL SURVEY

1811(00)160 P03 TYPICAL UNIT PLANS

1811(00)252 P06 SITE WIDE SECTIONS\_PROPOSED SHEET 2

1811(00)360 P03 ELEVATIONS PROPOSED BUILDING A FLATS

1811(00)361 P03 ELEVATIONS PROPOSED BUILDINGS B AND D BARNES

1811(00)362 P03 ELEVATIONS PROPOSED BUILDING C 'FARMHOUSES

1811(00)370 P03 ELEVATIONS PROPOSED BUILDING A FLATS COLOUR

1811(00)371 P03 ELEVATIONS PROPOSED BUILDING B & D BARNES COLOUR

1811(00)372 P03 ELEVATIONS PROPOSED BUILDING C 'FARMHOUSES COLOUR

Received 12th March 2020

1811(00) 100- GATES, PERIMETER BOUNDARIES AND LOCKABLE GATES

1811(00) 100- OVERLOOKING/PASSIVE SURVEILLANCE

Received 30th September 2020

1811(00)002 P10 SITE PLAN PROPOSED

1811(00)101 P10 FIRST FLOOR PLAN PROPOSED

1811(00)100 P15 GROUND FLOOR PLAN PROPOSED

1811(00)102 P12 ROOF PLAN PROPOSED

1811(00) 109 P01 PROPOSED ECOLOGICAL ENHANCEMENT ZONES

1811(00) 130 P03 OPEN SPACE PLAN  
1811(00)250 P07 ELEVATIONS\_PROPOSED SHEET 1  
1811(00)251 P07 SITE WIDE SECTIONS\_PROPOSED SHEET 1

Received 12th March 2020

1811(00) 100- GATES, PERIMETER BOUNDARIES AND LOCKABLE GATES  
1811(00) 100- OVERLOOKING/PASSIVE SURVEILLANCE

1811(00)050 P03 EXISTING SITE PLAN/TOPOGRAPHICAL SURVEY

1811(00)102 P09 ROOF PLAN PROPOSED

1811(00)251 P05 SITE WIDE SECTIONS\_PROPOSED SHEET 01

Reason:

For the avoidance of doubt

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. 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.

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

9. Materials

Prior to the commencement of above ground works details of the following materials shall be submitted to an approved in writing by the Local Planning Authority:

Pavours  
Access Surfaces  
Kerbs  
Self-bound gravel  
Window frames doors/garages  
Lintels and sills  
Fibre cement tiles/sheets  
Facing bricks  
Stone cladding  
Mortar  
Rain Water goods

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

Reason

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

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

10. Samples

Prior to the commencement of above ground works panels of the facing materials shall be provided on site for inspection. The panels shall include the brick, stone cladding with mortar and fibre cement cladding

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.

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

11. Drainage

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

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

A clearly labelled drainage layout plan showing the exact locations of any soakaways and new sewage package treatment plant and method of disposal to be utilised.

A copy of the approved discharge consent from the Environment Agency (EA) in relation to treated effluent disposal from the sewage package treatment plant.

Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal

Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.

It is important to note that Soakaways must be located 5 Metres from any structure including the Public Highway

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.

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

12. Car Parking/Manoeuvring Area

Prior to the first occupation of the development the car [vehicle] parking area and manoeuvring area as shown on the approved plans shall be provided and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason

To ensure the satisfactory provision of the parking facilities and manoeuvring area, 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.

13. Construction Environmental Management Plan (CEMP)

A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of development. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall address the following matters:

- (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.

Reason

In the interests of highway safety and environmental protection, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2013 and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development as it relates to the construction period.

14. 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 received April 23rd 2020 (Energy Statement, Adam Sims, Energy Compliance Ltd, April 22nd 2020) prior to occupation.

In accordance with the approved Energy Statement a total 41% reduction in carbon dioxide emissions (based on the DER and TER) beyond Part L 2013 Building Regulations shall be achieved, and a 20.20% reduction in carbon dioxide emissions below residual emissions (that is regulated and unregulated emissions) through renewable technologies shall be achieved.

**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.

15. Accessibility

The Affordable Dwellings, identified as A01, A02,A11, A12, B01,B02, B03, B04, B05, D02, D03 and D04 in the Design and Access Statement and on Drawing No. 1811(00)100 P14 GROUND FLOOR PLAN PROPOSED, shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2)

**Reason:**

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

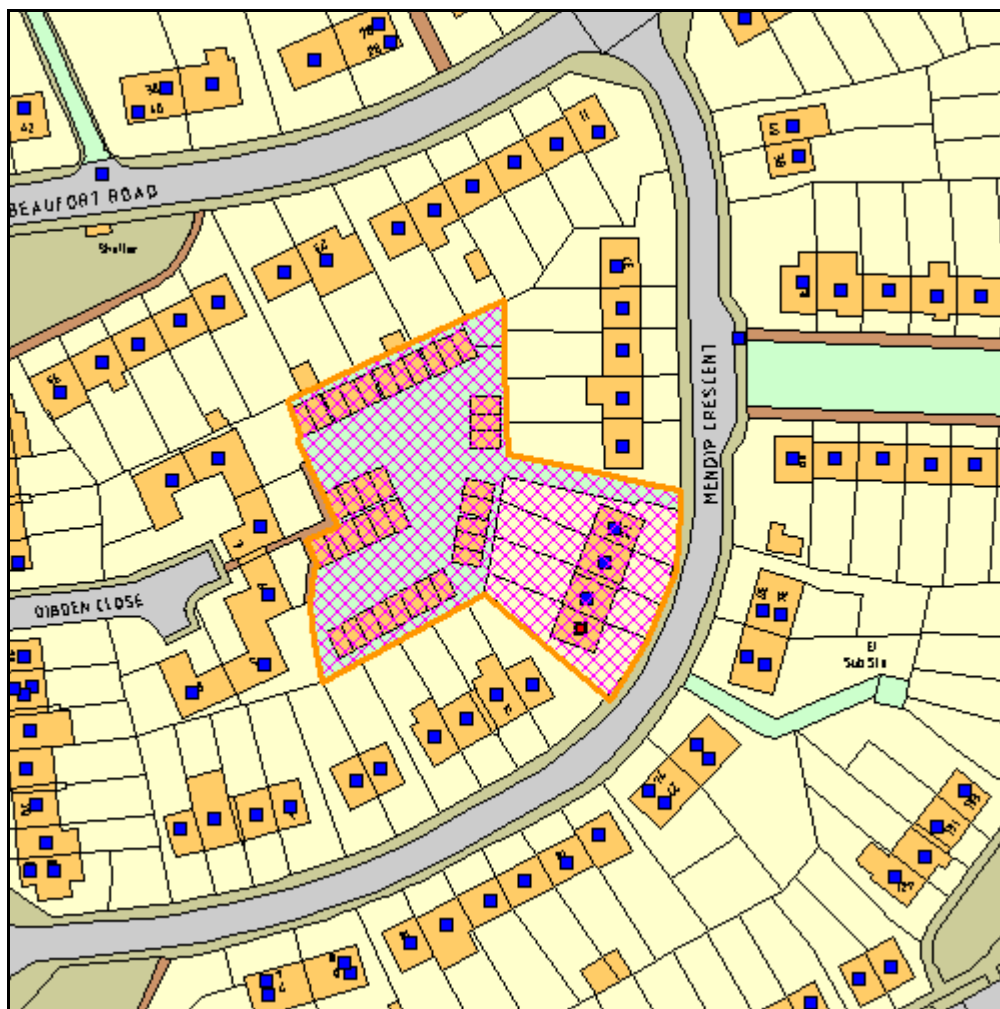
**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.  
POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: The LPA has worked with the applicant to ensure that the development can be considered sustainable development and the decision has been issued in a timely manner.

**Case Officer: David Stockdale  
Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 01/21 -8th January 2021**

<b>App No.:</b>	P20/17527/F	<b>Applicant:</b>	Bromford
<b>Site:</b>	21, 23, 25 And 27 Mendip Crescent Downend South Gloucestershire BS16 6UF	<b>Date Reg:</b>	24th September 2020
<b>Proposal:</b>	Demolition of 4no existing dwellings and 37no garages. Erection of 11no dwellings, with car parking spaces and associated hard and soft landscaping.	<b>Parish:</b>	Emersons Green Town Council
<b>Map Ref:</b>	366299 177535	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Major	<b>Target Date:</b>	16th December 2020



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N.T.S.

P20/17527/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 has been referred to the Circulated Schedule following the receipt of objections from 3no. local residents; the concerns raised being contrary to the officer recommendation. The scheme also requires a new S106 legal agreement to secure an affordable housing contribution.

