

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: 27/21

Date to Members: 09/07/2021

Member's Deadline: 15/07/2021 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

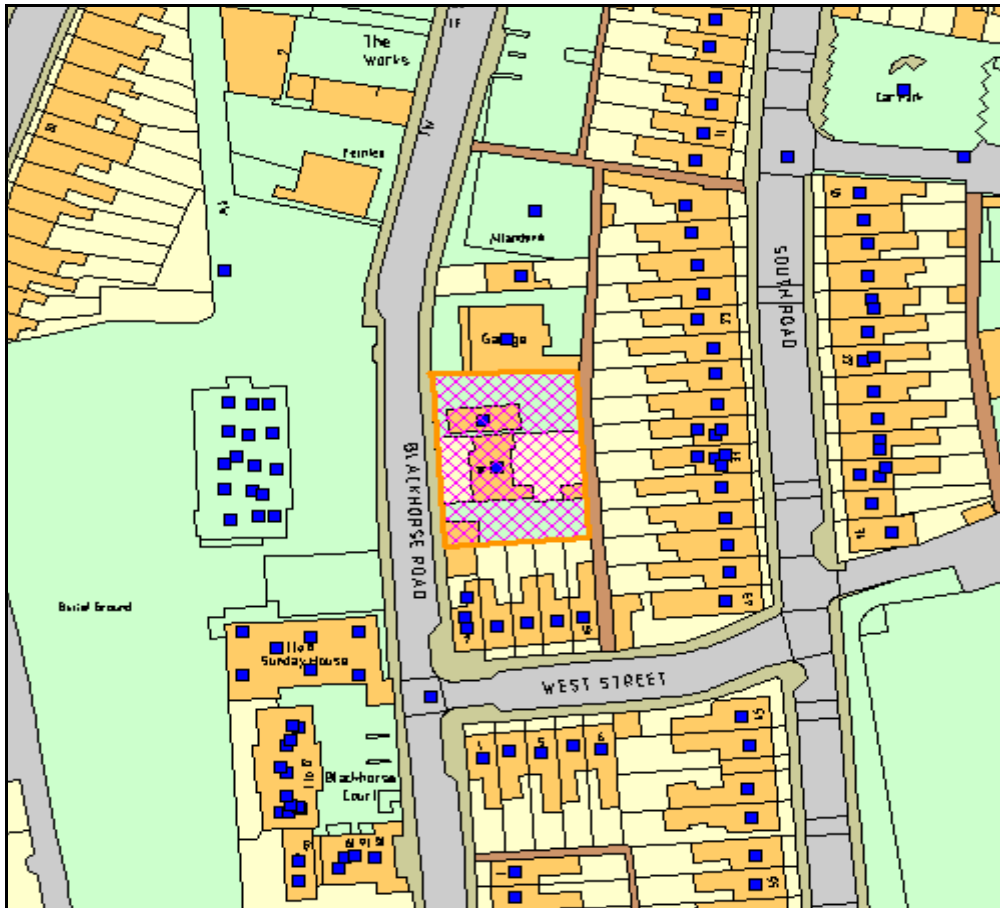
CIRCULATED SCHEDULE 09 July 2021

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/18002/F	Approve with Conditions	1A Blackhorse Road Kingswood South Gloucestershire BS15 8EA	Kingswood	
2	P20/18526/F	Approve with Conditions	Land At Piplely Court Farmhouse North Stoke Lane Upton Cheyney South Gloucestershire BS30 6NG	Bitton And Oldland Common	Bitton Parish Council
3	P20/23954/F	Refusal	Hillside Lower Conham Vale Hanham Bristol BS15 3AY	Hanham	Hanham Parish Council
4	P21/01066/F	Approve with Conditions	6 Dial Lane Downend South Gloucestershire BS16 5UH	Frenchay And Downend	Downend And Bromley Heath Parish Council
5	P21/01349/F	Approve with Conditions	3 Danesbury Greenbank Road Hanham South Gloucestershire BS15 3SD	Hanham	Hanham Parish Council
6	P21/02390/RVC	Approve with Conditions	Former Filton Airfield Filton South Gloucestershire		
7	P21/02941/F	Approve with Conditions	Land Adjacent To 5 The Newlands Frenchay South Gloucestershire BS16 1NQ	Frenchay And Downend	Winterbourne Parish Council
8	P21/03368/F	Approve with Conditions	22 Bitterwell Close Coalpit Heath South Gloucestershire BS36 2UQ	Frampton Cotterell	Westerleigh Parish Council

CIRCULATED SCHEDULE NO. 27/21 -9th July 2021

App No.:	P20/18002/F	Applicant:	Mr Inam RazaBKT Properties Ltd
Site:	1A Blackhorse Road Kingswood South Gloucestershire BS15 8EA	Date Reg:	29th September 2020
Proposal:	Demolition of existing Car Wash, Bungalow and Garage. Erection of 8no flats and maisonettes with parking and associated works. (Resubmission of P19/16241/F)	Parish:	
Map Ref:	364530 173710	Ward:	Kingswood
Application Category:	Minor	Target Date:	20th November 2020



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100023410, 2008.

N.T.S.

P20/18002/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.

CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments received from local residents contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the Demolition of an existing bungalow and former car wash building and the erection of a flat block to contain 8 flats in its place. The application site relates to 1A (the bungalow) and the former car wash on Blackhorse Road, Kingswood. The site is therefore within an established settlement boundary. It is located directly opposite the grade II listed Methodist Church on Blackhorse Road.
- 1.2 This site has a long and complex history as detailed in section 3 below. During the course of the application amended plans have been received.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

Planning Policy Guidance Planning

Planning (Listed Buildings and Conservation Areas) Act

Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-Safeguarded Economic Development Sites
CS14	Town Centres and Retailing
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP9	Health Impact Assessments

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP21	Environmental Pollution and Impacts
PSP31	Town Centre Uses
PSP32	Local Centres
PSP37	Internal Space Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 SPD: Design (Adopted) 2007
 SPD: Residential Parking Standards (Adopted) 2013
 SPD: Waste Collection Standards (Adopted) 2015
 SPD: Householder Design Guide (Adopted) 2021

3. **RELEVANT PLANNING HISTORY**

The site has a length history. The relevant history is detailed below:

- 3.1 P19/16241/F Demolition of existing Car Wash, Bungalow and Garage. Erection of 2 No. buildings to form 8 No. flats and maisonettes with associated works.
 Withdrawn January 2020

- 3.2 PK17/5710/O Demolition of existing bungalow (1A) and hand car wash (39A) and erection of 5no attached dwellings (Outline) with access and scale to be determined. All other matters reserved. (re-submission of PK17/3209/O).
 Approved February 2018

This scheme was for the erection of five dwellings running perpendicular to the highway

- 3.3 PK17/3209/O Demolition of existing bungalow (1A) and hand car wash (39A) and erection of 7no. attached dwellings (Outline) with access and scale to be determined. All other matters reserved.
 Withdrawn 30.8.17

This scheme was for a row of 7 terraced dwellings across the whole site frontage with small gardens to the rear and limited parking to the front.

- 3.3 PK16/6507/F Change of use from industrial (Class B2) to hand car wash (sui generis) (retrospective) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended)
 Approved 17.5.17
- 3.4 PK12/3430/F Demolition of existing garage and erection of 1No. detached dwelling with associated works. Resubmission of PK12/2056/F.
 Approved 7.12.12

- 3.5 PK12/2056/F Demolition of existing garage and erection of 2no. semi detached dwellings with associated works.
Refused 9.8.12
- 3.6 PK10/2419/EXT Demolition of existing dwelling and erection of 6 no. flats with 6 no. car parking spaces, amenity space and associated works. Construction of new vehicular access from Blackhorse Road. (Consent to extend time limit implementation for PK07/2113/F)
Approved 26.10.10
- 3.7 PK10/1575/NMA Non-material amendment to PK07/2113/F to raise floor levels within flats 1 and 4 and shape roof over window to match approved detail to flat 6
No objection 22.7.10
- 3.8 PK08/0085/F Conversion of existing dwelling to form 2no. self contained flats
Approved 15.2.08
- 3.9 PK07/2113/F Demolition of existing dwelling and erection of 6 no. flats with 6 no. car parking spaces, amenity space and associated works. Construction of new vehicular access from Blackhorse Road.
Approved 23.11.07

Related to Wesleyan Chapel directly opposite the site:

- 3.18 PK15/4995/F Change of use of former chapel from Ballet School (Class D2) to Residential (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to facilitate the conversion to 15no. self-contained flats with new access, parking landscaping and associated works. Erection of bin and cycle stores. Creation of a memorial garden.
Approved 4.5.16
- 3.19 PK15/4996/LB Internal and external alterations to facilitate the conversion of former chapel to 15no. self-contained flats.
Approved 4.5.16
- 3.20 PK17/2241/LB Internal and external alterations to facilitate the conversion of former chapel to 15no. self-contained flats (resubmission of PK15/4996/LB).
Approved 28.6.17
- 3.21 PK17/2203/RVC Variation of condition 2 attached to planning permission PK15/4995/F to substitute plans
Approved 24.7.17

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council

The area is unparished

Internal Consultees

- 4.2 Drainage
Query who will be responsible for the maintenance of the proposed soakaway units
- 4.3 Urban Design Officer
The design of the building has been improved. Further detail is required on some items.
- 4.4 Environmental Protection
No objection subject to conditions. Should consider how noise from the car clinic will impact future residents.
- 4.5 Highway Structures
Require excavation details to show that support is provided for the highway at all times.
- 4.6 Conservation
The site is within the direct setting of the Grade II Wesleyan Chapel. While the setting of the listed chapel that the eastern side of Blackhorse Road contributes to may be considered to be relatively poor, in the interests of both the setting of the listed building and the wider character of the area, any negative characteristics that are considered present should not be exacerbated by disparate large scale development. By reason of scale and siting the proposals would cause harm to the setting of the Grade II listed Wesleyan Chapel and so would neither sustain nor enhance the significance of this designated heritage asset.
- In accordance with the Framework, I would consider that the proposals would result in less than substantial harm towards the lower end of the spectrum to the significance of the Grade II listed Wesleyan Chapel.
- 4.7 Sustainable Transport
No objection subject to the attachment of conditions

Other Representations

- 4.8 Local Residents
17 letters of objection have been received (although it is noted that some residents have written in more than once). Below is a summary of the key issues raised, full copied of the letters of objection can be found on the Councils web site.
- Overbearing
 - Eye sore that would dominate the skyline
 - The height is the main issue

- No objection to the principle of re-development but this should be some in a sympathetic way
- Impact on neighbours
- Does not comply with the conditions attached to PK17/5710/O
- Scale should be contained to 2 storeys
- Exacerbate existing parking problem
- Effect on health of residents
- Impact on recently converted Wesleyan Chapel
- Design is not sympathetic to local architecture

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site is situated within the established settlement of Kingswood. As per the history section above, the site has a lengthy history with several permissions being given in the past for the residential re-use of the site. It comprises in part an existing residential property, a single storey bungalow and its garden, parking area and garage, and also immediately adjacent, a car wash business comprising a single storey building which it is possible to drive through and associated areas to the rear and side. In terms of the redevelopment of the residential curtilage the principle of development within a sustainable location such as this is supported by both local and national planning policy. Indeed the more efficient use of this brownfield site weighs in favour of the proposal. The development is therefore considered acceptable in principle subject to the detailed assessment below.

5.2 Heritage assets

The streets surrounding the application site comprise predominantly two-storey terrace properties built late 19th early 20th century. Most exhibit one if not two front bay windows and many retain their original rough rubble stone frontages. Modern development in the immediate area includes the single storey detached bungalow on the application site and the garage formerly used as a car wash. Adjacent to the car wash is an established business The Car Clinic, for servicing and MOTs and beyond this a two storey detached dwelling. Notwithstanding its double fronted appearance, the existing property and the application site appear incongruous with the overall pattern of development here.

5.3 Of particular relevance is the redevelopment of the former Wesleyan Chapel into flats. The application site lies within the direct setting of the Grade II listed building. The regeneration of this Wesleyan Chapel site was initially approved under planning application PK15/4995/F and extensive negotiations have resulted in a scheme which is intended to raise the profile of this neglected site and make a positive contribution to the street scene of this part of Kingswood. The opportunity to revitalise and reinvigorate this part of Kingswood by high quality design and conversion was welcomed by local residents and the LPA alike.

- 5.4 The Conservation officer raises concern that it is difficult to see how the proposed scheme can be considered to respond positively to its context. While the setting of the listed chapel to the eastern side of Blackhorse Road contributes to may be considered to be relatively poor, in the interests of both the setting of the listed building and the wider character of the area, any negative characteristics that are considered present should not be exacerbated by disparate large scale development.
- 5.5 To put another way, while the eastern side of Blackhorse Road may be considered to make a limited contribution to the setting of the designated heritage asset, there are opportunities to enhance and better reveal both this listed building and its associated structures to the south in accordance with paragraph 200 of the NPPF. What cannot be allowed is to simply making the situation worse.
- 5.6 In considering the impact of the scheme proposed, as originally submitted the massing and sheer extent of unbroken render would be visually harmful to the character of the immediate area. Through negotiation, the application has been amended to include natural stone coursing at ground floor level on the front, rear and north side elevation of the three storey element of the scheme. Details of the natural stone and its joining and coursing would be the subject of a planning condition.
- 5.7 In the opinion of the Conservation Officer, at three-storeys in height, the main building would introduce a scale of development that will be significant and would visually compete with the Grade II chapel opposite. With clear potential co-visibility between the site, in light of the design and scale and the proposed scheme would be harmful to the character of the locality.
- 5.8 By means of conclusion, by reason of scale and siting, it is the opinion of the Conservation Officer that the proposals would cause harm to the setting of the Grade II listed Wesleyan Chapel and so would neither sustain nor enhance the significance of this designated heritage asset.
- 5.9 In accordance with the Framework, it is considered that the proposals would result in less than substantial harm towards the lower end of the spectrum to the significance of the Grade II listed Wesleyan Chapel.
- 5.10 The application is therefore to be considered within the context of paragraph 196 of the NPPF. In accordance with Para 196 '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal...*' Subsequently, unless in the "weighing-up" exercise as required by paragraph 196 of the Framework robust material considerations are identified that are considered sufficient to outweigh the identified magnitude of harm, refusal is therefore recommended.
- 5.11 Further to the comments at 5.2 to 5.10 above, your case officer has carried out the weighing up exercise as required through the NPPF. Planning Practice Guidance: Historic Environment prepared by Historic England gives advice as to the types of issue that can be given weight when considering public benefit.

The NPPG clarifies that public benefits could be anything that delivers economic, social or environmental objectives as described in the NPPF.

- 5.12 In this case, you case officer has weighed the impact in light of Para 196 of the NPPF. It is considered that the public benefit of securing 8 flats in this highly sustainable location outweigh the identified less than substantial harm to the setting of the Grade II listed church.
- 5.13 Design and Visual Amenity
Through negotiation and involvement of the Councils urban design officer, the design of the building has evolved through the course of the application. Changes made include the introduction of some natural stone at ground floor level and a central strip on the front elevation, the addition of two gables on the front elevation, changes to fenestration on the rear elevation including the removal of the rear balconies and the associated changing of doors to windows.
- 5.14 The Urban design officer is generally supportive of the scheme and welcomes the changes that have been made. In the opinion of the urban design officer, the scale of the building is appropriate and further plans have been submitted as requested to show the relationship between the proposed building and the dwellings on South Road. Queries are raised querying how the rain water pipes will from the roof will be designed. This will need to be handled carefully to ensure a high level of design. Details of this treatment will be secured via a suitably worded planning condition.
- 5.15 Both the urban design officer and the planning officer are supportive of the removal of the balconies from the rear elevation and the associated change from doors to windows. This has given the windows a more horizontal emphasis which is a visual improvement. It also has a beneficial impact on residential amenity as discussed in more detail below. Queries are still raised with regards to the privacy screen and precisely what this will look like – details of the privacy screen will also form the subject of a planning condition.
- 5.16 In terms of landscaping, little detail is given at this stage and such detail will be the subject of a condition. The bin store was originally located to the front of the site and its re-location to the rear of the site is supported. The sections indicate a front boundary wall and it is agreed that such a feature could have a positive benefit on the street scene. Details of the wall will be secured as part of a wider landscaping plan. Given the location of the building and the setting of the adjacent listed building, it is expected that the front boundary wall will be finished in natural stone – not brick as currently exists.
- 5.17 Residential Amenity
As detailed at section 4 above, the impact on existing levels of residential amenity have been a key concern throughout the application – most notably the impact on those dwelling on South Road to the rear of the site. Throughout the course of the application, changes have been made to the plans to ensure that the impact on these dwellings remains acceptable.
- 5.18 As initially submitted, the scheme included Juliet style balconies on the rear elevation, these have all been removed. The amended plans also show that

the third floor windows on the rear (west) elevation will be fitted with obscure glazing on the lower sections. Whilst this obscure glazing as not requested by your officer but rather was added voluntarily, it could help to reduce the amount of perceived overlooking from the bedrooms in the top floor flats. Finally, the whole building has been moved very slightly on the plot to pull the whole building further from South Road as originally proposed.

- 5.19 Whilst your officer understand the concerns of the residents on the scheme as originally submitted, the changes made are appropriate and ensure the impact on amenity remains acceptable. Of course that is not to say that the new building will not have any impact just that the impact is at a level that could not justify refusal of the scheme.
- 5.20 Looking specifically at those dwellings on South Road, the proposed new building will be 27 metres from the main rear wall of the terraced units. It will be 22 metres from the two storey rear projections and 20m from the single storey rear projections. Given the urban setting, these separation distances are considered to be entirely acceptable.
- 5.21 The side (south) elevation of the proposed building will be 22m from the dwellings located on West Street to the south. Again, these distances are considered to be acceptable.
- 5.22 Consideration has also been given to the potential for overlooking of the proposed building by the existing neighbouring business, The Car Clinic; and indeed the general impact of this business on the proposed residences. This Car Clinic building has a series of ground floor windows in the southern elevation hard onto the boundary and it is noted that the land slopes up from the south to the north. In order to address this concern, the north elevation of the building facing the Car Clinic is devoid of primary windows with only three small bathroom windows proposed on this elevation. In addition, the plans show a 1.8m closeboard fence to be erected along this boundary that will further prevent issues of noise and overlooking.
- 5.23 Policy PSP43 sets out the Councils minimum garden space requirements. In accordance with PSP42, it is expected that a 2 bed flat should be provided with 5m² of outdoor space plus communal space. The scheme is fully policy compliant in this respect.
- 5.24 Access
There is currently direct pedestrian and vehicle access off Blackhorse Road which is part of a one way system that operates in this part of Kingswood. The proposed scheme creates a single vehicle access point. From a safety point of view, acceptable visibility can be achieved from the site access onto the public highway and as such, the access is considered suitable. The reduction in the number of vehicle entrances onto Blackhorse Road from three to one is considered to be a highway safety gain.
- 5.25 The scheme proposed 8 x 2 bed flats. In accordance with PSP16, a 2 bed flat should provide with 1.5 spaces (rounded down to the nearest whole number) plus 0.2 visitor spaces per dwelling (also rounded down). The total parking

requirement for this site is therefore 14 spaces (12 + 1.6). The scheme proposed a total of 9 spaces – a deficit of 5 spaces. No objection is raised in respect of this shortfall given the highly sustainable location of the site within easy walking distance to the vibrant hub of Kingswood.

5.26 The Councils Highway Officer is satisfied that there is sufficient manoeuvring space on site to ensure that vehicles can both enter and leave the site in a forward gear and can access the parking spaces easily.

5.27 Subject to the attachment of conditions to secure the highway works, there is no objection to the scheme from a highway perspective.

5.28 Impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

5.29 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers. The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that the application be **APPROVED** subject to the conditions set out below.

CONDITIONS

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

Reason

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

2. The development hereby permitted must take place in accordance with the following plans and reports:

Received by the Council on 18th May 2021:
31782G - Proposed Site Plan

Received by the Council on 5th May 2021:
31783D - Proposed Floor Plans
31784D - Proposed Elevations
31785D - Strip Elevation and Sections

Received by the Council on 29th December 2020:
Sustainability Statement

Received by the Council on 28th September 2020:
3178/20 - Existing Combined Plan

Received by the Council on 22nd September 2020:
3 - Cycle Store Plan
3178/8 - Site Location Plan

Reason

To define and clarify the permission

3. The hours of working on site during the period of construction shall be restricted to
Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays.
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

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

4. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts)within the development shall be

submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

5. Sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample. For the avoidance of doubt, the parts of the building to be finished in natural stone are the ground floor of the three storey element and the central section of the three storey element over the central entrance door as shown on drawing 3178/4revD

Reason

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

6. Prior to the commencement of the relevant part of the work, details of the rainwater good shall be submitted to the Local Authority. The details submitted shall include colour and physical arrangement on the building. Development shall be carried out exactly in accordance with the details so agreed.

Reason

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

8. Prior to the commencement of the relevant part of the work, details of the privacy screens shall be submitted to the Local Authority. The details submitted shall include colour and physical arrangement on the building. Development shall be carried out exactly in accordance with the details so agreed.

Reason

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

9. Samples of the proposed roof tiles shall be submitted and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. Development shall be carried out in accordance with the agreed sample.

Reason

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

10. Prior to the first occupation of any part of the building hereby permitted, a scheme of landscaping shall be submitted to the Local Planning authority for written approval. The landscaping scheme shall include; proposed planting (and times of planting); all boundary treatments; details of a natural stone wall along the site frontage, details of the treatment around the bin drop off point, a paved path to the communal cycle store and details of the treatment of the areas of hardsurfacing. Development shall be carried out in accordance with the agreed details.

Reason

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

11. Prior to the first occupation of any part of the building hereby approved, the means of vehicular access (pedestrian crossover access) shall be constructed and completed as per the approved plans.

Reason

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

12. Prior to the first occupation of any part of the building hereby approved, the existing redundant accesses to the site (other than those shown on the approved plans) shall be permanently stopped up and the footway re-instated as per the approved plans.

Reason

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

13. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before any part of the building is first occupied, and thereafter retained for that purpose.

Reason

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

14. Prior to the commencement of works (including demolition), a site specific 'Construction Environmental Management Plan' (CEMP), shall be submitted to the Local Planning Authority for written approval. 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 dust from the demolition and construction works approved.

- (ii) Adequate provision for the delivery and storage of materials and provision of suitable contractor's parking on site.
- (iii) Measures to control the safe movement of construction traffic on Blackhorse Road that provides access to the site.
- (iv) Deliveries shall only take place Monday to Friday between the hours of 09:30 to 15:00 (school term time) and 09:00 to 16:00 (outside of school term time) and 09:00 to 12:00 Saturday. No deliveries on a Sunday.
- (v) Details of how construction work is to be managed to ensure that the existing highway road is not obstructed.
- (vi) Details of how residents of the access road and adjacent properties will be kept informed about the programme of works including the timing of large vehicle deliveries.
- (vii) Contact details for the Site Manager.

Reason

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

Case Officer: Anne Joseph
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 27/21 -9th July 2021

App No.:	P20/18526/F	Applicant:	Mr Jefferies
Site:	Land At Piplely Court Farmhouse North Stoke Lane Upton Cheyney South Gloucestershire BS30 6NG	Date Reg:	1st October 2020
Proposal:	Change of use of land from agricultural to glamping site (Sui Generis) with the stationing of 1 no. glamping pod.	Parish:	Bitton Parish Council
Map Ref:	369571 169631	Ward:	Bitton And Oldland Common
Application Category:	Minor	Target Date:	23rd November 2020

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P20/18526/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 has been referred to the Circulated Schedule due to the receipt of objection from the Bitton Parish Council and the residents.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of land from agricultural to glamping site (sui-generis) with the stationing of 1 no. glamping pod at Pipley Court Farmhouse North Stoke Lane Upton Cheyney. During the course of the application, the site boundary has been reduced, the proposed toilet / showers, Belle Tent have been removed from the proposal. Therefore, the description of the proposal has been updated to reflect these changes. The glamping pod would be located nearest the access track leading to the farm house and would comprise a single storey structure with timber clad / glazed elevations. 4 no. parking spaces and cycle parking are proposed its south. A revised Design and Access Statement was submitted to rectify the discrepancies.
- 1.2 The site is situated in the open countryside within the Bristol /Bath Green belt and the Cotswolds National Landscape. A public footpath PBN/73 runs along the access track and then across the fields directly to the north of the site.

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
CS5	Location of Development
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and cultural activity
CS24	Green Infrastructure, Sport and Recreation Standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP21	Environmental Pollution and Impacts
PSP28	Rural Economy
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted August 2007)
Development in the Green Belt SPD (Adopted June 2007)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT07/2718/TMP Change of use of agricultural land for the stationing of a mobile home for occupation by an agricultural worker. (Temporary consent for 3 years). Approved 28.12.2007
- 3.2 PK02/1138/PNA Prior notification to construct access track for agricultural use. Approved 25.09.2002
- 3.3 PK11/0079/RM Erection of 1 no. agricultural workers dwelling. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK10/1614/O). Approved 17.02.2011
- 3.4 PK02/0049/PNA Erection of agricultural store. Objection 09.01.2002
- 3.5 PK18/3807/F Erection of garage with store. Approved 14.02.2019
- 3.6 P20/02997/RVC Variation of condition 1 (to amend the agricultural occupancy restriction to a rural workers occupancy restriction) attached to permission PK17/4056/RVC superseding permission PK10/1614/O and to be read in conjunction with permission PK11/0079/RM. Approved 24.07.2020
- 3.7 PK17/4056/RVC Variation of condition no. 6 attached to planning permission PK10/1614/O to allow the occupation of the dwelling to not be solely or mainly for the breeding of alpacas on the site (re-submission of PK16/6689RVC). Approved 3.11.2017
- 3.8 PK16/6689/RVC Removal of condition no. 6 attached to planning permission PK10/1614/O to allow the occupation of the dwelling to not be solely or mainly for the breeding of alpacas on the site. Withdrew.
- 3.9 PK10/1614/O Erection of 1 no. agricultural workers detached dwelling (outline) with access and scale to be determined. All other matters to be reserved. Approved 04.11.2010

4. **CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council strongly Object to this application. The site in question is in an unspoilt valley within the green belt and within an area of outstanding natural beauty. The access is along a very narrow lane with no passing places and is totally unsuited to the traffic that this application will generate. The Parish Council also queries the actual size of the site within the application being 78sq metres?
- 4.2 Other Consultees

Public Rights of Way - PROW have no objection as this is unlikely to affect the public right of way (footpath PBN/73) running along the access track and then across the fields directly to the north of the site.

Landscape Officer – No landscape objection subject to planning conditions

Highway Officer – No objection.

Other Representations

4.3 Local Residents

Three letters have been received and the residents raise the following concerns:

- The site was once an unspoilt valley into first an Alpaca farm which is now no more, then a hut for a worker, then a house, then a bigger house etc.
- He sold half of it to someone else who is trying to get permission for a permanent residence etc.
- Now have a second potential house where once there was green fields. North Stoke Lane which will be the ONLY access for this proposal is a very narrow lane with NO passing places
- The business development would be at my land boundary and direct view from our bedrooms of our house.
- The developments would obviously be in direct view at ground level also from our field which is a few feet away.
- Holiday makers' noise would be potentially problematic and not possible to police by the council.
- The mentioned existing field shelter is somewhat smaller than the planned new one.
- Extra traffic on already poorly maintained council adopted roads would increase the wear and tear and in addition horse riders would have more traffic to deal with, so I would presume the council would increase their budget and improve the roads and also the hedges they are responsible for.
- There seem to be a number of illegal neighbouring dwellings where people are living. Businesses operating in an AONB without appropriate consent which the council should deal with.
- The application gives no indication of the capacity of the proposed accommodation.
- The existing access track referred to in the application leads to the property via North Stoke Lane which is single track, in part steeply banked and heavily used by walkers and horse riders accessing the extensive local PROW network. Three properties share this access track. Several enterprises operating out of these including horse livery, breeding and training, forestry, firewood, hay and haylage supply, wild camping, landscape services and of course alpaca breeding etc. All generate traffic on North Stoke Lane.
- In the absence of the proposed accommodation's capacity, the scale and impact of traffic generated by the proposal can't be readily assessed.
- Drainage is stated as being to a Package Treatment Plant. It's unclear as to whether this is an existing or a new installation, and whether there is or will be sufficient capacity to treat effluent from the proposed development.

- No details are provided regarding the management and disposal of additional refuse generated.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is for the installation of a glamping pod on land associated with Pipleay Court Farmhouse with the change of use of that land from agricultural to glamping site (Sui Generis). An area is allocated for vehicles and cycle parking on land to the south of the proposed pod with access from North Stoke Lane. The application site is outside of the settlement boundary and is within the Cotswold National Landscape (Area of Outstanding Natural Beauty) and the Bristol / Bath Green Belt. The application is therefore to be assessed against the above listed policies and all material considerations.

5.2 Policy CS34 of the adopted Core Strategy and Policy PSP28 of the PSPP support the rural economy. PSP28 in particular states (7.33): *Farm diversification can assist farmers to stay in business and provide facilities for the local community and visitors to rural areas.* Given that the nature of the proposal and planning permission was granted for the host property to be occupied by a person working in a rural enterprise, it is considered that the proposed pod and the change of use of this small parcel of land would not adversely affect the primary use of the site for agricultural purposes and the proposal can be seen as farm diversification.

5.3 Policy CS1 and PSP1 are important in detailing that new development will be required to demonstrate a high standard of design, while CS9 and PSP2 seeks to protect and enhance the special landscape character of the Cotswold National Landscape. Policy CS8 and PSP11 seeks to ensure that new development will not have any adverse transportation effects. As such, subject to an assessment of the above material planning consideration there is no objection in principle of the development.

5.4 Green Belt.

The site is situated within the Bristol / Bath Green Belt. Paragraph 143 states of the NPPF states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the NPPF state that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Other forms of development are also not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it. One of these is (g) material changes in the use of land (such as changes of use for outdoor recreation).

5.5 There are two elements in this application, i.e. (i) change of use of the land from agricultural land to glamping site, (ii) an installation of a glamping pod to

- provide an accommodation. In terms of change of use, given its outdoor recreational nature, there is no green belt objection to this part of the proposal.
- 5.6 Regarding the proposed glamping pod, it is noted that there is no clear and precision definition in the NPPF to clarify what ‘appropriate facilities’ are. The agent submitted a revised Design and Access Statement and a floor plan to clarify the intended use and the floor layout of the proposed pod and the brief statement indicating the potential tourism demand in the locality. The Statement also mentioned that the pod will be a freestanding structure and will not affix to the land. It would be able to be lifted onto a lorry and removed or relocated. It will also be positioned above ground on the site of a historical agricultural building (and the historical map has showed that there was a historical building at this particular location), so no excavations will be necessary and no ground will be disturbed. Furthermore, the Technical Housing Standards – Nationally described space standard states that the gross internal floorspace for 1 bed dwelling shall be at least 37 square metres. As the internal floorspace for this glamping pod would only be approximately 28 square metres, which falls below the required space standards, as such, this pod would only be able to provide a small accommodation with basic facilities for visitors / guests. Also, the pod would sit against to a group of mature vegetation. As such, it is considered that the proposal would not have a material adverse impact upon the openness of the Green Belt. Hence, subject to a planning condition securing its proposed use, it is considered that it would not be inappropriate development in the Green Belt.
- 5.7 Design and Landscape Impact
The site lies to the Southeast of Upton Cheyney and south of North Stoke Road, in open countryside in the Green Belt; and also, lies within the Cotswold National Landscape (formerly Cotswold AONB). The site comprises a narrow strip of agricultural land to the north of the farmhouse, off the west side of the access track, to lie within the same landscape cell. A tall hedgerow with trees runs along its northern boundary, and will provide screening in views from the 2 no. properties (Pipley View and Brockham House), which front onto North Stoke Road to its north, and also will provide screening in views from the public footpath crossing the intervening fields. The tall hedgerow continues along the eastern site boundary, and also that of the farmhouse, to connect with the vegetated corridor of the stream lying to the south of the farm.
- 5.8 The proposed glamping pod will be of a timber framed construction with a pitched roof utilising reclaimed tiles to match that of the residential dwelling on site. It would share an existing landscape cell with the existing farmhouse, which is well defined by strong vegetation boundaries. The proposed building would be largely screened by surrounding vegetation and it would have negligible visual impact on the openness of the Green Belt. Therefore, subject to a planning condition seeking a detailed planting plan specifying boundary tree/hedgerow protection measures to BS5837:2012, including details of the location, species, stock size, planting centres and quantities of all proposed tree and hedgerow planting, there is no objection in this regard.
- 5.9 Residential Amenity

The nearest neighbouring properties to the proposed pod would be 'Pipley Court Farm and Brockham House, which is over 100 metres away, and residents' concerns are noted. There are no other dwellings immediately adjacent to the proposed camping pod. Therefore the proposal would not cause material impact, in terms of overbearing or overlooking, given its modest scale and remote location. Also, this level of use would unlikely result in unacceptable levels of noise and disturbance to the detriment of neighbours over and above that already existing. Subject to planning conditions, there is no objection in this regard. .