## **1. THE PROPOSAL**

- 1.1 The application site is a 0.23ha plot of land, which lies on the western side of Mendip Crescent, Downend. The site lies within the Urban Area and Bristol East Fringe but has no special designations. The site is currently occupied by a terrace of 4no. two-storey houses (nos. 21, 23, 25 and 27) facing Mendip Crescent, behind which is an area of 37no. garages clustered in blocks of two, three and four, accessed off Mendip Crescent via a tarmacked driveway between nos. 27 and no.29 Mendip Crescent. Some of the garages are in a rather dilapidated state, and many have vegetation growing on the roof. Approximately 33% of the garages are unoccupied. The application site lies within a densely populated residential area and is entirely enclosed by residential dwellings fronting Mendip Crescent to the south and east, Beaufort Road to the north and properties at the end of Dibden Close to the West.
- 1.2 The scheme as proposed is to demolish the terrace of 4 dwellings nos. 21, 23, 25 and 27 and all of the garages to the rear, in order to facilitate the erection of 11no. new dwellings (net increase of 7 dwellings) all to be occupied as affordable housing by clients of Bromford Housing Association.
- 1.3 The application is supported by the following documents:
- Design & Access Statement
  - Arboricultural Report
  - Drainage Strategy
  - Ecological Appraisal
  - Parking Survey
  - Sustainable Energy Statement

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework Feb. 2019  
National Planning Practice Guidance 2014

2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013  
CS1 - High Quality Design  
CS2 - Green Infrastructure

- CS4A - Presumption in Favour of Sustainable Development
- CS5 - Location of Development
- CS6 - Infrastructure and Developer Contributions
- CS7 - Strategic Transport Infrastructure
- CS8 - Improving Accessibility
- CS9 - Managing the Environment and Heritage
- CS15 - Housing Distribution
- CS16 - Housing Density
- CS17 - Housing Diversity
- CS18 - Affordable Housing
- CS23 - Community Infrastructure and Cultural Activity
- CS29 - Communities of the East Fringe of Bristol Urban Area

The South Gloucestershire Local Plan : Policies, Sites and Places Plan  
(Adopted) Nov. 2017

- PSP1 - Local Distinctiveness
- PSP2 - Landscape
- PSP3 - Trees and Woodland
- PSP6 - On Site Renewable and Low Carbon Energy
- 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
- PSP21 - Environmental Pollution and Impacts
- PSP37 - Internal Space and Accessibility Standards for Affordable Dwellings
- PSP43 - Private Amenity Space Standards

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Check List (SPD)
- Trees on Development Sites SPG (Adopted) Nov. 2005
- South Gloucestershire Council Residential Parking Standards (SPD) Adopted
- Waste Collection : guidance for new developments (SPD) Adopted Jan. 2015
- Affordable Housing and extra care SPD (Adopted) May 2014
- Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide.

3. **RELEVANT PLANNING HISTORY**

- 1.1 None

4. **CONSULTATION RESPONSES**

- 4.1 Emersons Green Town Council  
No objection

**Other Consultees**

- Highways Structures  
No comment

Lead Local Flood Authority

No objection subject to a SUDS condition.

Sustainable Transport

No highway objection to this application but the following conditions are recommended.

- 1) Prior to occupation, provide off street car parking in accordance with the submitted and approved plan.
- 2) Prior to occupation of the dwelling, provide electric vehicle charging points for each dwelling where the car parking spaces are adjacent to it.

Children & Young People

No response

Environmental Protection (Noise)

No adverse comments. Standard Informatives relating to building sites.

Landscape Officer

No objection subject to conditions to secure a detailed planting plan and details of boundary treatments & hard landscaping.

The Tree Officer

No objection to the proposal subject to a suitably worded landscaping condition to secure further details for planting, aftercare, sizes, species and quantities.

Wessex Water

No response

Avon Fire and Rescue

No response

Police Community Safety Officer

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

Arts and Development Officer

No comment

Waste Engineer

Both the position of the bin collection points for the properties and access for the collection look suitable.

Environmental Policy and Climate Change Officer

No objection

Public Open Space Officer

This application falls below the threshold for Public Open Space S106 requirements.

Housing Enabling Officer

No objection subject to S106 to secure 4no affordable dwellings for social rent.

Self-Build Officer

Policy PSP42 requires the Council to encourage developers to provide serviced plots on residential sites over 10 dwellings.

*The applicant has stated that unfortunately it isn't desirable or practical to deliver self-build plots as part of this project due to the size of the scheme which is delivering 100% affordable homes.*

NHS

No response

The Ecology Officer

No objection subject to conditions to secure Ecological Mitigation Measures, lighting design strategy and Ecological Enhancement Scheme.

Avon Wildlife Trust

No response

**Other Representations**

4.2 Local Residents

3no. letters of objection have been received from local residents; the concerns raised are summarised as follows:

- Loss of privacy due to overlooking of neighbouring property.
- Loss of property values.
- Loss of light to lane rear of no.19 Beaufort Rd.
- Loss of garages.
- Increased on-street parking.
- Loss of access ramp to rear of 19 Beaufort Rd.
- Increased traffic.
- Increased anti-social behaviour.
- Insufficient parking provision.
- Electric charging points should be provided.
- Disturbance during development phase.

**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 The locational strategy for the District is set out in policy CS5. Under this policy new residential development is directed to the strategic housing allocations, existing urban areas, and defined rural settlements as shown on the proposals maps, with most new development being on the North and East Fringes of Bristol. This application proposes development within the designated Urban Area on the East Fringe and as such is acceptable in principle.
- 5.6 It is considered likely that the proposed development would begin to contribute towards housing supply in the district within a period of 5 years.
- 5.7 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'.
- 5.8 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.
- 5.9 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.



- 5.10 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.
- 5.11 South Gloucestershire Council can currently demonstrate that it has a 5.28 year supply of deliverable housing land. In this instance, the NPPF makes a presumption in favour of approving sustainable development. Notwithstanding this position, the site is located within the Urban Area where new residential development is acceptable in principle.
- 5.12 The site lies in a sustainable location close to public transport routes, shops and leisure facilities. There are no designations on this site that preclude its development for housing and the NPPF is clear that there is a presumption in favour of sustainable development. On this basis, there is a presumption in favour of the proposed scheme. However, it is necessary to consider the benefit of this proposal against any adverse impact and weigh these factors in the planning balance. The issues for consideration are discussed as follows:

### Analysis

#### Scale and Design

- 5.13 Core Strategy Policy CS1 only permits new development where “the highest possible standards of site planning and design are achieved”. The Policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality; this policy is fully compliant with the design guidance in the NPPF.
- 5.14 The locality is characterised by predominantly pre-war, two-storey residential dwellings interspersed with sporadic commercial developments. It is a densely populated suburban area comprising mainly terraces of a basic standard pitch roofed design with gable ends and brick/render walls. The garages to the rear of Mendip Crescent have a very basic design, having concrete walls with mono-pitch roofs. Many of the garages are dilapidated and underutilised, which overall creates a somewhat foreboding environment that would appear to be a haven for fly tipping and anti-social behaviour. The terrace to the front comprises houses that are considered to be of low architectural significance that have gone beyond their design life, being poorly insulated and no longer sustainable. From an architectural viewpoint, the loss of these garages and the terrace of 4 houses (nos. 21, 23, 25 & 27) to the front is not opposed.
- 5.15 It is proposed to demolish the 37no. garages and terrace of four houses to the front and erect 11no. dwellings, to be occupied by clients of Bromford Housing Association (i.e. 100% affordable housing). The dwellings would comprise 2 x 1 bed houses, 8 x 2 bed houses and 1 x 3 bed house. The aim is to create a proposal which makes a positive contribution to the site and its wider context by replacing existing properties and low quality, under-utilised garages with well-designed modern, warm, efficient and high quality affordable housing to meet local housing need.

- 5.16 The existing terrace to the front would be replaced by dwellings of a similar scale on a similar footprint. The area of the site that is currently occupied by the existing garages has been configured to form a two storey terrace of 2 & 1 bed houses facing north (plots 5 - 7), and 2no. pairs of semi-detached dwellings facing south (plots 8 -11). The 2no. single-bedroom dwellings are proposed as chalet bungalows to reduce any potential overlooking between the two-storey properties on Dibden Close that bound the site to the West. A footpath has been proposed to the north-east corner of the site to maintain access to existing properties (see para. 5.46 below).
- 5.17 The proposal is considered to make efficient use of a site within the settlement boundary and Urban Area. The scale and form of the buildings would respect the street scene and character of the area in general. There are no objections on scale and design grounds.

#### Environmental Sustainability

- 5.18 National guidance in paragraph 17 of the NPPF states that planning should “support the transition to a low carbon future in a changing climate.” A Sustainability/Energy Statement has been submitted in support of this application.
- 5.19 The existing properties are poorly insulated and unsustainable, and the garages are under-utilised and in a state of disrepair. The replacement of these structures with high quality and sustainable dwellings would positively impact the environment and the lives of the existing and proposed tenants.