5.10 Sustainable Transport and Public Rights of Way

Given its modest scale and the nature of the proposal, it is considered that the proposed change of use and the glamping pod would not result in a significant increase in traffic using the existing access which is considered adequate for the proposed use. Therefore, there is no highway objection to the proposal. A footpath runs along the existing access track, and the proposed use and building would not affect this public rights of way, therefore no objection in this regard.

5.11 Environmental matters

The site is not subject to any high risk of flooding and the applicant confirmed that there is an existing package treatment plant already on site and it was installed in 2009 and there is an additional spur already in place to connect to. Given its modest use, there is no objection in this regard. From the ecological perspective, the proposed pod would sit on the existing hardstanding / foundation, it would not affect the existing vegetation, and therefore, there is no ecological objection.

5.12 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.

In regards to the above statement, the proposal is considered to have a neutral impact on equalities.

6. CONCLUSION

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

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

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

7. **RECOMMENDATION**

- 7.1 That planning permission be granted subject to the following conditions:

CONDITIONS

1. 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 proposed glamping pod hereby approved shall only be occupied as a tourist accommodation and shall not be occupied as a residential dwelling at any time.

Reason

To ensure that the proposal supports the rural economy and to accord with Policy PSP28 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and the National Planning Policy Framework.

3. Prior to the first occupation of the proposed glamping pod hereby approved, a detailed planting plan including details of the location, species, stock size, planting centres and quantities of all proposed tree and hedgerow planting, shall be submitted to and approved in writing by the Local Planning Authority. The approved planting plan shall be implemented in the first session following the stationing of the proposed glamping pod hereby approved.

The existing boundary tree and hedgerow shall be protected to accord with BS5837:2012 and a tree protective fence shall be in place prior to the stationing of the proposed glamping pod hereby approved.

Reason

To protect the landscape character of the area to accord with Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. Prior to the first use of the proposed development hereby approved, details of waste storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

5. No external lighting shall be installed on the proposed structure or the site at any time.

Reason

To protect the open countryside, minimise the light pollution, in the interest of wildlife and to protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8, PSP19, PSP21 and PSP28 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

6. Prior to the commencement of the use hereby approved, the vehicle and cycle parking area shall be completed in all aspects with the approved plans and retained as such thereafter.

Reason

To ensure the satisfactory provision of parking facilities, in the interest of highway safety and the amenity of the area, and to accord with Policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

7. No amplified or other music system or Tannoy shall be used within the site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

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

Proposed Floor Plan, received by the Council on 17 June 2021

Site location plan, Block Plan, Proposed Elevations, Drawing No. Jefferies 50349/10/001 Rev B, received by the Council on 17 March 2021.

Reason

To define the terms and extent of the permission.

Case Officer: Olivia Tresise

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 27/21 -9th July 2021

App No.:	P20/23954/F	Applicant:	Mr Chris Whitlow
Site:	Hillside Lower Conham Vale Hanham Bristol BS15 3AY	Date Reg:	19th January 2021
Proposal:	Demolition of garage. Erection of two storey rear extension to facilitate subdivision of 1 no dwelling into 3 no. dwellings with associated works.	Parish:	Hanham Parish Council
Map Ref:	363474 172313	Ward:	Hanham
Application Category:	Minor	Target Date:	15th March 2021

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following 3 public representation in support of the proposal, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the demolition of the existing garage and the erection of a two storey rear extension to facilitate subdivision of 1 no dwelling into 3 no. dwellings with associated works.
- 1.2 The application site relates to a dilapidated and redundant dwelling within a large plot. The site is located towards the end of Lower Conham Vale; a short residential road extending in to a wooded setting. The site is located outside of any defined settlement boundary, and within the Bristol and Bath Green Belt. The northern portion of the site, which includes the existing property, is situated in EA Flood Zone 3 due to its proximity to a culverted stream. Whilst the entire site is located within South Gloucestershire, it is situated adjacent to the Bristol City authority boundary.

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
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Sites: European Sites & Sites of Special Scientific Interest
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Adopted) 2007
 Residential Parking Standards SPS (Adopted) 2013
 Residential Amenity TAN (Endorsed) 2016
 Residential Design Guide SPD 2021

3. RELEVANT SITE HISTORY

- 3.1 Ref. PK04/3852/O. Refused, 4/2/2005
 Proposal: *Demolition of existing cottages to facilitate erection of 3 no. new dwellings on 1.87 hectares of land (Outline), with siting and means of access to be determined. All other matters to be reserved.*

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council – No objection
- 4.2 Bristol City Council – No comment
- 4.3 Highway Structures – No objection, informative recommended
- 4.4 Lead Local Flood Authority – No objection, condition recommended
- 4.5 Environmental Agency – No objection, condition recommended
- 4.6 Environmental Protection – No objection, conditions and informatives recommended
- 4.7 Landscape Officer – No objection, condition recommended
- 4.8 Ecology Officer – No objection, conditions recommended.
- 4.9 Sustainable Transport – Objection. Comments incorporated below.

Local Residents

- 4.10 4no comments of support have been received, 2 of which coming from the same person. The key points have been summarised below:
- Site is dangerous and attracts vandalism to the area, this would be resolved by redevelopment;
 - Access would be suitable;
 - Development would be in-keeping;
 - Would be better to demolish and rebuild.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
 The application site is located outside of any defined settlement boundary, and is washed over by the Bristol and Bath Green Belt. Policy CS5 of the Core Strategy establishes the spatial strategy for development in the district. Under

this policy, new development is directed to the existing urban areas, market towns, and defined rural settlements. Residential development outside of these locations and within the Green Belt is strictly controlled, and will need to comply with relevant local plan policies and the provisions of the NPPF.

5.2 Furthermore, policy CS34 of the Core Strategy seeks to protect the character of the rural areas, with residential development outside of a defined settlements being strictly controlled in line with other relevant policies.

5.3 In this instance policy PSP40 is triggered which allows for the conversion and re-use of existing buildings for residential purposes in the open countryside, outside of settlement boundaries subject to the following criteria:

I. *The building being of a permanent and substantial construction*

5.4 It is evident from the detail provided that the existing structure is of permanent construction. Concerning the building being of substantial construction, from an inspection of the site, the outer shell appears to be in good condition, being built from stone and brick and is absent from any obvious structural issues. Therefore, whilst a degree of construction would be required for a new roof, improvement of openings and internal alterations, officers consider that the original building is a substantial construction.

II. *It would not adversely affect the operation of a rural business*

5.5 There is no rural business located at the application site.

III. *Any extensions should not be disproportionate*

5.6 The NPPF does not define what a disproportionate addition is, however, Part 3 of Policy PSP7 provides clarity for use within local decision making. It states that:

“An addition resulting in a volume increase up to 30% of the original building would be likely to be proportionate.

“Additions that exceed 30% volume increase will be carefully assessed, with particular regard to whether the proposal would appear out of scale and proportion to the existing building. The larger a building becomes in excess of 30% over and above its original size, the less likely it is that the new extension(s) will be considered proportionate.”

5.7 The following volume calculations have been provided:

Original building: 659m³

Existing volume (inclusive of garage and extension): 803m³

Proposed volume (incorporating garage demolition): 869m³

- 5.8 Therefore, the proposed development would result in a 210m³ increase over the original volume, equivalent to a 31.9% increase. When viewing the extension in relation to the host property, officers conclude the extension would not appear as a disproportionate addition.

IV. *If the building is redundant or disused, it would lead to an enhancement of its immediate setting*

- 5.9 The existing building is in a derelict and redundant state, resulting in a significant degree of harm to its immediate setting, compounded by the attracted vandalism. The proposed development would improve the visual appearance of the building, provide benefits through enhanced landscaping, and eliminate vandalism due to the presence of new occupiers. The proposal would therefore enhance its immediate setting.

Green Belt

- 5.10 Concerning the site's location within the Green Belt, paragraphs 145 and 146 of the Framework make clear the forms of development that are not inappropriate within the Green Belt. One such development is the re-use of buildings provided that the buildings are of permanent and substantial construction. As discussed above, the structure for re-use is of permanent and substantial construction.

- 5.11 Turning to the proposed extension in Green Belt terms, paragraph 145 of the Framework allows for extensions or alterations of a building provided that it does not result in disproportionate additions over and above the size of the original building. Further direction is provided by local plan policy PSP7, which states that additions that exceed 30% in volume will be carefully assessed, and additions over 50% of the original volume would most likely be considered disproportionate. As discussed above, the proposed extension would result in a 31.9% increase to the original volume, which is not considered to be disproportionate.

- 5.12 Concerning the impact of openness (which can be defined as a lack of built form), considering the location of development within a confined residential curtilage, there would only be a slight impact that would be highly localised.

- 5.13 In conclusion to the above, the proposed development is acceptable in spatial terms and complies with the relevant policies of the Local Development Plan and the NPPF.

Design and Visual Amenity

- 5.13 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 has been carefully assessed and has found to be in compliance with these policies. With regard to landscaping, no objections are raised subject to the recommended conditions detailed in full within the landscape officer's comments.

Residential Amenity

- 5.14 Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. 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.
- 5.15 Given the degree of separation between the proposed terrace and any neighbouring residential properties, the proposal would unreasonably affect amenity through any overbearing or overshadowing impacts. Whilst there would be a degree of overlooking the adjacent garden to the north, the proposed terrace would be set further from the nearest neighbouring building than the existing property. Furthermore, the neighbouring garden area would continue to be separated from the site by public land in the form of the designated highway. As such, whilst there would be an increase in unit number, the proposal would not result in a significantly greater degree of overlooking.
- 5.16 In terms of the amenity of future residents, sufficient internal space would be provided to avoid cramped living conditions. The units would have sufficient access to natural light and outlook.
- 5.17 Concerning the provision of external private amenity space, each of the 3 x 2-bed units would be served with an individual private area of c.10m. However, a c.1200m² communal shared garden would be provided to the rear. Whilst elements of the land are too steep to provide sufficient levels of amenity; flatter segments exists which could be utilised by future residents. On balance, the afforded provision of private amenity space is acceptable and complies with policy PSP43.

Ecology

- 5.18 An Ecological Impact Assessment (Clarkson & Woods, October 2020) has been submitted and reviewed by the council's ecological officer, for which the comments have been summarised below.
- 5.19 The proposed development is not likely to impact on nearby designated sites, however a Construction and Environmental Management Plan: Biodiversity (CEMP) has been recommended to ensure nearby sites and undesignated sites will be protected should the development be permitted.
- 5.20 The surrounding woodland provides suitable high quality foraging and commuting habitat for bats and sensitive lighting has been recommended. The building was further inspected in March with concentration on the chimney flues, no further evidence was found for bats, however there remains a low potential for their presence, due to the unsafe nature of the building it is not viable for further surveys to be undertaken, therefore Risk Avoidance Method Statement has been submitted and is acceptable.

- 5.21 One pond was identified within 500m of the site and this lies on the other side of dispersal barriers. The site could support common amphibians, however this is limited. The surrounding woodland is considered to offer sub-optimal habitat for dormice, however the scrub and mature woodland could support dormice. Based on information from the desk study and NBN Atlas there is limited likelihood of dormice being present. The areas of rough grass and scrub provides suitable habitat for reptiles, mitigation will be detailed further within the CEMP. Hedgehogs may use the site for sheltering and foraging, mitigation has been recommended and will be further detailed within the CEMP.
- 5.22 Following the assessment, the proposed development is considered in ecological terms subject to the conditions as set within ecology officers comments.
- 5.23 Transport
In sustainability terms, officers mindful that the site is outside the settlement boundary and somewhat remote from local facilities and bus services. As such, the development would be car-based dependent. Parking for the proposal would exceed the minimum standards as set within PSP16.
- 5.24 Access is via Lower Conham Vale; a single track country lane with limited passing places, especially to the east of no. 163 where the lane turns into a designated bridleway that is well used by non-motorised users. The long section of this road (i.e. the route leading to the site) is single width with no footway and no passing places. There is a steep slope on the south side and a stream on the north side.
- 5.25 Additionally, officers consider the existing junction of Conham Vale and Conham Hill to be restricted in terms of road width for two-way traffic and lacks pedestrian facility and achievable visibility splays. As such, any further increase in the use of this junction would be detrimental to road safety.
- 5.26 Transport officers are not convinced by the theoretical conflict analysis submitted in the transport statement and disagree with the agent's conclusion about development's impact. However, the fact remains that the access road leading to the site is substandard and does not meet today's road design standard.
- 5.27 The resulting traffic from the proposal of three new dwellings with three separate/ unrelated families (and with each adult in the family potentially owning cars) is not considered insignificant against the low background vehicular traffic at this location. Therefore, officers remain concerned about the incremental increase of vehicular traffic on the existing 'bridleway' and with additional risks of conflict between vehicle to vehicle and vehicle to non-motorised users of the lane, all to the detriment of road safety.
- 5.28 Following the assessment above, the designated bridleway is not suitable for the increased traffic associated with the additional three units. The access is sub-standard and does not meet today's road design standards. Furthermore, there is an absence of passing places for both vehicular and pedestrian

crossovers. Therefore the site does not deliver appropriate, safe, accessible, convenient, and attractive access for increased vehicular traffic. Thus, the proposed development contradicts SGC Policy PSP11 and paragraphs 109 and 110 of the NPPF.

5.29 The highway refusal reason may be withdrawn if the scheme was made similar in scale to the existing one dwelling. This has been put forward to the applicant in both pre-application advice and during the determination process of this application.

5.30 Flooding and Drainage

A flood risk assessment (EwendaleYoung, 8/11/2020) has been submitted in support of the application due to the Flood Zone 3 location. The details have been reviewed by both the Lead Local Flood Authority and the Environments Agency, with no objections subject to conditions. The recommendations are supported and officers raise no objection.

5.31 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 refuse 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 REFUSED.

1. The proposed development, if built, would fail to provide appropriate access. The designated bridleway is not suitable for the increased traffic associated with the additional three units, is sub-standard and does not meet today's road design standards. In addition, there is an absence of passing places for both vehicular and pedestrian crossovers resulting in increased risk of avoidable conflict - this would also fail to prioritise pedestrian and cycle movements associated with the bridleway. The resulting outcome if approved would therefore result in a severe impact to highway safety. Therefore the site does not deliver appropriate, safe, accessible, convenient,

and attractive access for increased vehicular traffic. Thus, the proposed development contradicts SGC Policy PSP11 and paragraphs 109 and 110 of the NPPF.

Case Officer: Thomas Smith
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 27/21 -9th July 2021

App No.:	P21/01066/F	Applicant:	Mr. Mapstone And Mr. Bleakman SWS Developments Ltd
Site:	6 Dial Lane Downend South Gloucestershire BS16 5UH	Date Reg:	2nd March 2021
Proposal:	Erection of building to provide ground floor Commercial Unit (B1c) (Class E) and 2no. 5 bedroom HMO residential units (Class C4) to first and second floors, with parking and associated works. (resubmission of P20/15728/F)	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364843 176639	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	22nd April 2021

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P21/01066/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 the receipt of more than three objection comments and an objection from the Parish Council, contrary to the officer recommendation made below.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two storey extension to an existing building to provide a ground floor commercial unit (Class E) and 2no. 5 bedroom 5 person HMOs to the first and second floors, with parking and associated works.
- 1.2 The application site relates to 6 Dial Lane, Downend. The building is currently in use as an existing commercial business. The site is within an existing urban area.
- 1.3 This application is a resubmission of application P20/15728/F, which was refused due to failing to respect the character of the area, impact on residential amenity, and failure to acknowledge a protected tree.
- 1.4 This application has been amended since the original submission, in order to improve the shared communal space within the first floor flat.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-Safeguarded Economic Development Sites
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP3	Trees and Woodland
PSP4	Designated Local Green Spaces
PSP8	Residential Amenity
PSP9	Health Impact Assessments
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water, and Watercourse Management

PSP21	Environmental Pollution and Impacts
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P20/15728/F - Erection of two storey extension to existing building to provide a ground floor Commercial Unit (Class B1c) and 2no. HMO residential units (Class C4) to first and second floor, with parking and associated works. – Refused 12.11.2020

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council: *Similar design to the earlier application, our position remains unchanged as:
 Objection on the following grounds:
 Overdevelopment.
 Overbearing and out of keeping with the local area.
 This road already suffers from bottlenecks created by commercial vehicles blocking this road and causing difficulties for local residents.*
- 4.2 Ecology – No objection subject to conditions
- 4.3 Tree Officer – No objection subject to full compliance with submitted arboricultural information
- 4.4 Highway Structures – No comment
- 4.5 Transportation DC – No objection subject to conditions
- 4.6 Drainage – No objection
- 4.7 Urban Design - Some previous concerns resolved, still concerns regarding amenity space requirements and parking. Materials will be required by condition.

Other Representations

- 4.3 Local Residents – 13 objection comments have been received, summarised as:
- Fails to improve on previous position
 - Insufficient parking
 - Balconies look directly into property

- Impact on views and natural light
- 10 HMO rooms is inappropriate
- Road already congested
- Site is cramped
- No new planting
- Works would block cul-de-sac
- Protected tree could be impacted
- Proposal close to existing residential properties
- Windows should not be permitted on party wall
- Residents of HMO may result in increased noise and late night activity
- Commercial use a fire hazard

5. **ANALYSIS OF PROPOSAL**

Principle of Development

- 5.1 The proposal is within Downend where residential development is encouraged under both local and national planning policies. In addition, the aim of Policy CS13 is to retain existing businesses in urban areas. This current proposal incorporates a commercial element at ground floor with residential in the form of two separate HMOs on the proposed first and second floors.
- 5.2 The proposal is considered to be acceptable in principle, subject to other material considerations.

House in Multiple Occupation

- 5.3 Several comments have been made with reference to HMOs. An HMO (house in multiple occupation) is a residential property where 'common areas' exist and are shared by more than one household.
- 5.4 This application involves the creation of two new 5 bedroom HMOs, each to be each to be occupied by 5 individuals, one on the proposed first and one of the proposed second floor of this extended building. Access into both HMOs would in the first instance be via a shared main front entrance and stairway leading to the individual HMOs with its separate main entrance.
- 5.5 Not being a scheme for conversion, policy PSP39 does not precisely relate to the development however, the general policy areas are useful tools in the overall assessment. The provisions of PSP39 are:

Where planning permission is required for Houses in Multiple Occupation (HMOs), these will be acceptable, provided that they would

- 1) *not impact on the character and amenities of the area within which they are located; and*
- 2) *not prejudice the amenity of neighbours; and*
- 3) *provide adequate amenity space; and*
- 4) *refuse storage and servicing; and*
- 5) *provide parking in accordance with the Council's parking standards.*

Character and visual amenity

- 5.6 The application site is within an established residential area with the building itself and that of its immediate neighbour being for commercial uses. It is understood the application site is in use as a steel fabricator specialising in storage equipment such as mezzanine flooring, fixtures and fittings, whilst the adjacent property is a removals firm. The host building, and its commercial neighbour can be viewed as being at odds with the general street scene which comprises either single storey or two-storey residential units. It is acknowledged the style of these properties vary, for example the house to the immediate west of the application site is a modest semi-detached cottage and those directly opposite can be described as 2.5 storey town houses. The application building itself is of a typical light industrial design reflecting its age, likely of brick and rendered block construction with an almost flat roof. It is set back from the road but from here extends to the rear of the plot. It is likely the application building and its commercial use has been in situ for a number of years. However, that does not mean to say that the conversion of the building, and in particular the addition of a further two storeys is suitable for residential use or compatible with the character of the area.
- 5.7 The previous application was refused due to its appearance as a dominant feature in a residential road of mixed housing with traditional rooflines.
- 5.7 Currently the host building achieves a height of around 5.3 metres. The addition of two storeys would result in an overall height of around 8.8m. Plans indicate that the adjacent cottage to the west has a height of about 6.6m, while the removal firms building to the east is around 9.9m high.
- 5.8 The previous scheme had concerns that the crenelated parapet roof on the removals building was for decoration, and due to the building having a dual pitched roof the introduction of a flat roof shape would be out of character. In this instance, the proposed building has been brought forward within the site, and it now sits far closer to the building line of no. 4. As a result, when viewed within the streetscene the pitched roof of no.4 will be less visible, and the parapet roof would be the most obvious roofline of the building. When viewed in context, the proposal would sit between the overall roof height of number 4 and number 12, and continue the stepped down rhythm of development.
- 5.9 The development has a whole has also been reduced, the step down in the roofline has been removed, reducing the “tower effect” the previous proposal had. The stepped back element on the west elevation has also been removed.
- 5.10 The existing building has also been taken into consideration. This has little architectural merit, and the small, squat scale of the building does appear at odds within the streetscene. The varied style within the streetscene does allow for some freedom in design terms. It should also be noted that the Council’s Urban Designer has raised no concerns in regards to the overall character or design of the building.

- 5.11 In this instance, it is considered that the revised scheme overcomes the previous reason for refusal, and presents a proposal that would not appear out of character, nor visually harmful, to the surrounding streetscene.
- 5.12 The submitted plans propose monocouche render, anthracite grey windows and doors and Forticrete cast bath stone string course. Many of the surrounding properties use render as a facing material so the principle is not objected to, however it is considered in this instance that all materials be subject to a sample review to ensure the best quality design is assured.

Impact on amenity of neighbours

- 5.13 Concern has been expressed by local residents regarding the issue of overlooking, the effect on privacy and the potential for an overbearing impact. The relevant policy for consideration is PSP8.
- 5.14 Previously, the proximity of the rear building line along with the balconies to the rear was considered to result in overlooking that would cause significant harm to residential amenity.
- 5.15 The rear elevation of the proposal has now been moved 4.5m further away from the boundary, to a total distance of 5.5m. The additional distance, plus additional screening to the balconies looking towards number 14 and the main amenity area, have reduced the amount of overlooking. Some overlooking will still be possible, however this is to a small portion of the garden and not the immediate amenity area. The harm caused is not considered to be significant.
- 5.16 Balconies are also proposed to the first floor. Existing properties directly opposite would be around 26m away. It is acknowledged that there would be some overlooking to the existing dwellings, however given the front of these properties already face the public highway, the situation is not considered to be significantly harmful over and above the existing situation.
- 5.17 To the west of the site is a residential property, number 12 Dial Lane. The proposal will sit approximately 2.5m from the boundary line, and given the increased height of the building has the potential to cause an overbearing impact on the outside amenity space of 12. The existing situation must also be taken into account. The existing building, with a height of 5.3., spans the entire length of the garden of 12, and as such there is already impact occurring on the garden. The increase in height, but decrease in length by over 4m, results in a proposal that whilst noticeable to the occupants using the garden of 12, would not have such an impact to be considered significantly harmful over and above the existing situation.
- 5.18 Disturbance by noise from the future use as an HMO has been given by a local resident. It is not possible to predict whether or not there would be excessive noise from any future occupants. This is not something that can be assessed under planning policy when considering the change of use of a building into residential accommodation.

Provision of adequate amenity space

- 5.19 With regards to the provision of amenity space for future occupants, Policy does not specify the amount of amenity space which should be made available for a newly erected HMO. However, Policy PSP43 can be used as a reference and appropriate comparison. This adopted policy applies to all new residential units (including those created by the change of use, development or subdivision of existing buildings) and expects them to have access to private amenity space. It states that as a minimum a 1 bed flat should have 5 square metres of residential amenity space.
- 5.20 Balconies available to the bedrooms at the rear of the property at around 2m². The balconies to the front are just over 3m². Around 90m² amenity space has also been provided externally. Whilst the balconies are under the expected provision, the external area is considered to compensate for this and the amenity space provided is considered to be sufficient.
- 5.21 There was initially some concern regarding residential amenity for the proposed occupiers of the HMOs, particularly in regards to the first floor flat which allowed little natural light within the shared communal area, The plans have now been amended to allow the front balcony area to open into the communal area, providing views to the outside and sufficient natural light to the shared space.

Provision of parking in accordance with the Council's parking standards

- 5.22 The proposal provides 5no. spaces to the front of the property for the proposed HMO, with one parking space for the commercial element provided within the building footprint and secured by position.
- 5.23 The level of car parking as proposed meets the Council's parking standards and as such, there is no objection on parking grounds.
- 5.24 The proposed also includes cycle parking in line with the Council's policy on sustainability.
- 5.25 Concerns raised by residents regarding the existing parking situation is noted, however Transportation DC have raised no objections. The proposal is considered able to meet parking demand on site.

Provision of refuse storage

- 5.26 Refuse storage is proposed to the rear of the site, and is considered adequate for the number of units proposed.

Landscape and trees

- 5.27 The proposal presents limited landscaping opportunities, with a small area in front of the parking spaces and an area to the rear set aside for planting. Whilst limited, the current site has no planting, and the proposal is an enhancement compared to the existing.

- 5.28 During the course of the previous application, the Beech tree to the rear of the site was issued with a Tree Protection Order.
- 5.29 An arboricultural assessment has been provided, and includes an assessment of impact in relation to trees at the site and adjacent to the site. The summary of the report is that the proposed development will not have an impact on existing trees within its vicinity. The assessment has been considered acceptable by the Council's arboricultural team.

Ecology

- 5.30 A Bat Survey Report (Ethos, June 2021) has been submitted. The site is not covered by any designated sites.
- 5.31 The building was assessed for roosting bats and was found to be of negligible potential. No enhancements have been recommended due to the urban location of the building.
- 5.32 No evidence of nesting birds were recorded. Enhancements have not been recommended, however there are opportunities to provide further nesting opportunities for birds. Sparrows and starlings are known to the area, therefore a starling nest box and a swift brick (which has evidence of providing better nesting habitat for sparrows than sparrow nest boxes) are to be installed a minimum of 3m from the ground and away from prevailing winds and direct sunlight.

Consideration of likely impact on Equalities

- 5.33 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities. Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers. The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

Overall planning balance

- 5.34 The application is for the vertical extension of an existing commercial building to create a first and second floor each of which is to be occupied by a 5 bed HMO for 5 persons. The retention of the commercial use in this urban area is noted and some weight is given in favour of the scheme for this reason. The revisions to the scheme are considered to overcome the previous reasons for refusal, and on balance the proposal is considered to be acceptable subject to conditions.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 It is recommended that planning permission is GRANTED.

CONDITIONS

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

Reason

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

2. Notwithstanding the submitted plans, prior to the commencement of the external walls of the development, samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. Prior to the occupation of the development the privacy screens to the balconies shall be installed and permanently retained thereafter.

Reason:

To protect the privacy and amenity of neighbouring occupiers.

4. The development shall not be occupied until the access and parking (plus a 7Kw 32 Amp electric vehicle charging point and cycle store) arrangements have been completed in accordance with the submitted details.

Reason:

In the interest of highway safety, to promote sustainable travel and to accord with policies PSP11, 16 and CS8.

5. The development shall be carried out in strict accordance with the Arboricultural Assessment received by the Council on the 25th Feb 2021.

Reason

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

6. Prior to commencement of the external walls of the development a plan showing the location and specification of the ecological enhancements are to be submitted to the local authority these include but not limited to starling nest box and swift brick.

Reason:

To provide ecological enhancements.

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

07 Jul 2021

PROPOSED PLANS & ELEVATIONS

25 Feb 2021

THE LOCATION PLAN & EXISTING PLANS

Reason:

To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 27/21 -9th July 2021

App No.:	P21/01349/F	Applicant:	Mr Duncan Weston
Site:	3 Danesbury Greenbank Road Hanham South Gloucestershire BS15 3SD	Date Reg:	25th March 2021
Proposal:	Erection of a single storey front extension to form additional living accommodation.	Parish:	Hanham Parish Council
Map Ref:	364979 172002	Ward:	Hanham
Application Category:	Householder	Target Date:	19th May 2021

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P21/01349/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 4no. local resident objection comments, contrary of the officer recommendation detailed below.

1. **THE PROPOSAL**

- 1.1 Full planning permission is sought for a single storey front extension at 3 Danesbury, Green Bank Road, Hanham.
- 1.2 The application site relates to a two storey, end-of-terrace dwellinghouse located within the settlement boundary. No other restrictive designations apply.
- 1.3 Due to the historic arrangement and access to the property, the front of the property is more akin to a rear elevation, overlooking the associated private amenity space. The rear elevation in this instance fronts onto the access lane for which represents a typical frontage, whereby supports vehicular and pedestrian comings and goings for the row of terraces and the neighbouring detached bungalow.

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
Householder Design Guide SPD (Adopted) 2021

3. **RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history.

4. **CONSULTATION RESPONSES**

- 4.1 **Hanham Parish Council**

No objection.

Other Representations

4.3 Local Residents

Six objection comments have been received from four individual persons. Key points are summarised as:

- Encroachment on access path leading to no.4;
- Application is for a front extension and not a rear extension;
- Loss of light to no.4;
- Loss of privacy to no.4;
- Increased sense of enclosure to no.4;
- Exceeds PD allowances;
- Potential impact to drainage systems;
- Inappropriate materials;
- Harm to character of the cottages;

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As mentioned above, the historic arrangement and access to the property switch the typical front and rear elevations. As such, extensions and alterations to the formal front elevations to the row of properties can be seen – acting as a material consideration. As such, given this unique circumstance, officers do not find it unreasonable to allow this kind of extension to the front of the application property subject to an assessment as if it were a typical rear extension.

5.2 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.

5.3 Following an amendment of the proposed materials from timber composite cladding to render with stone quoins, the proposed extension is considered to respect the existing character of the host property. Due to its single storey height and its depth of 3.3m, it is considered to remain as a subservient element when compared to the original building. As such, the proposed development would respect character of the host property and its context in line with policy PSP38.

5.4 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.

- 5.5 Following the neighbours objections, officers have visited the site to fully assess the impact of the proposal relative the living conditions of the neighbours.
- 5.6 Concerning the loss of light and overbearingness to no.4, the main entrance to no.4 and a window serving the neighbours living room faces directly over the application site. A c.1m pathway which follows the side elevation of no.3 separates the properties and provides access from the formal rear entrance point. A c.1.8m high close boarded fence continues along this side elevation and a c.1m high pedestrian gate provides access from the formal front entrance – which also runs along the row of adjoining properties. The height of the proposed extension would be 3.4m and would be set in from the boundary by 0.5m at a depth of 2.55m and a set in of 1m from 2.55m to 3.4m. Considering the location, height, separation distances, and existing boundary treatment, the proposed development would not result in any unreasonable loss of light or overbearingness. Whilst the extension would continue the prominence of the existing dwelling from the points of access to no.4, any harm to the internal habitable space would not be unreasonable to a degree to justify refusal. Outlook and access to natural light would still be retained to no.4, for which its principal outlook is to the rear garden in a southerly facing direction.
- 5.6 Regarding the encroachment of the path and right of access to no.4, this would form a civil matter and not one of the councils. The proposed extension abutting the path is not considered harmful to the right of access. It is noted that parking relating to both no.3 and no.4 exist to the formal rear elevation which is accessed via a private lane. It is not considered unreasonable to assume that the majority of access and egress movements would occur in this area. Relating to loss of privacy, as existing, the window of no.4 directly overlooks the application site, which impacts the occupants of the host dwellings residential amenity. Whilst the proposed extension would bring forward the rear elevation, the degree to which the extension and no.4 would co-exist is not considered to be harmful.
- 5.7 Turning to the adjoining neighbouring dwelling, outlook and access to natural light would not be impacted by the extension to an unreasonable degree given the development parameters discussed above. Furthermore, whilst concerns regarding dampness and drainage have been raised, these issues do not form material planning considerations. Therefore, following the assessment above, the proposed development complies with policy PSP8.
- 5.8 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. 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/refuse permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is GRANTED.

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.

Received by the council on 10 March 2021: Proposed Section, and Site Location and Block Plan. Received by the council on 24 March 2021: Existing Floor Plan and Elevations. Received by the council on 6 July 2021: Proposed Elevations and Floor Plan (Rev B).