With regards to the energy efficient specification the key aspects are:

- Good Fabric Insulation Standards.
- Thermal Bridging Minimisation.
- Construction Detailing to Reduce Unwanted Ventilation Losses
- Efficient Heating and Hot Water Plant

#### Landscape & Trees

- 5.20 Policy PSP2 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) Nov 2017 seeks to conserve and where appropriate, enhance the quality, amenity, and distinctiveness of the landscape. Policy CS9 of the South Gloucestershire Local Plan Core Strategy expects new development to conserve and enhance the character, quality, distinctiveness and amenity of the landscape.
- 5.21 The site is generally flat or gently sloping with no notable landscape features. Other than the structures as described earlier, the remainder of the site consists of a mixture of varying types of hard standing but is generally tarmac that is in poor condition.
- 5.22 The submitted Arboricultural Report confirms that the 3No. trees that would be lost to the development within its northern corner are Category C, and comprise a Plum and 2no. Conifers. The Proposed Landscape Plan – 120, shows a general arrangement for the shared surfaces, parking areas, and planting areas with indicative tree planting, as well as specifying different fence types. Officers consider that there is scope for more tree planting than shown on this plan.

- 5.23 Detailed hard and soft landscape items can however be adequately dealt with by Condition. Subject to a landscape condition there are no in-principle objections in landscape terms.

#### Transportation Issues

- 5.24 In location terms, the transportation officer considers the site is in a highly sustainable central location with excellent access to the neighbouring local centres, retail and commercial offerings. There are also good transport links to Bristol City Centre and other areas within South Gloucestershire. This will allow future residents to use sustainable modes of transport (bus, walking and cycling) for accessing these facilities, driving down transport-related CO2 emissions. It also results in the suitability of the site for a relatively dense development to make best use of its location.
- 5.25 The existing site access point would be retained and upgraded to accommodate a vehicle crossover point and shared surface access road into the site. The shared surface access road would culminate in a turning head, which has been designed into the scheme to allow for emergency and amenity vehicles to access, turn and exit the site in a forward gear. A new pedestrian access is provided via the shared surface site access. Smaller pathways around the dwellings will connect together, providing a sense of inter connectivity to the scheme.
- 5.26 5no. parking spaces have been provided off Mendip Crescent for the properties fronting Mendip Crescent. The proposed site plan provides a total of 20 parking spaces to adhere to Local Planning Policy. This includes three visitor spaces. The level of parking provided meets the Councils' parking standards and as such it is considered acceptable. Sheds would be provided to the rear of each dwelling to provide cycle storage. With regards to EV charging, 7Kw/ 32amp electric car charging points would be provided for each dwelling which has a space adjacent to it and the remaining spaces would be provided with ducting for future electric car charging points, this would be secured by condition.
- 5.27 Each property is to be given separated recycling and non-recycling bins. Sufficient space has been provided for all properties to manoeuvre all bins directly from their rear garden to the front of their properties for collection. Vehicle tracking has been undertaken to show that sufficient space has been provided for manoeuvring within the site of both a small and large refuse vehicle. This plan has been submitted as part of this application.
- 5.28 The application includes a Parking Survey undertaken in Sept. 2019 to establish the existing usage of the Mendip Crescent garage site for parking, which was minimal. Officers therefore have no objection to the loss of these garages, which are unlikely to result in any significant increase of on-street parking. Given that the residual cumulative impacts of the development on highway grounds are not severe, there is no transportation objection to the proposal.

Residential Amenity

- 5.29 The nearest residential properties lie immediately adjacent to the boundaries of the site on Mendip Crescent, Beaufort Road and Dibden Close.
- 5.30 As advised by the NPPF, the applicants have engaged with the local community. In May 2020, the applicants wrote to local residents and the Town Council to consult on the proposed redevelopment of 21, 23, 25 and 27 Mendip Crescent and Mendip Crescent garage site. A copy of the proposed site layout and a feedback form was sent to over 100 local residents so they could provide their views on the plans. This was instead of a drop-in consultation event which unfortunately had to be cancelled in line with government advice on the coronavirus pandemic.
- 5.31 13no. residents' sent their feedback on the plans. The applicant's design team collated and carefully considered the points raised and sent individual responses to residents where appropriate. Below is a summary of the main issues/queries raised, a copy of which was sent to local residents:
- 'The plans the applicant consulted on proposed building 12 new homes consisting of one and two-bedroom flats and one, two and three-bedroom houses with associated parking and landscaping. As a result of comments received on the relationship between the new development and existing homes in terms of possible overlooking, the applicant revised the proposed site layout, reducing the total number of proposed new homes from 12 to 11. The four apartments and the detached 3-bedroom house were removed and instead a scheme consisting of one, two and three-bedroom semi-detached/terrace houses with associated parking and landscaping is proposed.*
- The revised proposed site layout minimises the impact the new homes may have on existing properties by including chalet bungalow style homes at plots 7 and 8 along the western boundary and a minimum of 21m back to back distances for the two-storey homes at plots 7 to 11. Where a back to back distance of 20.75m for the two-storey homes at plots 5 to 7 is proposed, the internal layouts of the new homes have been designed to minimise overlooking to the rear of 13 to 19 Mendip Crescent.'*
- 5.32 The scale of the proposed buildings is not excessive. Given the location, scale and orientation of the proposed buildings, it is not considered that the scheme would result in a level of overbearing impact, loss of privacy from overlooking or significant overshadowing for local residents' that would justify refusal on this issue.
- 5.33 Notwithstanding the local facilities available to the future occupants of the dwellings, the future occupants would have access to private rear gardens all of which exceed the space standards required in PSP43. The gardens would be well enclosed by high boundary treatments secured by condition 9.
- 5.34 Any future anti-social behaviour would be a matter for the appropriate agencies. Given however that the site would be made over to dwellings, passive surveillance would significantly increase therefore reducing the likelihood of such behaviour.

- 5.35 There should be no significant adverse impact on the residential amenity of future or neighbouring occupiers. The scheme is therefore considered to accord with policy CS1 of the Core Strategy (Adopted) December 2013, Policy PSP43 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov 2017 and the NPPF.

#### Ecology

- 5.36 An Ecological Appraisal (Landmark Practice, September 2020) has been submitted with the application. No designated sites will be impacted by the proposal. No further surveys are required and there is appropriate mitigation and enhancements recommended within the appraisal; these can be secured by condition.

#### Environmental and Drainage Issues

- 5.37 Whilst there would inevitably be some disturbance for neighbours during the development phase, this can be adequately addressed by imposing a condition to restrict the hours of working. In terms of drainage, the site lies in Flood Zone 1 but the Council's Drainage Engineer still requires a condition to secure the prior submission and approval of a SUDS scheme of drainage. The site is not known to lie in an area of former coal mining.

#### Affordable Housing

- 5.38 Bromford Housing Association (formerly Merlin Housing Society) is proceeding with a redevelopment programme regarding a number of the PRC (pre-cast reinforced concrete) dwellings and other properties. The project will span a period of at least 7 years and enable regeneration across 60 sites and 30 different locations in South Gloucestershire, providing quality, redeveloped, sustainable homes.
- 5.39 The National Planning Policy Guidance states that 'provision of Affordable Housing should only be sought for residential developments for major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or lower).' Major development being defined as - 'For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.
- 5.40 Notwithstanding the fact this scheme seeks to deliver 100% affordable housing, as it exceeds the AH threshold as set down under Policy CS18 of the Core Strategy, the Council will still need to secure 35% affordable housing as part of a Section 106 agreement.
- 5.41 In the event that not all the Affordable Housing is delivered or the site is subsequently sold on the open market, Enabling will secure the Council's planning policy requirement of 35% affordable housing in perpetuity via the Section 106 agreement

#### Community Services

- 5.42 As this proposal falls below the POS threshold of 10 dwellings (net gain of 7no. houses only) or more and/or is below 0.5ha and there appears to be no POS on site, it would not trigger a policy CS24 requirement.

### Planning Obligations

5.43 The Community Infrastructure Levy Regulations 2019 set out the limitations of the use of Planning Obligations (CIL). Essentially the regulations (regulation 122) provide 3 statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is;

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

In this instance, it is considered that the planning obligation relating to affordable housing is required to mitigate the impacts from the development and are consistent with the CIL Regulations (Regulation 122).

### Community Infrastructure Levy (CIL)

5.44 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. The introduction of CIL charging commenced on 1st August 2015. In the event that a decision to approve this proposal is issued the scheme would most likely be liable to CIL charging.

### Consideration of likely impact on Equalities

5.45 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

5.46 Of the concerns raised by local residents that have not been addressed above:

- The impact of development on property values is not a material consideration in the determination of planning applications.
- A lighting scheme for the site would be secured under condition 6.
- The existing pedestrian access would be retained to the rear of 17-19 Beaufort Rd. All fences and ramps would be secured through condition 9. With regards this issue, the applicant has stated the following:

*“We note the objections from Mr John Rodway and Mr Julian Godfrey in relation to the proposed redevelopment of 21, 23, 25 And 27 Mendip Crescent and the Mendip Crescent garage site, Downend, South Gloucestershire, BS16 6UF. Though not a planning issue, for information, we wrote to the objectors in September 2020 with regards to rear access onto the proposed redevelopment site. Whilst their properties do not have a formal right of way over the proposed redevelopment site, in the interest of being a good neighbour, we propose to include a path along the side and rear of plot 11. This would allow them to continue to have pedestrian access from the rear of their properties to the completed development. Subject to achieving planning permission, they will not be able to access the development site from the rear of their properties during the construction of the new homes. These discussions will continue alongside the determination of the planning application.”*

#### Planning Balance

- 5.47 This proposal makes efficient use of previously developed land in a highly sustainable urban location.
- 5.48 Employment opportunities for local craftsmen is a positive aspect of the scheme. The scheme delivers 100% affordable housing which is a social gain.
- 5.49 The proposal would provide suitable living conditions for future occupiers especially given the highly sustainable location of the site. The proposal would not be harmful to the character and appearance of the area nor harmful to highway safety.
- 5.50 The scheme is on balance considered to be sustainable development that is acceptable and should be approved.