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

3. The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Reason

To prevent disturbance to occupiers of nearby properties and to accord with PSP8 of the South Gloucestershire Policies Sites and Places Plan (Adopted) November 2017 and the provisions of the National Planning Policy Framework

Case Officer: Thomas Smith
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 27/21 -9th July 2021

App No.:	P21/02390/RVC	Applicant:	YTL Developments (UK) Ltd
Site:	Former Filton Airfield Filton South Gloucestershire	Date Reg:	6th April 2021
Proposal:	Removal of conditions 20 (newts), 42 (bird boxes) and 43 (Leasehold) and variations of conditions 9 (to apply only to construction phases), 22 (to require the development to be in accordance with the LEMP), 24 (to reference the new flood risk assessment), 32 (to amend the Way finding condition), 38 (to amend the wording to compliance with survey) and 41 (to amend the list of approved plans) as attached to permission PT14/3867/O (to be read in conjunction with P20/20118/NMA). PT14/3867/O-Mixed use development on 143.73 hectares of land comprising: residential development for up to 2,675 dwellings and apartments (comprising 2,635 x Use Class C3 and 40 x Live Work Units - Sui Generis); 24ha of stand-alone employment land (comprising up to 12ha Use Class B1a and a minimum of 12ha Use Class B1b/c, B2) ; 120 Bed Hotel up to 3,800 sqm (Use Class C1); Rail Station (0.45ha Use Class Sui Generis); Education provision to include a Secondary School (8.31ha), 2 no. Primary Schools (total 5ha) and 2 no. Childrens Nurseries (total 0.8ha) (all Use Class D1); Community Centre incorporating Library, Built Sports facilities and Doctors surgery up to 3,400 sqm (Use Classes D1 & D2); Dental Surgery up to 800sqm; (Use Class D1); 70 Bed Extra Care Facility up to 12,500sqm (Use Class C2); Shops/Financial Services/Food and Drink facilities up to 4,787sqm (Use Classes A1, A2, A3, A4 and A5) - comprising Retail Supermarket up to 2,787sqm gross maximum (Use Class A1); Business Offices up to 500sqm (Use Class B1) together with; supporting infrastructure and facilities including demolition, ground works and remediation, highways, utilities, landscaping, sustainable urban drainage system, wildlife water basins and public open space. Outline application including access, with all other matters reserved.	Parish:	
Map Ref:	359003 180361	Ward:	
Application Category:	Major	Target Date:	22nd July 2021

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N.T.S.

P21/02390/RVC

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

INTRODUCTION

- 0.1 This application has been forwarded to the Council's Circulated Schedule of applications in accordance with the Council's Constitution as the Case Officer is recommending approval and more than 3 objections have been received from members of the public/local residents.

THE PROPOSAL

- 1.1 This application seeks permission to amend planning conditions 9, 22, 24, 32, 38 and 41 and to remove planning conditions 20, 42 and 43 attached to Outline permission PT14/3867/O (to be read in conjunction with P20/20118/NMA) at the former Filton Airfield. This permission will hereafter be referred to as 'the original Outline' for the purposes of this report.
- 1.2 This application is submitted under Section 73 (S73) of the Town and Country Planning Act 1990 which enables applicants to apply to vary or remove specific conditions associated with a planning permission. It is important to note that a S73 application cannot be used to change the description of the development as originally consented.
- 1.3 A permission granted under S73 results in a new, independent permission to carry out the same development as previously permitted subject to the new and amended conditions. The new permission sits alongside the original permission which remains intact and unamended. It is then open to the applicant to decide whether to implement the new permission or the one originally granted.

Relationship with Bristol Arena

- 1.4 The main purpose of this application is to seek amendments to some of the Parameter Plans consented under the original Outline (listed under the Approved Plans List – Condition 41). All of the other proposed changes to conditions are largely being sought as an opportunity to 'tidy up' the decision notice.
- 1.5 The main reason why the changes to the Parameter Plans are being sought now is to support the integration of the YTL Bristol Arena which recently gained planning permission under Bristol City Council reference. 19/05500/P. As well as the main Arena building application itself there were three other linked planning applications granted at the same time to deliver access and parking infrastructure to serve the Arena. The package of Arena planning permissions are as follows:
- **Application A: Proposed Arena** (BCC application reference 19/05500/P): Hybrid planning application comprising the demolition of existing ancillary buildings and structures; full details associated with the change of use of, and associated external alterations to, the Brabazon Hangar buildings from Class B8 use to a mixture of Class D1, D2, A1, A3, A4 and B1a uses, along with outline details associated with infrastructure works including: revised vehicular access

arrangements; redevelopment and reorganisation of the former aircraft apron to provide parking, servicing and associated infrastructure provision; plus associated landscaping, service infrastructure and other associated works and improvements. Address: Brabazon Hangars, Filton.

- **Application B: Highways Amendments** (SGC application reference P19/16740/F): Amendments to the existing highway and highway junction at Charlton Road and West Way. Address: Land at Charlton Road and West Way.
- **Application C: Temporary Car Park** (SGC application reference P19/16741/F): Formation of a temporary car park for up to 2,000 vehicles and bus, taxi, park and ride, pick up and drop off areas on the eastern end of the former Filton Airfield. Address: Land at the former Filton Airfield.
- **Application D: Pedestrian Bridge** (SGC application reference P19/16742/F and BCC application reference 19/05514/F): Construction of a new pedestrian bridge linking the former Filton Airfield and the Brabazon Hangar site over the Henbury Loop railway line, including associated demolition, earthworks and landscaping. Address: Land at the former Filton Airfield.

- 1.6 Given the overlapping between some aspects of the Arena applications with the original Outline permission, the applicants (YTL) were required to demonstrate how the Arena permissions could be brought forward without adversely affecting the original Outline or preventing it from being deliverable. Through the assessment process, some inconsistencies between the permissions were identified. As a result, as part of the committee resolution for the Arena applications, the applicants were invited to bring forward a Non-Material Amendment application under Section 96A of the Town and County Planning Act 1990 to amend the wording of certain conditions on the original Outline. The amended wording would add flexibility to approve details which do not strictly accord with parameter plans and other documents, however only in circumstances where such deviations are considered necessary to accommodate the Arena proposals, taking into account the potential for significant environmental effects. These matters were thoroughly assessed and the Non-Material Amendment application was approved on the 16th October 2020 (ref. P20/20118/NMA). For completeness, the amended wording of the conditions will be reflected in the wording of the new decision notice attached to this S73 permission.
- 1.7 A series of planning conditions and a S106 agreement were attached to the Arena permissions that link all of the applications together to ensure that the Arena cannot become operational until all of the necessary supporting infrastructure and mitigation measures are in place. A Deed of Variation to the S106 Site Specific Agreement (hereafter 'SSA') attached to the original Outline was also required to make some minor amendments to certain obligations where they were affected by the Arena proposals.
- 1.8 Whilst it was resolved that the Arena permissions could come forward alongside the original Outline; it was recognised by the applicant that there were improvements that could be made to the 'Brabazon' Masterplan that would better facilitate the Arena, an approach considered to be acceptable to the LPA. For example, relating to crowd control and operational safety matters. In recognition of this the applicant undertook a

pre-application enquiry process with the LPA in January 2021 whereby potential improvements to the Brabazon Masterplan were proposed and assessed. It was advised that these changes could come forward in accordance with the provisions of S73 to amend the approved Parameter Plans and wording of some of the conditions.

- 1.9 In conjunction with revised Parameter Plans, it was also advised that the previously approved Design Codes for the Eastern side of the site (the 'Eastern Framework') would need to be updated to reflect the changes and re-submitted for approval. In parallel, the amended Design Codes have now been submitted under a Discharge of Condition application (DOC21/00067) and are currently being assessed. The Phasing Plan (required under Condition 4 of the original Outline) has also been updated to reflect the changes to the layout and resubmitted under a Discharge of Condition application (DOC21/00125) and is currently being assessed.
- 1.10 To support the integration of the Arena with the Brabazon Masterplan, the applicant has proposed a number of amendments to access routes and areas of public open space to facilitate the safe and efficient movement of visitors, residents and public transport throughout the site. The following key changes are now proposed which are described in greater detail below:
1. Amendment to the Metrobus route through the site in order to ensure pedestrian safety around the Arena pedestrian bridge landing area, to maximise Metrobus Route efficiency and to enable an additional Metrobus stop;
 2. The realignment of primary road infrastructure within the Eastern Framework of the Masterplan to prioritise pedestrian and cyclist movement;
 3. The enlargement of the central Brabazon Park including amendments to water features and updating of the Flood Risk and Drainage Strategy; and
 4. The repositioning of the 'urban centre' to improve its relationship to the Arena complex, Station Square and Brabazon Park and to enable it to be fully pedestrianised.
- 1.11 It is important to note that the changes proposed only affect the Eastern Framework area (i.e. the part of the site east of the North-South Link from San Andreas roundabout to Charlton Road). The entirety of the Western Framework area remains unaffected by this application.

Background to the Airfield 'Brabazon' Masterplan

- 1.12 The original Outline planning permission PT14/3867/O was granted on the 1st March 2018 for a strategic scale mixed-use development including 2675 new dwellings on 143 hectares of land on the former Filton airfield. All matters were reserved for future reserved matters consideration, except for the main points of access into the site which were determined in detail at the Outline stage.
- 1.13 Many of the pre-commencement planning conditions that were attached to the original Outline permission have already been discharged. Reserved Matters applications have been approved for the first residential parcel of Geographic Phase 1 as well as the northernmost section of Brabazon Park.

- 1.14 Development commenced in 2018 on the first residential phase and its associated infrastructure with first occupations of residential dwellings now taking place.
- 1.15 There is a Site-Specific S106 agreement (hereafter referred to as the 'SSA') attached to the original Outline permission as well as a wider Framework S106 agreement that applies across the whole of the Cribbs Patchway New Neighbourhood (CPNN) area. The relationship of this S73 application to the SSA is set out within Section 6 of this report.
- 1.16 It is important to note that there are no changes to the overall package of developer obligations and community infrastructure commitments being delivered via the SSA as a result of this application.

Site Description

- 1.17 The application site comprises the entirety of the former Filton Airfield strategic site. Historically, the Airfield was the UK home for the construction and testing of the first supersonic passenger jet, Concorde. The site is allocated for mixed-use regeneration as part of the Cribbs/Patchway New Neighbourhood under Policy CS26 of the South Gloucestershire Local Plan Core Strategy (adopted 2013) and falls within the Filton Enterprise Area.
- 1.18 The application site is 143.13ha in size, lying between the A38 (to the east), the Cribbs Causeway retail and business area and Charlton Hayes development site (to the north and west) and the Henbury Loop rail line and Fishpool Hill application site to the south. The administrative boundary of South Gloucestershire Council and Bristol City Council are defined by the railway line along the site's southern boundary. The application site is defined as the extent of the former airfield but includes some areas of highway access and drainage which lie outside of that. The site comprises the former 2.5 km long main east/west runway and part of the north/south runway. It includes areas of grass runoff and overspill.

Details of Proposed Amendments – Changes to Parameter Plans (Condition 41)

- 1.19 The following is a summary of the amendments to the original Outline permission proposed via this S73 application:

Enlargement of Brabazon Park

- 1.20 The original Masterplan included a linear park connecting Filton (Hayes) Wood to the north with the Brabazon Hangars to the south. It covered an area of 2.2ha and included a variety of uses including informal open space, children's play area (1no. LEAP and 1no. NEAP), allotments as well as SuDs attenuation linear water bodies. The changes now proposed are:
- Significant expansion of the park to cover 4.98ha to provide an "iconic counterpart to the Arena experience" as well as continuing to provide local amenity space for residents.
 - The proposed facilities within the park (subject to a future Reserved Matters application) would include informal open space, an additional children's play area

(2no. LEAPs, 1no. NEAP), outdoor sports provision, e.g. boules, table tennis, active eastern promenade, capacity for outdoor events.

- The park is proposed to include a large-scale lake which would provide an attenuation function.
- A significant increase in areas of planting and tree planting.
- The park will no longer be dissected by the Metrobus route adjacent to the Arena bridge landing area with the crossing point further to the north below Brabazon Park north.

Arena Transport Strategy

- 1.21 The amendments to the layout have been designed to facilitate the delivery of a future multi-modal transport strategy required to deliver the Arena. The detail and assessment of which will be subject to a series of separate planning applications, required by the Arena S106 Agreement and condition discharge applications. The strategy will include parking areas, coach staging bays, park & ride and shuttle bus service, taxi pick up and drop off locations, cycle storage areas and pedestrian walkways. This S73 application, provides for those applications to come forward spatially.

Changes to the Metrobus Route

- 1.22 As shown on the original Access Parameter Plan, the Metrobus route was previously shown as travelling east from the A38, entering the site at Combination Junction, running along a Metrobus-only route adjacent to the southern edge of the site before connecting to San Andreas roundabout to the north-west, via the North-South link. Two stops were provided, one adjacent to the proposed Filton North Station, and a second close to San Andreas roundabout. The proposed changes to this route are as follows:

- Metrobus route to enter the site from the east at the new A38 access junction from the Horizon 38 development;
- The route will then continue across the centre of the Masterplan along Runway Avenue within dedicated bus lanes, before connecting to San Andreas roundabout at the North-South Link;
- Three stops will be provided, one at the eastern end of the masterplan, shortly after entering the site, serving the light industrial and educational uses, a second in the centre of the masterplan serving the retail and commercial uses in 'East Lake', and a third close to San Andreas Roundabout serving the Western Residential Framework and the proposed school. These stops will be shared with the future local buses that would pass through the site;
- Combination Junction will remain solely to provide access to the Airbus campus and to provide a cycle link into the site.

Realignment of Primary Road and Pedestrian Infrastructure

- 1.23 The amendments propose a realignment of primary road infrastructure within the Eastern Framework of the Masterplan to prioritise pedestrian and cyclist movements. The changes include the following:

- Consolidating the primary road, Metrobus route and cycle trunk route across the centre of the Airfield entering from the A38 junction in the east running through to exit from the San Andreas roundabout to the west;
- A secondary cycle route connection remains running across the site as per the original Access Parameter Plan, running adjacent to the Arena bridge landing area;
- Greater emphasis placed on several wider pedestrian promenades that link the significant spaces together including Aerospace Promenade that runs from Aerospace Park down to Station Square as well as City Walk (East) and City Walk (West) that run across the site through Brabazon Park, connecting with the potential parking area for the Arena.

Repositioning of 'Urban Centre'

1.24 The previous masterplan located the 'urban centre' within the 'Runway Trace' zone.

The changes now proposed are as follows:

- The urban centre has been relocated to the south west to improve its relationship to the Arena, Station Square and Brabazon Park, whilst also maintaining a functional relationship to the metrobus route;
- Moving the urban centre away from 'Runway Avenue' allows for the central spaces to become fully pedestrianised. This creates the 'East Lake' urban square, which is enhanced through the proposed layering of terraces and landscaping;
- The functional relationship of the urban square to the YTL Arena Complex, and pedestrian promenades will allow for the safe disbursement of Arena visitors post events and to provide an additional amenity space.

Details of Proposed Amendments – Updated Flood Risk Assessment

1.25 As part of the update to the Environmental Statement, a Flood Risk Assessment (FRA) Addendum (dated June 2021) has been submitted to assess the implications of the changes to the layout in terms of flood risk and drainage.

1.26 The original FRA (FAD-BAE-000-RP-C0002_Filton Flood Risk Assessment_Rev4) was prepared in October 2014 with a previous addendum to this FRA submitted in March 2017, (FAD-PBA-000-XX-RP-D-0001_170327_FRA Addendum_Rev C). Both produced by Peter Brett Associates (PBA). The key proposed changes to the strategy since the original FRA are as follows:

- A large lake is now proposed ('Brabazon Lake') within the Brabazon Park to act as an above ground basin attenuation feature;
- The existing lagoon east of the A38 is proposed to be used for an increased amount of attenuation storage and reconfigured for that purpose involving the removal of the historic multi-interceptor downstream of the A38 culvert to be replaced with a concrete channel; the lagoon's existing inlet/outlet weirs will need to be filled in, and the base lowered to enable greater attenuation storage than previously available;

- The use of the above features will lead to a reduction/removal in open basin features within the eastern part of the site, previously known as 'East Park' and 'Airfield Gateway'.
- 1.27 Attenuation storage within the north-eastern commercial parcels will be provided onsite via underground attenuation tanks as per the original strategy. A variety of SuDs features will continue to be integrated within the development including rain gardens, swales, permeable paving and so forth as per the original drainage strategy.
- 1.28 The western part of the site remains unaltered by this FRA addendum and no changes to surface water management are proposed as part of this S73 application.

Details of Proposed Amendments – Changes to Other Conditions

- 1.29 The following changes to some of the other conditions on the original Outline have also been proposed. Officers' views on the acceptability of each of these requested changes is set out within the analysis section of this report:
- **Condition 9 – Sustainable Construction:** Amend wording to only apply to phases that include buildings.
 - **Condition 20 – Great Crested Newts:** Removal of condition as these works have been undertaken under licence and there are no longer newts present on the site.
 - **Condition 22 – Landscape and Ecological Management Plan:** Amend the wording from being a pre-commencement condition to being a compliance condition because the original condition was discharged in July 2020 (DOC18/0400) The amended condition should make reference to the need to submit an addendum to the approved LEMP to confirm the management remains for any additional open space typologies not currently covered within the approved LEMP.
 - **Condition 24 – Sustainable Drainage:** Amend the wording to require reserved matters application to comply with the latest Flood Risk Assessment submitted with this Section 73 application.
 - **Condition 32 – Way- Finding:** Amend wording to changes the triggers for submission of way-findings details.
 - **Condition 38 – Hangar 16U:** Removal of the original condition which was discharged in full in February 2019 (DOC18/0100) and replacement with a compliance condition requiring adherence with the commitments set out in the Hangar 16U Urgent Works Reports.
 - **Condition 42 – Bird Nest Boxes:** Removal of this pre-commencement condition as the works have been undertaken and the condition has been discharged in full in 2018 (DOC18/0131).

- **Condition 43 – Arlington Land Leasehold:** Removal of this pre-commencement condition as the condition was discharged in full in August 2019 (DOC18/0238/DOC18/0131).

Applicant's Supporting Information

1.30 The following plans/documents have been submitted with the application:

Document/Plan	Drawing No./Revision/Date
Section 73 Covering Letter	Dated 25 th March 2021
Environmental Statement	YTL, dated March 2021
Environmental Statement – Non-Technical Summary	YTL, dated March 2021
Figure 1.1 The Site	1074_00_07_001 (dated 04/04/2017)
Figure 3.1 Illustrative Land Use Masterplan	FAD_FCB_000_XX_PL_A_7011 Rev 02 (dated 13/05/21)
Figure 3.2 Movement And Access Parameter Plan	FAD_FCB_000_XX_PL_A_7006 Rev 03 (dated 13/05/21)
Figure 3.3 Landscape Parameter Plan	FAD_FCB_000_XX_PL_A_7010 Rev 04 (dated 18/06/21)
Figure 3.4 Land Use Parameter Plan	FAD_FCB_000_XX_PL_A_7002 Rev 01 (dated 19/02/21)
Figure 3.5 Building Heights Parameter Plan	FAD_FCB_000_XX_PL_A_7005 Rev 03 (dated 13/05/21)
Figure 3.6 Density Parameter Plan	FAD_FCB_000_XX_PL_A_7004 Rev 01 (dated 19/02/21)
Figure 3.7 Heritage Parameter Plan	1074_00_07_011 Rev 01 (dated 13/05/21)
Appendix 5.1 Arena Design And Access Statement Extract: Security	Dated January 2020
Appendix 5.2 Outline Energy and Sustainability Statement	Dated April 2017
Appendix 5.3 Sustainable Construction Energy Strategy for Geographic Phases 1 And 2	Dated 12 th December 2018
Appendix 5.4 Sustainable Energy Statement For First Phase Residential Development – Spitfire Quarter	Dated 30 th November 2018

Appendix 6.1 Geographic Phase 1 and 2 Construction and Environmental Management Plan	FAD-YTL-015-XX-RP-K-001 (dated April 2018)
Appendix 8.1 Report on historic airfield structures	Dated December 2017
Appendix 9.1 Filton Airfield - Phase 1- Ground Investigation Report	Dated 1 st March 2019
Appendix 9.2 Filton Airfield - Phase 1- Remediation and Verification Plan	Dated 3 rd April 2019
Appendix 11.1 Badger Survey Report and Mitigation Strategy	Dated 17 th November 2017
Appendix 11.2 Landscape Ecology Management Plan	Rev 08 – dated March 2019
Appendix 11.3 Bird Box Locations Plan	FAD-GRA-000-XX-DR-L-1002 S2 Rev P2 (dated 31/01/2018)
Appendix 14.1 Flood Risk Assessment Addendum	21101-FRA-ADD-01 v4 (dated June 2021)

Environmental Impact Assessment (EIA)

- 1.31 The Outline proposals fall within Schedule 2 of the Environmental Impact Assessment (England and Wales) Regulations (2017). As such an Environmental Statement (ES) was provided as part of the original application approved by South Gloucestershire Council as part of determining application reference PT14/3867/O.
- 1.32 It is a requirement of a Section 73 application that an Environmental Statement (ES) be submitted in situations where the original application was considered to be EIA development. As such an ES has been duly submitted with this application and subject to the publicity requirements in accordance with the EIA regulations. The purpose of this ES is to consider whether there are likely to be any new environmental effects arising from the changes to the proposed development or from changes in circumstances since the original ES was prepared. The following topics were included within the original ES:
- Air Quality
 - Community, Economic and Social
 - Cultural Heritage
 - Ground Conditions
 - Landscape and Visual Impact
 - Natural Heritage (Ecology)
 - Noise
 - Transport
 - Water Resources and Flood Risk

- 1.33 The most significant change to circumstances since the previous ES was prepared has been the granting of planning permission for the Arena. The Arena application itself was considered EIA development and as such was accompanied by a comprehensive ES which constitutes an up to date assessment of the effects of the Arena in combination with the Brabazon Masterplan. Given that this environmental information is already before the Council it has not been necessary to replicate all of this information within the ES submitted within this Section 73 application.
- 1.34 The EIA regulations were updated in 2017 and now include the requirement for applicants to consider the impacts of the project on climate as well as give consideration to the vulnerability of the project to risks of major accidents and/or disasters relevant to the project concerned. During an informal scoping exercise the applicants were advised that these matters should be considered within the ES accompanying the Section 73 application, in addition to those topics originally assessed.
- 1.35 The ES concludes that the majority of the identified environmental effects remain as per the original ES. Significant changes resulting from this application have included the need to update the Flood Risk Assessment and Drainage Strategy and the need to consider security and safety aspects as a result of the proximity to the Arena. The original Transport Assessment was comprehensively updated through the Arena application process with a package of mitigation measures agreed with Highways England and BCC and SGC Highways Authorities.
- 1.36 Whilst Officers do not necessarily agree with every statement made within this ES; it is considered that the conclusions sufficiently address the likely significant effects of the proposed development. It is considered sufficient to enable a full and proper assessment of this planning application.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS4 Renewable or low carbon district heat networks
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS7 Strategic Transport Infrastructure
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density

CS17 Housing Diversity
 CS18 Affordable Housing
 CS20 Extra Care Housing
 CS23 Community Infrastructure and Cultural Activity
 CS24 Green Infrastructure, Sports and Recreational Standards
 CS25 Communities of the North Fringe of Bristol Urban Area
 CS26 Cribbs / Patchway New Neighbourhood

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

PSP2 Landscape
 PSP6 OnSite Renewable and Low Carbon Energy
 PSP8 Residential Amenity
 PSP10 Active Travel Routes
 PSP11 Transport Impact Management
 PSP13 Safeguarding Strategic Transport Schemes and Infrastructure
 PSP17 Heritage Assets and the Historic Environment
 PSP19 Wider Biodiversity
 PSP20 Flood Risk, Surface Water and Watercourse Management
 PSP21 Environmental Pollution and Impacts
 PSP26 Enterprise Areas

2.3 **Supplementary Planning Documents**

Cribbs/Patchway New Neighbourhood Development Framework SPD (adopted March 2014)
 South Gloucestershire Biodiversity Action Plan (adopted)
 South Gloucestershire Landscape Character Assessment SPD
 South Gloucestershire Statement of Community Involvement (2015)

3. **RELEVANT PLANNING HISTORY**

- P21/00001/MODA - Deed of Variation to Section 106 Legal Agreement attached to planning permission PT14/3867/O. Decision Pending.
- DOC21/00125 - Discharge of condition 4 (phasing plans) attached to planning permission PT14/3867/O. Decision Pending.
- DOC21/00067 - Discharge of condition 5 (Design Code), 6 (Tall Buildings), 27 (Remediation) attached to planning permission PT14/3867/O. Decision Pending.
- P20/24199/F - Application for the temporary change of use for a period of 3 years to mixed use retail (Class E), pop-up food and drink space (Classes A4, A5) and temporary events (sui generis) with associated car parking, as defined in the Town and Country Planning (use classes) Order 1987 (as amended), with proposed access via Concorde roundabout. Decision Pending.
- BCC application reference 19/05500/P – Bristol Arena - Hybrid planning application comprising the demolition of existing ancillary buildings and structures; full details associated with the change of use of, and associated external

alterations to, the Brabazon Hangar buildings from Class B8 use to a mixture of Class D1, D2, A1, A3, A4 and B1a uses, along with outline details associated with infrastructure works including: revised vehicular access arrangements; redevelopment and reorganisation of the former aircraft apron to provide parking, servicing and associated infrastructure provision; plus associated landscaping, service infrastructure and other associated works and improvements. Address: Brabazon Hangars, Filton. Planning permission granted 29.04.2021 (S106 Signed)

- P19/16740/F (Arena) - Amendments to the existing highway and highway junction at Charlton Road and West Way. Address: Land at Charlton Road and West Way. Planning permission granted 29.04.2021 (S106 Signed)
- P19/16741/F (Arena) - Formation of a temporary car park for up to 2,000 vehicles and bus, taxi, park and ride, pick up and drop off areas on the eastern end of the former Filton Airfield. Planning permission granted 29.04.2021 (S106 Signed)
- P19/16742/F (Arena) - Construction of a new pedestrian bridge linking the former Filton Airfield and the Brabazon Hangar site over the Henbury Loop railway line, including associated demolition, earthworks and landscaping. Planning permission granted 29.04.2021 (S106 Signed)
- P19/020/SCO: Request for a Scoping Opinion as to whether an Environmental Impact Assessment is required for the redevelopment of land at the former Filton Airfield.
- PT18/2438/RM: Former Filton Airfield South Gloucestershire BS34 5BZ - Laying out of public open space for 'Brabazon Gardens North' including provision of Local Equipped Area of Play (LEAP), informal open space, meadow, landscaping, sustainable drainage system (SuDS) - below ground crate storage, and all associated works. (Approval of Reserved Matters to be read in conjunction with Outline planning permission PT14/3867/O). Approved 26th Feb 2021.
- PT18/5892/RM: Parcels RO3 and RO4 Former Filton Airfield Filton South Gloucestershire. Erection of 278 no dwellings with landscaping, car parking and associated works. (Reserved matters application to be read in conjunction with Outline Planning Permission PT14/3867/O). Approved 15th March 2019.
- DOC18/0404: Former Filton Airfield Discharge of Condition 1 (Mitigation) attached to planning permission PT18/2274/RM Construction of primary access infrastructure (the 'U-Road') Condition discharge March 2020.
- PT18/2274/RM: Former Filton Airfield Filton South Gloucestershire BS34 8QN. Construction of primary access infrastructure (the 'U-Road') that facilitates a road link and associated pedestrian and cycle paths between the Brabazon and Blenheim roundabouts (Approval of reserved matters including access, appearance, landscaping, layout and scale to be read in conjunction with Outline Planning Permission PT14/3867/O). Approve with conditions 15th October 2018.
- PT18/2355/F: Former Filton Airfield Bristol South Gloucestershire BS99 7AR. Temporary mixed use (general storage; cars containers, building materials,

temporary events, cabins/depot uses) on the western end of the former Filton Airfield on 14.45 hectares of land, with access from New Road, Filton, for a period of up to 10 years. Approve with Conditions. Tue 18 Sep 2018

- PT18/211/F and PT18/2112/LB – Hangar 16U: Change of use of existing hangar from B2 to mixed used B1 and A3 or use as a marketing office, general offices, café and flexible space. Demolition of part of the building and erection of extensions and construction of access and carpark and hardstanding areas and associated landscaping. Planning and Listed building consent granted August 2018.
- DOC18/0184: Former Filton Airfield: Discharge of Condition 17 (Archaeology) and Condition 36 (Historic building recording) attached to planning permission PT14/3867/O. Condition partially discharged Aug 2018.
- DOC18/0125: Former Filton Airfield: Partial discharge of conditions 4 (phasing plan), 5 (design code) and 6 (tall buildings) attached to planning permission PT14/3867/O. Approved 23rd May 2018.
- DOC18/0131: Former Filton Airfield: Discharge of conditions 15 (Tree Protection), 17 (Archaeology), 18 (Construction Waste Management Plan), 21 (Badgers), 27 (Remediation), 28 (Construction Environmental Management Plan) and 42 (Bird Box Scheme) attached to planning permission PT14/3867/O. Approved 5th June 2018.
- DOC18/0294: Former Filton Airfield. Partial discharge of Condition 27 (Remediation) covering Brabazon Gardens North and Residential Phase 1 attached to planning permission PT14/3867/O. Partial discharge February 2020.
- DOC18/0400: Former Filton Airfield - Discharge of condition 22 (LEMP) attached to planning permission PT14/3867/O. Approved 9th July 2020.
- DOC18/0238: Former Filton Airfield - Discharge of conditions 9 (sustainable construction) and 43 (Arlington Land) attached to planning permission PT14/3867/O. Approved 12th Dec 2018.
- DOC18/0100: Former Filton Airfield Proposal: Discharge of condition 38 (schedule of urgent works to Hangar 16U) attached to planning permission PT14/3867/O. Approved 5th June 2018.
- PT15/0321/F: Ecological enhancement works, including the creation of 2 no. ponds and related landscaping works associated with planning application PT14/3867/O, Former Filton Airfield. Approve with conditions – 5th August 2015
- DOC15/0137: Former Filton Airfield. Discharge of conditions 4 (Construction Environmental Management Plan) and 5 (archaeological investigation) of planning permission PT15/0322/F - Construction of an advanced surface water drainage swale works associated with planning application PT14/3867/O Approved 26th Oct 2015.

- PT15/0322/F Construction of an advanced surface water drainage swale works associated with planning application PT14/3867/O, Former Filton Airfield. Approved with condition. 18th June 2015.
- PT14/3867/O - Mixed use development on 143.73 hectares of land comprising: residential development for up to 2,675 dwellings and apartments (comprising 2,635 x Use Class C3 and 40 x Live Work Units - Sui Generis); 24ha of stand-alone employment land (comprising up to 12ha Use Class B1a and a minimum of 12ha Use Class B1b/c, B2) ; 120 Bed Hotel up to 3,800 sqm (Use Class C1); Rail Station (0.45ha Use Class Sui Generis); Education provision to include a Secondary School (8.31ha), 2 no. Primary Schools (total 5ha) and 2 no. Childrens' Nurseries (total 0.8ha) (all Use Class D1); Community Centre incorporating Library, Built Sports facilities and Doctors surgery up to 3,400 sqm (Use Classes D1 & D2); Dental Surgery up to 800sqm; (Use Class D1); 70 Bed Extra Care Facility up to 12,500sqm (Use Class C2); Shops/Financial Services/Food and Drink facilities up to 4,787sqm (Use Classes A1, A2, A3, A4 and A5) - comprising Retail Supermarket up to 2,787sqm gross maximum (Use Class A1); Business Offices up to 500sqm (Use Class B1) together with; supporting infrastructure and facilities including demolition, ground works and remediation, highways, utilities, landscaping, sustainable urban drainage system, wildlife water basins and public open space. Outline application including access, with all other matters reserved. Approved s106 signed off. 1st March 2018.
- PT14/007/SCO: Land at Filton Airfield South Gloucestershire. Mixed use Development. Scoping Opinion Complete. Wed 09 Apr 2014
- PT12/036/SCO: Land At Filton Airfield Filton Mixed use Development Scoping Opinion Complete Wed 24 Oct 2012.

4. CONSULTATION RESPONSES

Response from External Consultees

Avon and Somerset Constabulary - Crime Prevention Design Advisor

- 4.1 I am a Designing Out Crime Officer (DOCO) with a responsibility for Crime Prevention Through Environmental Design (CPTED) projects within South Gloucestershire area. As a Constabulary we offer advice and guidance on how the built environment can influence crime and disorder. Paragraphs 91, 95 and 127 of the National Planning Policy Framework July 2018 require crime and disorder and fear of crime to be considered in the design stage of a development. Other paragraphs such as 8, 104, 106, 110, and 117 also require the creation of safe environments within the context of the appropriate section. South Gloucestershire's Local Plan 2013 CS1 High Quality Design Paragraph 9 and Design Checklist 2007 Paragraphs 48-51 also contain requirements for an application to take community safety into account.
- 4.2 In order to promote resilience to terrorism the NaCTSO and Centre for the Protection of National Infrastructure (CPNI) standards for protective security measures should be applied to all proposed major developments, particularly those referred to in Paragraph 95 of the National Planning Policy Framework with the potential to create

'crowded places'. In order to fully comply with this Paragraph this application may require specialist advice and has been referred to the local Counter Terrorism Security Adviser who if necessary will submit an additional comment to the application.