## **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 (1) That 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 & Country Planning Act 1990 (as amended) to secure the following:
- (i) The provision of on-site affordable housing as follows:

- A total of four (4) affordable homes for social rent based on the following house type and tenure mix:
- 3 x 2-bed, 4-person, 2-storey houses at 79m<sup>2</sup> at plots 5, 9 & 10 and
- 1 x 1-bed, 2-person, 1.5 storey house 59m<sup>2</sup> at plot 8
- The reasons for this Agreement are:

- (i) To provide affordable housing on the site in accordance with Policy CS18 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11<sup>th</sup> Dec. 2013 and the Affordable Housing and Extra Care Housing SPD (Adopted) Sept 2008.

7.2 It is recommended 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 any consent being granted; 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. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Site Location Plan Drawing No. 6257-P-01 received 16th Sept. 2020

Existing Site Layout Drawing No. 6257-P-100 received 16th Sept. 2020

Proposed Site Layout Drawing No. 6257-P-111 received 16th Sept. 2020

Proposed Highways Adoption Plan Drawing No. 6257-P-112 received 16th Sept. 2020

Proposed Landscape Plan Drawing No. 6257-P-120 received 16th Sept. 2020

Proposed Boundary Plan Drawing No. 6257-P-130 received 16th Sept. 2020

Plots 1-4 Proposed Floor Plans Drawing No. 6257-P-200 received 16th Sept. 2020

Plots 5-7 Proposed Floor Plans Drawing No. 6257-P-210 received 16th Sept. 2020

Plots 8-9 Proposed Floor Plans Drawing No. 6257-P-240 received 16th Sept. 2020

Plots 10-11 Proposed Floor Plans Drawing No. 6257-P-250 received 16th Sept. 2020

Existing Floor Plans Drawing No. 6257-P-300 received 16th Sept. 2020

Plots 1-4 Proposed Elevations Drawing No. 6257-P-700 received 16th Sept. 2020

Plots 5-7 Proposed Elevations Drawing No. 6257-P-720 received 16th Sept. 2020

Plots 8-9 Proposed Elevations Drawing No. 6257-P-740 received 16th Sept. 2020



Plots 10-11 Proposed Elevations Drawing No. 6257-P-750 received 16th Sept. 2020  
Existing Street Scene Drawing No. 6257-P-900 received 16th Sept 2020  
Proposed Indicative Street Scene Drawing No. 6257-P-910 received 16th Sept 2020

Proposed Bin Collection Points Drawing No. 6257-P-113 received 06th Oct. 2020  
Swept Path Analysis Refuse Vehicle Drawing No. CTP-20-290\_SP01-C

Reason:

To define the terms and extent of the permission.

3. The hours of working on site during the period of demolition and construction shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat. and no working shall take place on Sundays or Bank 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 the 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

4. Prior to the first occupation of the dwellings hereby approved, the off street car parking facilities and electric vehicle charging points for each dwelling (where the car parking spaces are adjacent to it. As a minimum suitable ducting and draw chord should be provided for the other spaces) shall be provided in accordance with the submitted and approved details shown on The Proposed Site Layout Plan Drawing No. 6257-P-111 and subsequently maintained thereafter for that purpose.

Reason

To promote sustainable forms of travel and to mitigate the increased numbers of dwellings and ensure the satisfactory provision of car parking 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 development shall proceed in strict accordance with the Mitigation Measures provided in the submitted Ecological Appraisal (Landmark Practice, September 2020).

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.

6. 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 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

#### 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.

7. Prior to the first occupation of the houses hereby approved, an ecological enhancement scheme is to be submitted to and approved in writing by, the local planning authority. The scheme is to detail all proposed ecological enhancements which should expand on the recommendations within the Ecological Appraisal and it is to include location of the enhancements including, but is not limited to, bird boxes, bat bricks/boxes, permeable fencing, native planting and a hedgehog house. The enhancements so approved shall be implemented/installed no later than 3 months from the first occupation of the dwellings hereby approved.

#### 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.

8. Notwithstanding the submitted information, prior to the commencement of above ground 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; location, species, stock size, planting centres and quantities of all proposed tree and structure/front garden planting, supported by tree pit details and proposed times of planting; shall be submitted to the Local Planning Authority for approval in writing. The development shall thereafter be carried out in accordance with the agreed details. Any trees that subsequently become diseased or die within a three year period of being planted, shall be replaced with trees of a similar size and species in the first available planting season.

#### Reason

To protect the character and appearance of the area to accord with Policy PSP2 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted)

Nov. 2017 and Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

9. Notwithstanding the details shown on the approved plans; a plan specifying all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls and ramps that may be required, together with a supporting schedule of proposed manufacturer hard landscape materials and site furniture products (e.g. cycle stands). shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the boundary treatments and hard landscaping details so approved shall be erected/implemented prior to the first occupation of any of the houses hereby approved and maintained as such in the future.

Reason

To protect the visual amenity of the area and the residential amenity of the future and neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP2 & PSP8 of The South Gloucestershire Local Plan : Policies , Sites & places Plan (Adopted) Nov. 2017 and the National Planning Policy Framework.

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

Development proposals will be expected to reduce surface water discharge from the site, wherever practicable and feasible on previously developed land, by reducing post development runoff rates for events up to and including the 1 in 100 year return period, with an allowance for climate change, to that of a Greenfield condition. Where it can be demonstrated that this is not practical or feasible, a 30% betterment of the existing condition will be required;

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

- Confirmation and acceptance of an agreed connection point and discharge rate for surface water disposal from Wessex Water.
- The maximum overall surface water discharge rate is restricted to 14l/s in line with a 30% Brownfield betterment.
- A clearly labelled drainage layout plan showing the pipe networks and any attenuation features and flow control devices.
- Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events up to the 10080 minute scenarios (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance.
- Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event up to the 10080 minute scenarios (winter and summer) in line with the current industry accepted allowance.

- The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
- The plan should also show any pipe node numbers referred to within the drainage calculations and should indicate the volume of storage and dimensions of the attenuation tank system.
- A manhole / inspection chamber schedule to include cover and invert levels.
- Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation features and Flow Control devices where applicable for the lifetime of the development.

Reason

In the interests of flood risk to accord with Policies CS1 and CS5 of The South Gloucestershire Local Plan Core Strategy (Adopted), Policy PSP20 of The South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF. This is a pre commencement condition to ensure that the site can be adequately drained.

**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.**

**POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways:

In seeking additional plans and information to overcome officer concerns.

**Case Officer: Roger Hemming**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 01/21 -8th January 2021**

<b>App No.:</b>	P20/19466/F	<b>Applicant:</b>	Petar Jankovic
<b>Site:</b>	10 Ridgeway Yate South Gloucestershire BS37 7AE	<b>Date Reg:</b>	13th October 2020
<b>Proposal:</b>	Erection of single storey rear extension and two storey side extension to form additional living accommodation.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371912 182562	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th December 2020



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N.T.S.

P20/19466/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.

This planning application will be referred to the Circulated Schedule because the proposal has received 3 No objections from Local Residents, which are contrary to the officer's recommendation.

## 1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of single storey rear extension and two storey side extension to form additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings. The existing garage and utility will be demolished.
- 1.2 The application site can be found at 10 Ridgeway and is a two storey detached property located in an area of existing residential development. It is within the established built up area of Yate.
- 1.3 As part of the assessment of this application, the proposed design has evolved and the overall extension proposal has been amended to complement the existing host property and those surrounding neighbouring properties. Furthermore, some internal amendments have now been proposed as part of the extension, to facilitate the two storey side extension in particular.
- 1.4 In addition to the redesign, a further full consultation process was undertaken and all consultees and neighbours were re-consulted on the current proposed design. Following on from this re-consultation, no further objections were received in relation to this proposed design.

## 2. POLICY CONTEXT

### 2.1 National Guidance

National Planning Policy Framework February 2019  
National Planning Policy Guidance

### 2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development

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

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

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

### 3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

### 4. CONSULTATION RESPONSES

- 4.1 Yate Town Council  
 No further comments received on either the superseded or revised scheme.
- 4.2 Other Consultees  
 Sustainable Transport - Transportation DC  
 No further comments received on either the superseded or revised scheme.

#### Other Representations

- 4.3 Local Residents  
 No Comments received on revised scheme.  
 3No letters of Objections were received on the superseded scheme.  
 Comments were as follows:
- *Concerns over the proposed over-development in terms of the proposed mass to the boundary of the superseded scheme;*
  - *Several concerns have been raised over overlooking issues from the balcony, which was part of the superseded scheme;*
  - *Concerns over the potential excess of on-street parking due to the lack of off-street parking provided under the superseded scheme;*
  - *Concerns over impact of potential overshadowing from the oversized proposed extension under the superseded scheme; and*
  - *Potential concern over the removal of mature hedges.*
- 4.4 As already stated in 1.3 – 1.4 the above local resident objection comments relate to the original submitted scheme which has now been superseded by the revised scheme, and the scheme to which this officer report relates to. The revised scheme does not include a balcony.

### 5. ANALYSIS OF PROPOSAL

- 5.1 Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.

- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context
- 5.3 The proposal is for planning permission is for the erection of single storey rear extension and two storey side extension to form additional living accommodation. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.
- 5.4 Design and Visual Amenity  
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.5 The single storey rear extension, will have an overall width of 9.814 metres, and be to a depth of 3.318 metres with 1No patio door, 2No windows and 1No personnel door into the private amenity space, with a lean to style roof, with 3No rooflights and it will extend to 2.26 meters in height to the eaves from the existing ground level.
- 5.6 The two storey side extension, will have an overall width of 3.362 meters and an overall depth of 7.3 meters with 2No high level windows and 1No personnel door to the side elevation (ground floor) and 2No windows to the front and rear elevation on the first floor. The existing hipped roof will continue over the proposed two storey side extension measuring 0.5 meter down from the existing ridge, and it will extend to 4.8 metres in height to the eaves (as the existing host dwelling) from the existing ground level.
- 5.7 Furthermore, and to assist in facilitating this proposed extension, internal modifications have been proposed and the main entrance door to the dwellinghouse has been repositioned to the front façade. The existing front door is to become an internal door between the hall and the proposed garage/utility/storeroom/gym and the existing window on the side elevation towards the front façade will be blocked up. The existing internal door into the lounge will also be repositioned to the hall to continue to the repositioned main entrance door.
- 5.8 Although the extensions have been proposed through their design to complement the existing dwelling in the choice of materials, details and components, the proportion, scale and form of the proposed two storey side extension does respect the proportions and character of the existing host dwelling, and those within the current street scene. Therefore the proposal does comply with current policy and is in compliance with PSP38.



### 5.9 Residential Amenity

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

- 5.10 In terms of overlooking, 1No new window is proposed at first floor level to the front façade into the public realm; 2No high level windows to the side elevation at ground floor level and 1No window at first floor level is proposed to the rear elevation into the private amenity space. The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. Given the scale, built form and location of the proposed two storey side and the single storey rear extensions, they should not create any overbearing or dominant impacts to the adjacent neighbouring properties.
- 5.11 Although the application site is located in a high density residential area of Yate and given the scale and location of the proposal, it should not implement any unnecessary impacts on the residential amenity of the immediate neighbouring occupiers.
- 5.12 Transport  
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal includes 1No additional bedroom, totalling 4No bedrooms. 4No off-street parking spaces are proposed to the front of the main dwellinghouse therefore fulfilling South Gloucestershire parking standards. Furthermore, the proposed garage/utility/storage/gym space provides a clear internal space of 3.044 meters in width and 6.585 meters in depth; the garage would therefore count as a further parking space as it complies with PSP16 internal space standards.
- 5.13 Private Amenity Space  
The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are based on the number of bedrooms at a property. The proposed extension will create a total of 4No bedrooms and as such, should have at least 70m<sup>2</sup> of private amenity space. The existing dwelling has 3No bedrooms, and as such should have at least 60m<sup>2</sup> of private amenity space.
- 5.14 The proposal demonstrates that these standards are to be maintained, and as the dwelling still benefits from an existing large amount of private amenity space to the front and rear, the existing garden should still benefit from private amenity space of sufficient size and shape, to meet the needs of the occupants and any future occupants.
- 5.15 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is

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

5.16 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 the application be **APPROVED**.

### **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:

A101 Rev 1 Existing Ground Floor Plan (Date received 02/12/20)

A102 Rev 1 Existing First Floor Plan (Date received 02/12/20)

A103 Rev 1 Existing Elevations (Date received 02/12/20)

A104 Rev 1 Site Location and Block Plan (Date received 02/12/20)

A105 Rev 2 Proposed Ground Floor Plan (Part of 'Proposed Combined Plans' received 04/01/21)

A106 Rev 2 Proposed First Floor Plan (Part of 'Proposed Combined Plans' received 04/01/21)

A107 Rev 2 Proposed Elevations (Part of 'Proposed Combined Plans' received 04/01/21)

A108 Rev 2 3D Perspectives (Part of 'Proposed Combined Plans' received 04/01/21)

A109 Rev 1 Parking Arrangement (Date received 02/12/20)

Reason

To define the terms and extent of the permission.

**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING  
(DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.**

**POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways:

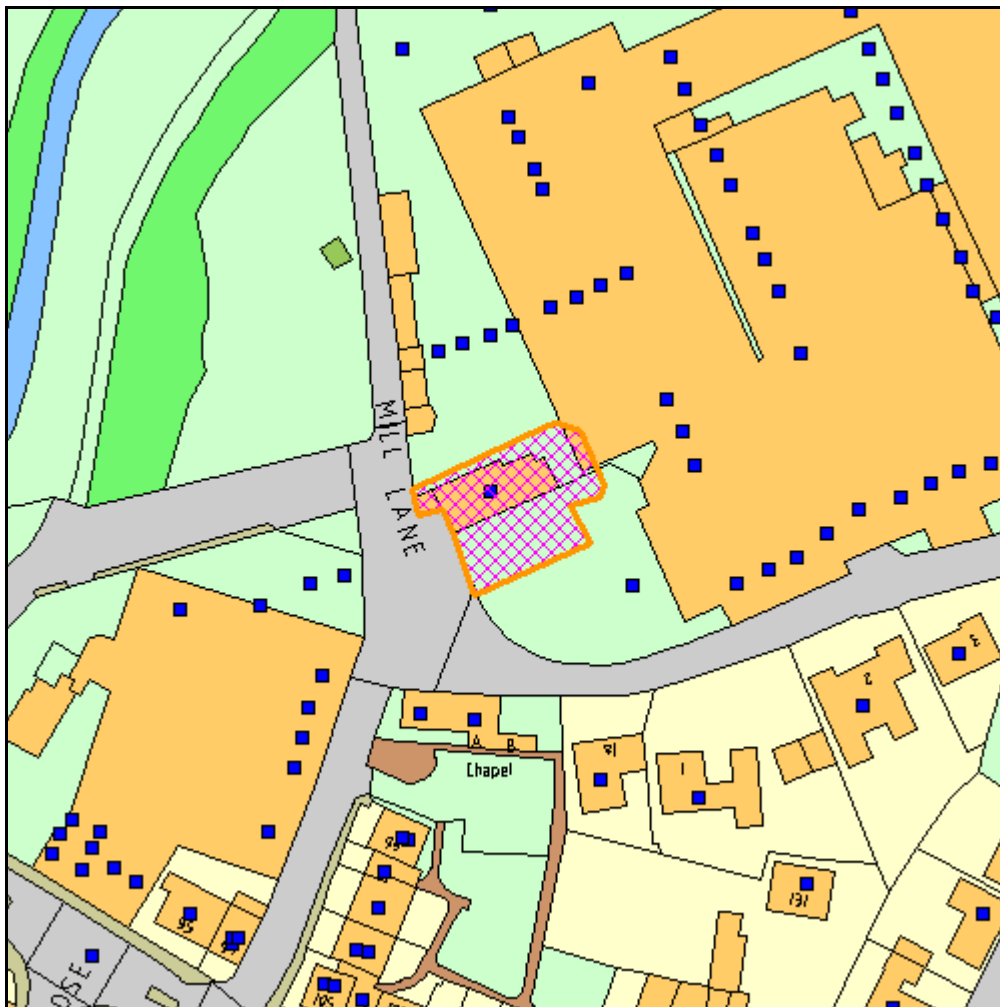
By issuing a timely decision.

**Case Officer: Helen Turner**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 01/21 -8th January 2021**

<b>App No.:</b>	P20/20329/F	<b>Applicant:</b>	Lee Bignell Mobius Works Ltd
<b>Site:</b>	29 Champion Road Bitton South Gloucestershire BS30 6AD	<b>Date Reg:</b>	22nd October 2020
<b>Proposal:</b>	Alterations to former canteen building to facilitate the change of use to Offices (Class B1).	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	368137 169733	<b>Ward:</b>	Bitton And Oldland Common
<b>Application Category:</b>	Minor	<b>Target Date:</b>	11th December 2020



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

### **REASON FOR APPEARING ON CIRCULATED SCHEDULE**

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council and 79 objections from local residents contrary of the officer recommendation detailed below.