4.3 The applicant has liaised both with the local Crime Prevention Design Advisors, South Gloucestershire and Bristol (CPDA's); as well as the Counter Terrorism Security Advisor (CTSA). As part of this liaison comments were supplied to the applicant as part of a pre-application submission to South Gloucestershire Council.

4.4 Generally all were happy with the way that the Masterplan has been re-designed and included the changes necessary to facilitate the safety and security of Arena users and the general public. Due to the Government's Covid19 restrictions on travel, the above analysis has been undertaken as a desktop study, and with reference to published guidance and internet imagery such as Google Earth and Street View.

1. The submission of the appropriate plans are noted in particular the parameter plans and the Environmental Statement (ES).

2. The changes to the Metrobus Route referenced in paragraphs 3.2.6 and 3.3.6 are welcomed by the CPDA's and the CTSA as contributing immensely to the safety and security of the Eastern Framework. This addresses concerns raised not only with the Arena planning applications but also within the pre-application process.

3. The changes to the design of the urban square contained in paragraph 3.3.8 are welcomed by the CPDA's and the CTSA as contributing immensely to the safety and security of the Eastern Framework. This addresses concerns raised not only with the Arena planning applications but also within the pre-application process.

4. Paragraphs 5.3.2 to 5.3.12 seeks to address the applications ability to comply with EIA Regulations 2017 in relation to Major Accidents and Disasters; i.e. as to whether to scope in or scope out any further detailed submissions.

5. In Paragraphs 5.3.8 to 5.3.10 the applicant links the proposals to the conditions attached to the Arena planning application and their adherence to the security strategy set out in Appendix 5.1 and in doing so in 5.3.11 comes to the conclusion " ... the topic is therefore scoped out of this EIA and the necessary measures/assessments have been adequately signposted above."

6. In my opinion this argument is not totally correct as the area referred to in this application as the Masterplan Area is different to the area described as the Masterplan Area in the Arena application. The Appendix 5.1 "Arena DAS Extract Security" shows the operational zone 1 as being the External Masterplan area.

7. However the Parameter Land Use plan submitted with this application and the illustrative phasing plan submitted with application DOC21/00125 both indicate changes in the land use of not only the urban square but also surrounding Brabazon Park and extending to car parking to the East, North East and West.

8. This is why application DOC21/00067 has a section within the codes referred to as a "Public Realm Security Strategy", see pages 234 to 239. In fact this indicates there being 7 different security zones within the Masterplan Area, extending well away from the immediate Arena area.

9. These changed land uses is why the wider area of the Masterplan application does carry a significant major accident and disaster risk contrary to the statement contained in paragraph 5.3.12. As such subsequent Design Codes and all future related planning applications on the Airfield should take into account Arena related security matters as advised to applicant during determination of the Arena planning applications.

10. Ideally there should be similar planning condition to that attached to the Arena application but instead of referencing the Arena DAS security section reference the Public Realm Security Strategy, although I am uncertain as to which application such a condition would be attached.

11. In summary the application should either

- a. Have the risks and responses to major accidents and disasters scoped in OR
- b. Scoped out as a result of information contained in the Public Realm Security Strategy not the information contained in the Arena DAS security section.

Response: Refer to paragraph 5.6 onwards in analysis section below.

Bristol City Council

- 4.5 I refer to the above application and confirm that Bristol City Council has no comments to make on it.

Henbury & Brentry Ward Councillors

- 4.6 We are concerned with what we see as a material weakening of the language relating to Charlton Road. In the Parameter Plan-Access the map illustrates a two way arrow across the former airfield and down Charlton Road. It was always our understanding that traffic would NOT be allowed to make this journey.

- 4.7 We believe that this is still the aim however the map and description (point 12) is not at all clear and could be open to interpretation. We would like the point 12 description changed from:

- Bus, ped and cycle connection to Charlton Road, and controlled access to Arena to
- Bus, ped and cycle connection to Charlton Road, and controlled access to Arena from the San Andreas roundabout (and not down Charlton Road)

- 4.8 This may seem a minor change but it is important to provide clarity. We trust that this can be accommodated.

Response: Access parameter plan has since been updated with amended annotation to clarify access arrangements.

Environment Agency

- 4.9 The Environment Agency agree to reference to the Flood Risk Assessment

211101-FRA-ADD-01 V2 dated 17 March 2021, as the proposed development is within Flood Zone 1 and the FRA demonstrates there is no increased flood risk.

- 4.10 We advise the Local Planning Authority to consult the lead Local Flood Authority who should consider the development in terms of drainage on the wider catchment with regard to surface water. We would not be adversely affected by the discharge / variations and amendments of the other conditions relating to this application.

Highways England

- 4.11 No objections: HIGHWAYS ENGLAND (“we”) has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN).
- 4.12 The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. This response represents our formal recommendations to the planning application (Ref: P21/02390/RVC) and has been prepared by the Planning Manager for Gloucestershire. We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 02/2013 “The Strategic Road Network and the Delivery of Sustainable Development” and the MHCLG National Planning Policy Framework (NPPF).

Statement of Reasons

- 4.13 The S73 application seeks permission to amend conditions 9, 22, 24, 32, 38 & 41 and to remove conditions 20, 42 & 43 as attached to permission PT14/3867/O (to be read in conjunction with P20/20118/NMA), at former Filton Airfield, Filton, South Gloucestershire. The amendments are being proposed to support the integration of the Arena with Brabazon and to prioritise the safe movement of residents and visitors, and comprise:
- The amendment of the Metrobus route through the site to ensure pedestrian safety particularly around the pedestrian bridge from Brabazon to the Arena, maximum Metrobus Route efficiency and enabling an additional Metrobus stop
 - The realignment of primary road infrastructure to prioritise pedestrians and cyclists
 - The enlargement of Brabazon Park
 - The repositioning of the urban centre to improve its relationship to the Arena Complex, station square and Brabazon Park and to allow for it to be fully pedestrianised and safe

Impact on Strategic Road Network

- 4.14 Highways England has reviewed the documents submitted in support of the proposed variation of conditions 9 (Sustainable Construction) 22 (LEMP), 24 (Sustainable Drainage) 32 (Wayfinding), 38 (Hangar 16U Survey) and 41 (List of Approved Plans). On the basis of these documents, we are satisfied that the proposed variations are unlikely to result in an unacceptable impact on the safe and efficient operation of the strategic road network, as defined by NPPF.

- 4.15 In addition to the above amendments, the S73 application proposes to remove condition 20 (Great Crested Newts) on the basis the required works have been undertaken under licence, and conditions 42 (Bird Nest Boxes Scheme) and 43 (Leasehold Registered/Arlington Land) which have already been discharged under respective applications DOC18/0100 and DOC18/0131. As such Highways England has no objection to the proposed removal of these conditions from outline permission PT14/3867/O.
- 4.16 Highways England has no objection to S73 application P21/02390/RVC

Historic England

- 4.17 On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Natural England

NO OBJECTION

- 4.18 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites or national protected landscapes and has no objection.

Biodiversity Net Gain

- 4.19 Government policy is progressing to reverse the trend of biodiversity decline, which has continued to occur despite planning policy aimed towards no residual loss in biodiversity.
- 4.20 This includes the revised NPPF which sees a strengthening of provision for net gain through development. Defra have also consulted on updating planning requirements to make it mandatory. This is following the publishing of Defra's 25 Year Environmental Plan, in which net gain through development is the first key objective.
- 4.21 Natural England therefore recommends the proposals seek to achieve biodiversity net gain, over and above residual losses which should be accounted for and addressed. With careful planning using ecological expertise, this should be achievable for this development given its scale and opportunity for blue/green estate.
- 4.22 Applicants can make use of the Defra Biodiversity Metric 2, which is a clear and methodical calculation for net gain in biodiversity for individual planning proposals. The metric has been updated to include a wider range of habitat types and incorporate wider benefits of Green Infrastructure. The final version of the metric is due to be published in December 2020.

Network Rail

- 4.23 No objections. Any works on this land will need to be undertaken following engagement with Asset Protection. The applicant will need to engage with Network Rail Asset Protection AssetProtectionWestern@networkrail.co.uk and will need to enter into a Basis Asset Protection Agreement to manage the potential interfaces these works have on Network Rail assets and operations.

Sport England

- 4.24 I have reviewed the submitted documents and have no objections to the removals and variations of conditions requested, being approved.

Response from SGC Consultees**The Listed Building & Conservation Officer Natural & Built**

- 4.25 Further to previous comments, the applicant has submitted a revised Heritage Parameter plan to bring it in line with the other submitted parameter plans and this is now acceptable.
- 4.26 In respect of condition 38, the revised wording to create a compliance condition, as agreed on the 10th May 2021, is also acceptable. The application recommends the existing condition 38 be amended to a compliance condition. Initial holding repairs were completed and the original condition discharged so it is now important to secure a programme of regular inspection and maintenance as required to ensure the building remains secure and water-tight pending restoration. I would suggest the following wording:

Prior to the completion of works (under application PT18/2111/F or replacement of a similar nature) Hangar 16U shall be regularly inspected in accordance with the Hangar 16U Urgent Works Statement (1st March 2018, updated 22nd November 2018) on a quarterly basis as a minimum, in order to ensure that it remains secure, weather-tight and structurally sound. Where defects or instances of vandalism are identified, appropriate repairs or mitigation measures are to be undertaken in accordance with the commitments set out within the Hangar 16U Urgent Works Statement. The building shall also be regularly inspected for evidence of rodent activity and bird access, and appropriate control measures taken, including the re-fixing of bird access prevention netting.

Ecologist

- 4.27 The expansion of Brabazon Park is welcomed. This now also has one less E/W severance link which will help improve N/S ecological connectivity and form the 'green corridor' on the Outline Masterplan between Filton Wood and the southern boundary.
- 4.28 However, the new proposals are very formal in design. The Park is dissected with multiple pathways with blocks of semi-improved grassland, amenity grassland, woodland, sports and play areas and a large lake. Such revisions to this type of stylized semi-natural habitat, as opposed to a woodland/grassland mosaic e.g. wood pasture parkland with swales within Brabazon Park have deviated from the more naturalistic semi-improved habitat setting that was depicted on the Outline Masterplan.
- 4.29 To support statements such as "Contributes positively to habitat connectivity and biodiversity" Biodiversity metric calculations would be welcome prior to RM.

Environmental Protection – Air Quality Officer

- 4.30 No comments at this stage.

Environmental Protection – Contaminated Land Officer

- 4.31 The following information has been reviewed.
- YTL Letter dated 25th March 2021

- YTL – Brabazon, Design Code – Summary of Changes dated March 2021.
- YTL – Brabazon Design code, Eastern Framework (Geographic Phases A, B, C, E, F dated February 2021.
- YTL – Environmental Statement Non-Technical Summary dated March 2021.
- YTL – Environmental Statement dated March 2021

- 4.32 Ground investigations have been carried out across the site in relation to the original planning application (PT14/3867/O). Condition 27 of the Outline consent relates to the potential for land contamination. This current application does not propose any amendments to Condition 27.
- 4.33 An addendum to the ground conditions chapter (Chapter 9) of the 2014 Environmental Statement and 2017 ESA is included in the March 2021 Environmental Statement. It is noted in Chapter 9 that some additional site investigations are required and that detailed remediation specifications will need to be submitted on a phase by phase basis.
- 4.34 Where the 2021 Design Code has amended or provided additional detail on the end use within a phase, the initial conclusions of the ground investigation(s) within that phase will need to be reviewed prior to commencement in that phase. For example, it is proposed to include micro-allotments with potential for urban food production; edible privacy screens; communal planting beds; local fruiting trees; and potential for foraging along the northern boundary buffer zone. Also where water features are designed to encourage interaction by the public (eg Brabazon Park southern lake), these should be included in the contaminated land risk assessment for the relevant phase.
- 4.35 When assessing the remediation required for each phase of the development, the most sensitive end use will need to be considered. When the findings of the original ground investigations are assessed, it may be considered that additional site investigation work may be required to further assess any potential risk, or better delineate areas of contamination in relation to the proposed end use. In addition, due to the passage of time, the assessor should ensure the most up to date guidance is considered when interpreting the data.
- 4.36 The applicant has reported that these issues will be considered for each future RM application. The Environmental Protection Team recommend Condition 27 remain in place.

Environmental Protection – Noise

- 4.37 Note Sustainable Construction points and the listed 4 infrastructure amendments. Note YTL covering letter and don't believe any Noise and Pollution comments necessary.
- 4.38 The April 2018 CEMP remains valid

Highways Development Management

- 4.39 We understand that this planning application refers to the already consented redevelopment of Filton Airfield (ref PT14/3867/O) and that it seeks to make a number of modifications to the site's authorised layout to allow it to accommodate the

approved YTL Arena. We note that the revised layout is supported by a revised Design Guide submitted under planning application ref DOC21/00067 and so have responded in detail to that document as well. Hence, these comments made here should be read in conjunction with those responses.

- 4.40 From a highways and transportation perspective, the most important of the changes sought by the applicant is the relocation the metrobus route forming the Cribbs Pathway Metrobus Extension (CPME) onto the main east-west distributor corridor running across the site. We understand that this change intended to separate crowds leaving the Arena from through traffic movements, thereby minimising the potential for delay to metrobuses. Hence, we are supportive of this change especially as we understand it will also have significant security benefits. We would, however, we acknowledge that this makes interchange between the metrobus and trains calling at North Filton station somewhat less direct and so welcome the applicant's intentions to make this as seamless as possible as described in the Design Guide. Otherwise, we have no comments about these changes.
- 4.41 Given the nature of this Section 73 application we understand that it does not materially change the quantum of development permitted under PT14/3867/O. Consequently, we have no comments about the Environmental Statement or other items also submitted here.

Landscape and Open Spaces

- 4.42 I confirm that my previous points have now been fully addressed and I have no further landscape comments to make.

Lead Local Flood Authority

- 4.43 We welcome the FRA v4 and confirmation that our comments dated 28th May 2021 have been acknowledged and will be dealt with at detailed design, as requested.
- 4.44 From our observations, the following sections of the FRA have been amended:
- Section 5.3.2:
It is noted that the lagoon base is now believed to be made up in part of a "solid engineered material intermixed with relatively impermeable natural ground", rather than a concrete base. It is therefore understood that there is capacity to "marginally lower" this to achieve the attenuation capacity required.
 - Appendix B: Proposed Drainage Strategy & Appendix D: Lagoon Storage Volume Analysis:
We note that the existing surface water drainage discharging into the lagoon is to be diverted into a NEW public water surface water sewer in North Way. SGC Highways are being consulted regarding adoption.
Important Note: The LLFA have no objection to this in principle, however prior to any works on the lagoon we will require evidence to show that Wessex Water approve the connection and have sufficient capacity within the receiving Wessex Water surface water sewer network. Detailed design drawings will need to be submitted.

Urban Design Officer

- 4.45 I have reviewed the information and understand the limited scope of the respective applications in seeking to retro-fit the Arena proposals into the pre-existing and

approved wider airfield outline planning approval. I generally welcome the amendments made and otherwise defer to my respective transport and landscape colleagues given the nature of the proposed changes.

Sustainability and Climate Change Officer

- 4.46 The statement provides a summary of the main requirements under current policy, but I can't see any reference to emerging (draft) policies which have been published for consultation. Also, I can't find any reference in the document to climate adaptation or projected changes in local climate, or to the electrification of transport. The references to heat networks are good.
- 4.47 In terms of local and national policy we are in a transition from policies which are relatively light to ones that will require new development to be zero carbon or very close to this. Gas will shortly be phased out in new buildings and we need new development to be designed to cope with very marked changes in the local climate including increases in average and peak summer temperatures and changes in rainfall patterns and intensity. We are also going to require comprehensive charging infrastructure to support the transition to electric vehicles, which is also addressed in emerging policy. Given that subsequent phases of the development will straddle this transition the statement should address this and set out how YTL will respond to the issues above.