---

## **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for alterations to former canteen building to facilitate the change of use to Offices (formally Use Class B1, now Class E) at 29 Champion Road, Bitton.
- 1.2 The application site is located with a settlement boundary, and falls within the Bitton Conservation Area. The subject building is locally listed. No other restrictive policies apply. The site lies to the north of the Bath Road and High Street, slightly to the west of the village centre of Bitton.
- 1.3 The existing building currently forms a vacant canteen building, which previously benefitted from a change of use to commercial and community uses (formally Use Classes B1/D1) under application ref. PK15/0532/F.
- 1.4 Prior to the extant development on site, the wider application site was referred to as "Golden Valley Mill". The last occupiers were Intier who made car components before the site closed in 2006. Since the previous application (ref. PK15/0532/F), the unit has remained vacant and in a derelict state apart from the provision of a replacement roof.

## **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
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS12	Safeguarded Areas for Economic Development
CS23	Community Infrastructure and Cultural Activity

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

- |      |                               |
|------|-------------------------------|
| PSP1 | Local Distinctiveness         |
| PSP7 | Development in the Green Belt |
| PSP8 | Residential Amenity           |

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment

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

### 3. RELEVANT PLANNING HISTORY

- 3.1 PK15/0532/F. Permission Granted, 18/10/2016  
Proposal: *Mixed use development on 7.4 hectares of land comprising up to 115no new dwellings; change of use of the Gatehouse to commercial use (Use Class B1); change of use of existing 'canteen' building to commercial and community uses (Use Classes B1/D1); engineering works to raise the raise the existing ground levels; associated landscaping and the retention of Ash House and Heather House in residential use (Use Class C3)*
- 3.2 Whilst further planning history is available for the wider site (referred to as "Golden Valley Mill".), none is relative to the proposal.

### 4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council  
Objection.  
*"The comments of the Parish Council are Objection. The Council feel that there are not enough parking spaces sufficient for a development with 35 working spaces. Although there are other areas of parking, this has not previously been earmarked for this development."*

#### Other Consultees

- 4.2 Sustainable Transport Officer – No objection.
- 4.3 Listed Buildings Officer – No objection subject to conditions.
- 4.4 Lead Local Flood Authority – No objection

#### Neighbour Responses

- 4.4 79 letters of objection have been received by neighbouring residents, in summary concerns have been raised regarding lack of parking, increased congestion, loss of community use, traffic pollution, pedestrian safety, and the protection of the locally listed building.

### 5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development  
The application seek full planning permission for alterations to a former canteen building to facilitate the change of use to officers (previously under Use Class B1, now Class E). The principle of development is therefore to establish whether the change of use and works are acceptable.

## 5.2 Land Use

Firstly it is prudent to establish what the existing use of the former canteen building actually is. When reviewing the history for the former canteen building, it formed part of the wider application site for the development of “Golden Valley Mill”, with the description of development under application ref. PK15/0532/F reading:

*“Mixed use development on 7.4 hectares of land comprising up to 115no new dwellings; change of use of the Gatehouse to commercial use (Use Class B1); change of use of existing 'canteen' building to commercial and community uses (Use Classes B1/D1); engineering works to raise the raise the existing ground levels; associated landscaping and the retention of Ash House and Heather House in residential use (Use Class C3)”.*

- 5.3 The description makes it clear that permission was granted for the change of use of the canteen building for both commercial and community uses, essentially forming a mixed use development. No insertions relative to the permitted use(s) (Use Classes B1/D1) for the former canteen building were included within the supporting Decision Notice or Section 106 Agreement.
- 5.4 Moving forwards, whilst the remainder of the built development commenced (under application PK15/0532/F) within the statutory time limit, the use of the former canteen building for commercial and community use was never implemented. At this point it is important to note that section 56(4) of the Town and Country Planning Act 1990 states: *“development is taken to be begun on the earliest date on which a material operation is carried out”*. A material operation is defined in the Act and can included a material change in the use of the land. As such, whilst building works commenced for the wider site, no tenants/occupiers were found to occupy the former canteen building and subsequently, it can be said that no *material change in use* commenced either.
- 5.4 It is noted that the buildings dilapidated and bare condition does not form an attractive proposition for occupiers, and should it have been complete to a satisfactory standard, then perhaps this might have not been the case. However given that no conditions were set within 2015 permission, no duty was bared on the developer to ensure these works were carried out. Subsequently, any costs involved to remediate the building to a useable standard are taken on by the perspective owner/ occupier.
- 5.5 Nonetheless, with reference to Pioneer Aggregates (UK) Ltd v Secretary of State for the Environment (1985) HL, Lord Scarman affirmed the principle that planning rights based on an existing use may be lost by abandonment. The issue of whether existing use rights have been lost through abandonment arises where a use has ceased for a time and where, in the meantime, the land has not been used for any other purpose. If it is held that a use has been abandoned, the land will have a “nil” use and the resumption of any previous use will require planning permission. With the canteen building comprising only an empty shell of a structure, where the use of the former canteen having ceased for a significant period of time (estimated to be 2006 when the previous occupant, Intier, closed down), and that the canteen has not been used for any

other purposes since, the canteen building is effectively abandoned. It therefore has a land use defined as being 'nil'. As such, the acceptability of the proposed use of the building from a 'nil' use to an office (previously Use Class B1, now Class E) is discussed below.

- 5.6 The proposed office use is defined as a main town centre use as defined within the NPPF. Whilst the site is within the settlement boundary, it is not within a town centre location.
- 5.7 Whilst the spatial strategy aims to direct town centre uses to town and district centres, policy PSP31 allows for out of centre proposals where no centre or edge of centre sites are available, where the proposal would be accessible via different modes of sustainable transport, and where alternative formats for the proposed uses have been considered. When considering applications for recently completed developments in the plan period from 2011, provided that development proposals should not have an unacceptable impact on existing, committed and planned public and private investment in centres, in the catchment area of the proposals; and the vitality and viability of established centres. It also states that only for office proposal larger than 10,000m<sup>2</sup>, where they are outside the designated Town Centre Boundary will an impact assessment be required.
- 5.8 In further consideration the NPPF supports the notion above with regard to directing direct town centre uses to town and district centres, paragraph 118 (c) states that decisions should give substantial weight to the value of using suitable brownfield land within settlements and to support appropriate opportunities to remediate degraded and derelict land.
- 5.9 Whilst the location of the site is not within a town or district centre, it is located within a settlement boundary and is accessible via different modes of sustainable transport, with the nearest bus stop being approximately 90m south of the site on the A431. Due to the limited scale of the development, there would not be an unreasonable impact to the vitality and viability of other established centres with the wider spatial area. Also forming a material consideration which is specific to this proposal is that the proposed development and use would remediate a derelict building, for which otherwise would likely remain in its current state. One final material consideration to note is that part of the use was previously approved under the 2015 application, for which was granted permission, in part, by the existent Core Strategy. With respect to the facts presented, the planning balance is tilted in favour for granting the proposed use. In this instance the future use of the building can be secured via condition, thus ensuring clarity is retained for future opportunities. In this light, the future use of the building has also been considered, and to enhance potential opportunities in the future as supported by the general thrust of the NPPF, it would not be unreasonable to grant permission for the building to be used for a range of uses within Classes E or F2 as any wider spatial impacts would remain as existing.
- 5.10 Transport  
It is noted that a considerable number of objections have been raised by local residents relating to the existing parking stress in the area, and that the



proposed use would only exaggerate this problem. In this instance the councils Transport Officer has provided the following specialist advice:

*“Local residents’ concerns about parking is noted. In this context, we make the following comments. I confirm that SG council has currently no parking standards for commercial uses. Instead, the officers rely and use the former maximum parking standards as they appear in the former SG Local Plan 2016 as guidance for parking assessment. Based on the total floor area of 269m<sup>2</sup> of Canteen building and the required maximum parking standards of 1 space per every 35m<sup>2</sup>, the maximum number parking spaces required for this development is 7.6 spaces (rounded down to 7 spaces). Plan submitted with this application shows 3 parking spaces on site. Level of parking proposed falls within the maximum parking standards and as such, it is considered acceptable.*

*“In terms of travel sustainability, I am satisfied that the local area has acceptable travel options including bus stops within close proximity to the site. The site is also within a short walking distance to some shops and amenity. Also in line with the council’s sustainability policy, the applicant proposes cycle parking provisions on site – total of 10 parking spaces are provided and this is considered acceptable.*

*“In view of all the above mentioned, therefore, we transportation development control have no objection to this application.”*

- 5.11 Following the specialist transport advice provided, officers raise no objection to the level of parking on site. To further ensure a range of sustainable transport options and to accord with policy CS8 and the councils 2020 Climate Change Emergency Declaration, officers do not find it unreasonable to insert a condition to ensure that each parking spaces provided is fitted with an electric vehicle charging facility as indicated on the plans. A plan detailing safe and secure cycle storage should also form a condition should the application be approved.
- 5.12 Impact to Heritage Assets  
The building subject to this application is locally listed and located within the Bitton Conservation Area, as such there is an obligation to ensure that the special significance of the heritage assets are preserved. In principle any proposal that sees this historically important building brought back into use is to be supported.
- 5.13 What is proposed would require limited external alterations, with only a new doorway formed to the rear by dropping the cill of an existing window opening and the insertion of a number of rooflights. No repairs to the roof or wall structures are mentioned and so it is presumed that these works were completed by Linden as part of the mitigation measure for the wider scheme.
- 5.14 No large scale details of the proposed new windows have been provided and the rooflights should be of a “conservation rooflight” style. In both cases this could be addressed by condition, but this matter will need to be addressed as

while the window designs proposed are acceptable, the overall aesthetic impact could be compromised by inappropriate dimensions and detailing.

- 5.15 Subject to these conditions, it is considered that the character of the building and the contribution it makes to the sense of locality distinctiveness would be maintained. The significance of this locally listed building as being a connection to the historic industrial past use of the site would therefore be sustained. Moreover, it is considered that subject to confirmation of the detailed design of the windows and rooflights, the character and appearance of the Bitton Conservation Area would be preserved.
- 5.16 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.
- 5.17 Residential Amenity  
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed and has found to be in compliance with these policies.
- 5.18 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.19 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 **THE APPLICATION BE APPROVED** subject to conditions.

### **CONDITIONS**

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

Reason

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

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

Existing and Proposed Floor and Elevation Plans (notwithstanding the design of proposed rooflights); Existing and Proposed Site Plan; Location Plan. Received by the council on 16 October 2020.

Reason:

To define the terms and extent of the permission.

3. The use of the former canteen building (the subject unit) shall be for any use within Use Class E and/or Use Class F2, as defined in the Town and Country Planning (Use Classes) (Amendment) (England) Order 2020.

Reason:

To protect the character, amenity and economic interests of the site and the wider area, to accord with SGC Policies PSP1, PSP8, CS21, CS4a and CS23.

4. Prior to the relevant stage of development, a plan detailing the cycle storage facility shall be submitted to and approved by the council. A minimum of 10 spaces must be provided which are covered, safe and secure. These spaces are to be fully complete and made available prior to first occupation.

Reason:

To avoid remedial action, to ensure the character and amenity of the site is retained, and to promote sustainable travel in accordance with SG Policy CS8.

5. The building shall not be occupied until details for the Electric Vehicle Charging points (or other ultra- low facility) have been provided for and fully installed to the relative parking spaces in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To avoid remedial action, to promote sustainable travel and to accord with SGC Policy CS8 and SGC Supplementary Planning Document on residential car parking standards.

6. Prior to the commencement of the relevant works, the detailed design of the following items shall be submitted and approved in writing by the local planning authority:
  - a. All new windows and fixed glazing (including cill, head, reveal and glass details)
  - b. Rooflights

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details. Also for the avoidance of doubt, the rooflights should be "conservation style" rooflights, set flush with the tile surface, vertical format and featuring a central glazing bar.

Reason:

To avoid remedial action and to ensure the development serves to preserve the character and appearance of the conservation area in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out within the NPPF, 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).

**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.**

**POSITIVE AND PROACTIVE STATEMENT:**

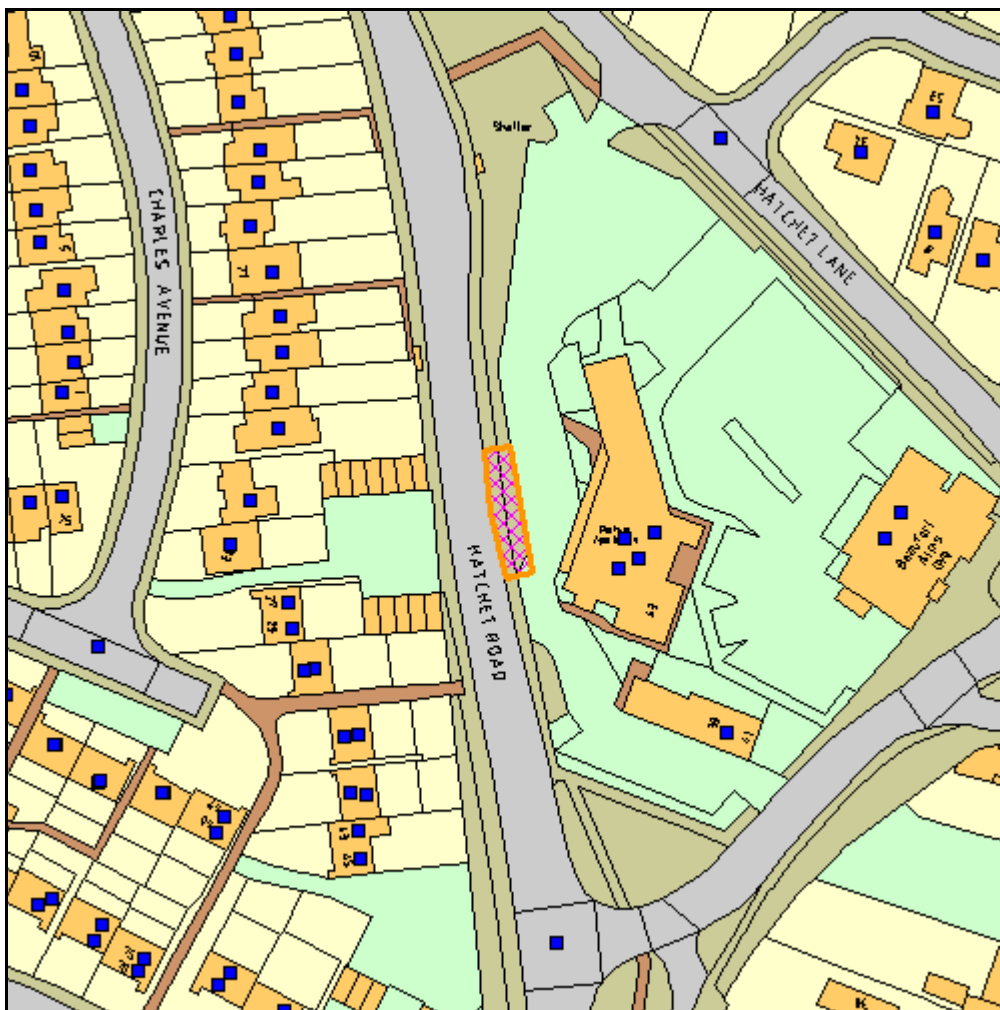
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: the application has been determined within a timely manner and discussions taken place with the applicant.

**Case Officer: Thomas Smith**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 01/21 -8th January 2021**

<b>App No.:</b>	P20/21170/F	<b>Applicant:</b>	Danolly Limited
<b>Site:</b>	Co Op At Parkway Tavern 43 North Road Stoke Gifford South Gloucestershire BS34 8PB	<b>Date Reg:</b>	30th October 2020
<b>Proposal:</b>	New vehicular access off Hatchet Road (resubmission of P20/08482/F)	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362195 179824	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd December 2020



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P20/21170/F

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

### **REASON FOR APPEARING ON CIRCULATED SCHEDULE**

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council and 33 public comments, contrary of the officer recommendation detailed below.

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#### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the creation of a new vehicular access off Hatchet Road to the former Co-Op Store Car Park at Parkway Tavern, 43 North Road, Stoke Gifford.
- 1.2 The proposed access would serve the retail and take-away uses located to the east of the proposed access – this include a supermarket, fish and chip shop, barbers and estate agents. As existing, access to parking is served from the east via Hatchet Lane and North Road.

#### **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  
CS7 Strategic Transport Infrastructure  
CS8 Improving Accessibility  
  
South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017  
PSP1 Local Distinctiveness  
PSP10 Active Travel Routes  
PSP11 Transport Impact Management  
PSP16 Parking Standards
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007

#### **3. CONSULTATION RESPONSES**

- 3.1 Stoke Gifford Parish Council – Objection

*“Stoke Gifford Parish Council object to this planning application on the following grounds ' as the proposed new vehicular access would create a risk to school children using the pathway, visibility concerns on access and egress off Hatchett Road. Members feel the current access points in situ are sufficient and*

*that any additional access points (so close to the bus stops and near to other access points) will create unacceptable safety hazards and also hold up the buses, Metrobuses and the general flow of traffic.”*

3.2 Sustainable Transport – No Objection  
Comments incorporated below.

3.3 Highways – No objection subject to conditions and informatives

3.4 Lead Local Flood Authority – No objection subject to Informatives

3.5 Local Residents

The council has received 33 public comments objecting to the proposal. In summary, the key points include: increased traffic and congestion, increased risk of accidents risk to users of the footway and highway, and is unnecessary development.

#### 4. **ANALYSIS OF PROPOSAL**

##### 4.1 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. The proposal would incur a very small loss to the grassed area fronting the highway. Due to this strip of grass being overtly narrow, it offers a very limited contribution to the character and distinctiveness of the area. As such its loss would not result in unreasonable harm to both the site and its contest.

##### 4.2 Transport

Due to the specialist nature of highway safety, the proposed development has been reviewed by the councils transport officers, for which the following comments has been provided:

*“We have recently objected to an application seeking to construct a new vehicular access to the Co Op store situated at 43 North Road, Stoke Gifford on highway safety grounds. We note that this proposal has now been resubmitted and understand that the access layout has been subject to a modest rearrangement. Nevertheless, we consider that it remains broadly the same and so we believe that it continues to raise many of the same concerns as its predecessor. We note however, that this layout has now been subject to a formal desktop Road Safety Audit (RSA) which suggests that our concerns were unfounded and that it does not present material safety hazard. Consequently, although we would continue to register some disquiet about these proposals and their juxtaposition to other highways features, we are unable to object on Road Safety Grounds. Hence, we have no further highways and transportation comments about this current application.”*

4.3 As per the positive outcome to the Road Safety Audit and with no objection from transport officers, the proposed development would not result in an

unacceptable impact on highway safety. As such, the proposed development complies with paragraph 109 of the Framework and policies PSP10 and PSP11 of the SG Policies Sites and Places Plan.

#### 4.4 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. This planning application it is considered to have a neutral impact on equality.

### 5. CONCLUSION

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

### 6. RECOMMENDATION

6.1 It is recommended that planning 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. The development/works hereby permitted shall only be implemented in accordance with the documents and plans as set out in the plans list below:

Received by the council on 27 October 2020: Access Technical Note; Proposed New Site Access; Proposed Tracking; Site Plan; The Location Plan.

Reason: To define the terms and extent of the permission.

### **IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.**

#### **POSITIVE AND PROACTIVE STATEMENT:**

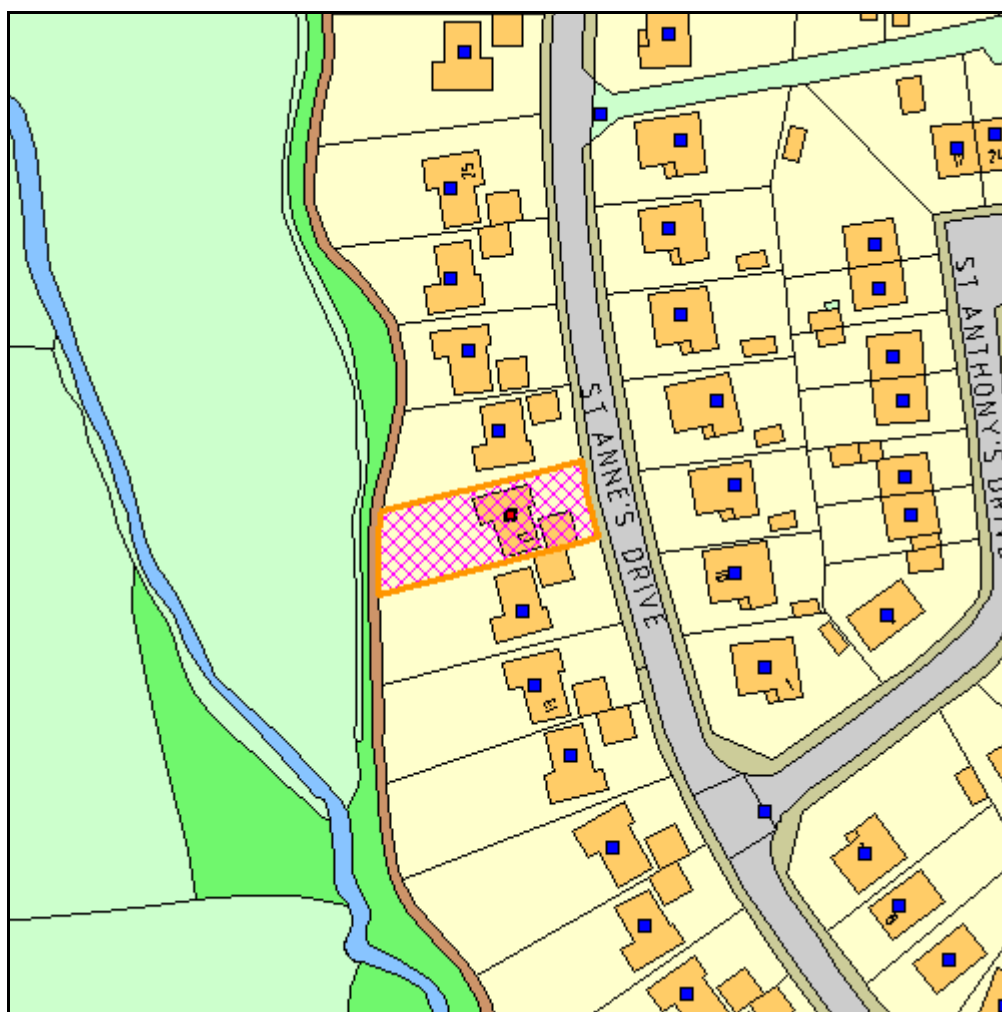
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: the application has been determined



**Case Officer: Thomas Smith**  
**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 01/21 -8th January 2021**

<b>App No.:</b>	P20/21350/F	<b>Applicant:</b>	May Losada
<b>Site:</b>	17 St Annes Drive Wick South Gloucestershire BS30 5PN	<b>Date Reg:</b>	4th November 2020
<b>Proposal:</b>	Erection of a single storey front link extension and conversion of existing garage to form additional living accommodation.	<b>Parish:</b>	Wick And Abson Parish Council
<b>Map Ref:</b>	369855 173272	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Householder	<b>Target Date:</b>	25th December 2020



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N.T.S.

P20/21350/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**

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

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the installation of a link to a detached front double garage to facilitate the use of the garage as living accommodation. The garage structure is to be altered with the inclusion of windows and doors replacing the existing garage door.
- 1.2 The unusual property comprises a single and two storey property (single storey to the front and reflecting the sloping land, two storey to the rear). The application site is within the Bristol/Bath Green Belt.

### **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

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

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

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007  
Residential Parking Standards SPS (Adopted) 2013  
Residential Amenity TAN (Endorsed) 2016

### **3. CONSULTATION RESPONSES**

#### 3.1 Wick and Abson Parish Council

Wick and Abson Parish Council wish to object to this application due to the application stating that there will be no impact on parking, however the

application is to convert a double garage making a reduction in onsite parking and causing potential impact on local area. Also increasing the overall accommodation may also increase the need for additional parking  
Sustainable Transport Team

Vehicular parking will be removed from the existing double garage to facilitate its conversion to additional living accommodation. No increase is proposed to the existing first floor of the building and three bedrooms will remain. When assessed against South Gloucestershire Council's residential parking standards a minimum of two parking spaces are required. Although the existing vehicular access is not shown on the plans submitted, there appears to be adequate space to provide the required parking. Subject to at least two parking spaces being provided within the site boundary, there is no transportation objection raised.

Archaeologist

No objection

Local Residents

No responses received

#### **4. ANALYSIS OF PROPOSAL**

##### 4.1 Principle of Development

The application site is located within the boundary of Wick. The Local Development Framework allows for alterations to residential properties subject to consideration of the material planning considerations listed below.

The application site is in the Bristol/Bath Green Belt. Green Belt policy allows for alterations and extensions with residential curtilages provided that they do not have an adverse impact upon openness through appearing disproportionate to the original built form. In this case the proposal is a very minor alteration and is considered appropriate in Green Belt terms.

##### 4.1 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. The proposed changes are very minor involving a small link between the existing house and the detached garage and alterations to the garage elevations to reflect the new use. These changes will have little impact upon visual amenity and are considered acceptable in these terms.

##### 4.2 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential

amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed and has found to be in compliance with these policies.

#### 4.3 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards.

The concern raised that the conversion of the garage will result in the loss of parking provision and that the conversion will lead to an increase parking requirement.

The application site is a three bed property that requires two parking standards to comply with the residential parking standards. The property will remain a three bed property so the conversion would not increase bed spaces the standard by which the parking requirement is measured.

Secondly it is estimated that there is space to provide the required two spaces to the front of the garage (or perhaps three spaces). For this reason no objection is raised by the highway officer.

The proposal is therefore considered acceptable in transportation terms.

#### 4.4 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. This planning application it is considered to have a neutral impact on equality.

## 5. CONCLUSION

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

## 6. RECOMMENDATION

- 6.1 It is recommended that planning 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. The development shall be carried out in accordance with the following approved plans:

Received 30th October 2020

010 LOCATION AND SITE PLAN

011 EXISTING VIEWS

012 EXISTING SITE AND ROOF PLAN

013 EXISTING FLOOR PLANS

014 EXISTING ELEVATIONS

015 EXISTING GARAGE ELEVATIONS

022 PROPOSED SITE AND ROOF PLANS

023 PROPOSED FLOOR PLANS

024 PROPOSED ELEVATIONS

025 PROPOSED GARAGE ELEVATIONS

Reason:

For the avoidance of doubt

**Case Officer: David Stockdale**  
**Authorising Officer: Marie Bath**