Other Representations:

Local Community

- 4.48 A total of 22 letters were received by members of the public. 20 letters expressed objection and 2 were neutral.
- 4.49 *Key points of objection raised:*
- Concern over loss of large green areas that are beneficial to local residents' health and used for recreation;
 - Concern the development will negatively affect visual amenity going from a green area to a high density built-up residential area;
 - Concern the development will negatively affect wildlife and ecology that is already under pressure in the area due to development of neighbouring land;
 - Traffic is already bad around Cribbs Causeway and the development will lead to an increase in traffic pressures, parking and pollution levels which will negatively impact health and wellbeing;
 - Large increase in developments in the local area resulting in substantial increase in traffic and congestion in Southmead Road, The Wings roundabout on the A38, and the MOD roundabout.
 - Perception that the area is taking a disproportionate burden of new housing – much of the housing is not aimed at the housing crisis – they are 4/5 bedroom properties;
 - Impact of Pandemic means that people are more reliant on green spaces for mental wellbeing;

- Resident of Medlar Close told that they are unable to have street lighting due to the area being a bat conservation zone (despite numerous break ins reported to the police in recent months) and yet this development is in very close proximity;
- In relation to Condition 20, does not understand why you would risk moving an endangered species from a site where they were happy to an unknown location.
- Residents of Passage road concerned that have not been consulted over the new layout with the council ignoring previous issues raised about the current traffic issues, making the road unsafe and creating a gridlock environment damaging health and well-being.
- Massive impact on the eco system in this area including multiple plants, animals, insects and birds along with very old hedgerows and trees.
- After watching the total destruction of hedgerows and trees in the development along the A4018, against local planning laws, feel that the council is turning a blind eye to laws to gain a profit.
- Why is yet another supermarket complex planned when they are multiple establishments within a two mile radius.
- Further developments will have a major flooding impact. The area has been a designated flood plain for 23 Years and beyond, it takes a huge amount of water. Concern over the increased risk of flooding to properties.
- If this goes ahead' it will turn Bristol city into a ghost town. Its' a really bad idea and I am very opposed to it.'
- Concerned to ensure that there will be a more direct and safe route from Charlton Road directly across the old airfield to the Mall for cyclists.
- Query whether the width of the Bus route and combined cycle path and shared pedestrian path from Charlton Road be adequate to allow separate paths for Bus, Cycle and pedestrians. Please ensure full separation for safety.

4.50 A number of the public objections received relate to the area at the bottom of Catbrain Hill and their considered impact of this application on the use of rights of way in this area. The objections include an online petition signed by 151 local residents (at the time of writing). The key points raised are summarised as follows:

- Concern regarding the development of the field at the bottom of Catbrain Hill which is used by local residents for recreational purposes, such as dog walking and as a route between Cribbs and Henbury.
- Whilst there is already a designated public footpath, the majority of people walk though the field and around the perimeter as shown by the trodden paths which is evident on google maps.
- An application has been submitted for a definitive map modification order (DMMO) to reflect the route.
- There is strong community backing against development in this field due to loss of recreational space and significant damage to the ecology and visual amenity of the area. This area has been subjected to the building of disproportional amount of residential properties and should this go ahead as planning, we will be going from a predominately green area to a high density built up residential area.
- Below is the link to the petition:

https://www.change.org/p/south-gloucestershire-council-protect-the-right-of-way-through-the-field-by-catbrain-hill?recruiter=301294225&recruited_by_id=2cbce4b0-feb5-11e4-a072-717cb5a7d991&utm_source=share_petition&utm_medium=copylink&utm_campaign=petition_dashboard

4.51 *Neutral comments received:*

- Thinks it would be “a nice area to do this”
- Question regarding what changes will be made to Fishpool Hill Road as part of providing a 'Ped and cycle connection' detailed within the Perimeter Access Plan (doc ref: FAD-FCB-000-XX-PL-A-7006)? Would any changes necessitate cycle lanes or any other road modifications? Also, can you confirm there will be no vehicular access to the new development via Fishpool Hill? Secondly, what is the anticipated timescale for the development?

4.52 In response to the above objections, it is important to note that this application does not propose any amendments to the original Outline permission for the western part of the Airfield site.

4.53 The Council’s Rights of Way maps show an existing public right of way for pedestrians that runs along the western edge of the Airfield. However, local residents have indicated that for some time members of the public have been taking a more direct route from north to south across privately owned land to the west of the end of the former runway. The area of land in question is fenced off due to it providing ecological mitigation function, as approved as part of the original Outline. The area is being maintained for protected species including great crested newts and slow worms.

4.54 It is important to note that the Landscape Parameter Plan approved in 2018 shows there will be a 50m protected ecological buffer of green space at the bottom of Catbrain Hill that will run all the way alongside the Henbury Trym corridor where no built development will take place. This is unchanged by this application.

4.55 The approved Access Parameter Plan also shows a future pedestrian and cycle connection between the Airfield and Catbrain Hill that will be integrated within the development when it is eventually built out. This part of the Western Framework has not been subject to detailed design so there is opportunity at the Reserved Matters stage for local desire lines to be taken in account in laying out the Masterplan.

4.56 Given that this application is not proposing any changes to the Western Framework and there is already an Outline consent is already in place, no significant weight has been afforded to these comments in the determination of this application.

5. ANALYSIS OF PROPOSAL

Principle of Development

Primary and Secondary Legislation

- 5.1 In establishing the principle of development, the starting point in primary legislation is Section 38 (6) of the 2004 Act which requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. This is reinforced in paragraph 47 of the revised National Planning Policy Framework 2019 (NPPF). Therefore, this application has first to be considered in the context of the adopted development plan.
- 5.2 As this application is submitted under Section 73 (S73) of the Town and Country Planning Act 1990 the applicants have the right to apply to vary or remove specific conditions associated with a planning permission and to seek minor material amendments, where there is a relevant condition that can be varied. There is no statutory definition of what constitutes a 'minor material amendment'. Planning permission cannot be granted under section 73 to extend the time limit within which a development must be started or an application for approval of reserved matters must be made. Section 73 cannot be used to change the description of the development.

The Development Plan

- 5.3 The development plan includes the South Gloucestershire Local Plan Core Strategy 2006-2027 (CS) adopted in December 2013, the Policies, Sites and Places Development Plan Document (PSP) adopted in November 2017 and the Joint Waste Core Strategy. A Phase 1 Issues and Approaches consultation report for the new South Gloucestershire Local Plan 2020 was published in November 2020-March 2021.
- 5.4 The site's location falls within the area defined in the Core Strategy as the North Fringe of the Bristol Urban Area. The priorities for this area are set out under Policy CS25. The application site constitutes a large area of land within the former Filton Airfield strategic site which is allocated for mixed-use regeneration as part of the Cribbs/Patchway New Neighbourhood under Policy CS26 of the South Gloucestershire Local Plan Core Strategy (adopted 2013). Supplementary to Policy CS26, the provisions of the Cribbs/Patchway New Neighbourhood Development Framework SPD apply to the site (adopted 2014).
- 5.5 In accordance with the allocation under Core Strategy Policy CS26, an Outline application was approved for development of the Airfield site in 2018 (PT14/3867/O). As listed in the Planning History section above, a number of related planning applications aimed at bringing forward the development have also been approved. The principle of development on this site has already been firmly established and the first phase of housing development is almost complete on the ground.
- 5.6 This application does not propose any changes to the original description of development, the land use mix or overall scale and quantum of development. The overall principle of the development does not need to be further discussed within this report.
- 5.7 The analysis below will focus on the acceptability of the proposed amendments to the approved plans and the proposed changes to the wording of certain conditions.

Relationship with Bristol Arena

- 5.8 It is recognised that the principal reason for seeking to make these changes now is to better integrate the Arena development with the Brabazon Masterplan. The principle of the Arena coming forward in parallel with the Brabazon Masterplan was thoroughly assessed and scrutinised by both BCC and SGC through the process of determining the Arena applications. As such this report does not need to address this principle further.
- 5.9 The Arena applications were approved subject to a package of planning conditions and S106 obligations. These obligations require YTL to deliver enabling infrastructure within a certain time period in order for the Arena to become operational. The intended timeframe is for the Arena to open by the end of 2023/early 2024. Although it was assessed that the Arena infrastructure could come forward within the parameters of the original Outline permission, it was also recognised that there are amendments that can be made to the Brabazon Masterplan that would respond better to the presence of the Arena, both aesthetically and operationally.
- 5.10 Following legal advice, as part of the committee resolution for the Arena applications, the applicants were invited to bring forward a Non-Material Amendment (NMA) application to the original Outline which has since been approved. The NMA granted some minor amendments to the wording of conditions to allow some flexibility to approve details considered necessary to accommodate the Arena proposals. As such it is considered that the principle of seeking to adjust the Brabazon Masterplan to accommodate the Arena, in order to prevent adverse effects and to improve design quality, has already been established. Not all of the changes now proposed are strictly necessary to accommodate the Arena, however the applicant can apply for amendments in any event as long as the original description of development remains unaffected.
- 5.11 For completeness, it is recommended that the amended worded approved under the NMA is now reflected within the wording of the new decision notice attached to this Section 73 permission.

Amendments to List of Approved Plans (Condition 41)

- 5.12 The changes sought by this S73 application have the effect of amending mainly the Movement and Access Parameter Plan and the Landscape Parameter Plan. The other Parameter Plans (Heritage, Land Use, Density and Heights) have only been updated to reflect the changes to the layout as opposed to changing the principle of any of the parameters themselves. The Design Code and Phasing Plan conditions applications, under consideration, have also provided an additional level of detail to demonstrate that the amendments are deliverable and meet the requirements of the various Arena S106 obligations. It should be noted that these applications are not to be determined until such time as a new decision notice is issued following the determination of this Section 73 application.
- 5.13 It is important to note that the Parameter Plans approved at the Outline stage are intentionally high level to enable flexibility at the Reserved Matters stage when the detailed design and layout is assessed. As such there will be further rounds of consultation and determination when each of the Reserved Matters applications are submitted. Each of the elements of the proposed amended layout are assessed below in turn:

Use of the North-South Link

- 5.14 The Access parameter plan has been updated to reflect the usage of the North-South Link agreed as part of the determination of the Arena. Some concerns have been raised by consultees over whether this application could have the effect of relaxing the restrictions on general traffic from using Charlton Road to enter the site, and thereby risking rat running through. It is important to note that Officers are live to this issue and this is not considered to be the case.
- 5.15 Since submission, the Access parameter plan has been further amended to provide additional clarity around this. As per the original Outline, general traffic will not be able to travel northwards from Charlton Road into the site and beyond and similarly general traffic will not be able to travel southwards via the North-South link to exit the site. It was agreed through the determination of the Arena applications that only vehicles specifically authorised by S106 agreement would be able to come off the San Andreas Roundabout and travel southwards along the North-South link to enter the Arena car parks. These authorised vehicles are defined in the S106 as:
- “Permitted Arena Traffic” means heavy goods vehicles with a UK maximum gross weight of more than 7.5 tonnes associated with servicing the development authorised by the Arena Planning Permission and event-specific traffic, emergency vehicles and VIP transport identified pursuant to Condition 34 of the Arena Planning Permission.*
- 5.16 Non-authorised vehicles (i.e general visitor traffic) would only be able to enter the site via the other access points to the north (A38 junction, Blenheim and Brabazon roundabouts) and use the North-South link to drive to the Arena access drive on the West Way. However, these vehicles would not be able to exit via Charlton Road.
- 5.17 Furthermore, there is a pre-commencement condition placed on the Arena West Way permission (Condition 14 on application ref. P19/16740/F) that requires a report to be submitted for approval by the Highway Authority detailing the management procedures to ensure that access to the San Andreas roundabout or Charlton Road are limited to public transport and authorised vehicles only. As such Officers are satisfied this application will not have the effect of relaxing these controls.

Enlargement of Brabazon Park

- 5.18 The increased size of Brabazon Park is generally welcomed by Officers. The park is proposed to be wider with a greater number of footpaths running through it which will be beneficial in terms of quicker crowd dispersal for those entering and exiting the Arena. Brabazon Park now includes a proposed large lake which could provide some additional amenity and leisure function as well as creating an attractive feature for residents and visitors to enjoy. There are also additional active uses, such as additional youth play areas as well as a greater number of footpaths and cycle routes throughout the area.
- 5.19 SGC's Conservation Officer has welcomed the widening of Brabazon Park and enlargement of Aerospace Park as this will provide the opportunity for enhancements to the setting of, and connectivity between, key heritage assets on the heritage trail. The Heritage Parameter Plan has been updated to reflect the proposed amendments

to the site layout. There are no adverse implications in respect of designated heritage assets resulting from the proposals and no objections are raised in this regard.

- 5.20 The overall minimum quantum of POS required to be delivered across the site remains fixed by the SSA obligations. The linear runway park, which included smaller pocket parks within it has now largely been replaced by this larger central north-south feature.
- 5.21 The principle of the amended park layout remains in accordance with the CPNN SPD which indicated a strategic green infrastructure feature in this location, partly to provide an ecological corridor between Hayes (Filton) Wood and the railway line. There is some concern that the park has now shifted from the main focus of it providing an ecological corridor comprising semi-natural habitat to support a range of species to more of a formalised destination park, with more active uses, attracting a greater number of people.
- 5.22 The amended park layout does continue to respect the 30m planted woodland buffer from development which surrounds the Filton (Hayes) Wood SNCI which is designated for its semi-natural ancient woodland interest and known to support badger habitat.
- 5.23 Policy CS9 Managing the Environment and Heritage states that new development will be expected to *conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity and geodiversity*. As highlighted by the Ecologist and Landscape Officers in their comments, it will be essential that at the reserved matters stage considerable regard is given to the detail of planting plans, layout and features to ensure the park can provide an ecological corridor function. The applicants have been advised that use of the biodiversity metric as part of future reserved matters applications would be welcomed.

Changes to the Metrobus Route

- 5.24 The applicant has worked closely with the Highway Authority and the Metrobus team in agreeing the details of amending the Metrobus route through the site. Highway Officers have expressed that they welcome the change to the bus routing which will separate crowds leaving the Arena from through traffic movements, thereby minimising safety risks and delays to buses. There is also now an additional stop proposed within the site.
- 5.25 The route takes the MetroBus closer to the centre of the development where much of the densest development will be, ensuring the average distance to the public transport from any plot is significantly reduced.

Realignment of Primary Road and Pedestrian Infrastructure

- 5.26 The proposed realignment of the primary roads are considered acceptable in principle and no objections have been raised by highway Officers in this regard. The detailed design of the roads will be thoroughly assessed as part of a future infrastructure Reserved Matters application and the S278 adoption process that will follow.

- 5.27 The increased focus on pedestrian and cycle infrastructure, partly in response to the anticipated greater use of these access routes by Arena visitors, is welcomed. The pedestrian promenades have been widened and their role strengthened within the Masterplan, promoting active lifestyles and enabling crowds to disperse quickly in a range of directions from the Arena.
- 5.28 There are no changes proposed to the main points of access in and out of the site onto the wider local and strategic highway network and no changes proposed to the overall volume of traffic anticipated. There have been no objections raised in this regard and the change is considered acceptable.

Arena Transport Strategy

- 5.29 The proposed amendments to the layout have responded to matters raised by Officers during the determination of the Arena applications in relation to the transport strategy. It is important to note that the majority of the detail of the future Arena Transport Strategy will be the subject of a series of future planning applications including the locations and design of the permanent transport hubs. The railway station and its parking area will be delivered by Network Rail under a separate planning application. The details of the park & ride, shuttle bus, taxi and drop-off points will all be included within future planning applications.
- 5.30 The Transport and Access chapter of the 2014 ES and 2017 ES Addendum previously assessed the likely significant effects arising from the proposal in terms of traffic as well as public transport, pedestrian and cycling related matters. The 2014 ES considered the parameters of the development rather than assessing a detailed masterplan and as such it was considered to represent a likely worst case scenario of the impacts of development of the airfield. The quantum of development proposed remains as per the 2014 description of development and therefore much of the original assessment remains valid.
- 5.31 Required mitigation works on the local and strategic highway network were agreed to be delivered via the CPNN Transport package associated with the original Outline permission. This included a tariff (£5,700 per dwelling) secured via the S106 Framework Agreement. A range of other transport obligations were secured such as safeguarding land for a new railway station, providing a cycle trunk route through the site, facilitating bus routes through the site, delivering on Travel Plan commitments. The package of transport-related mitigations and contributions agreed under the original Outline are unaffected by this Section 73 application.
- 5.32 The highways modelling (2031 scenario) that was undertaken as part of the 2017 update to the ES already took in to account the predicted impacts of traffic arising from the combination of the CPNN developments. However, it is also important to take account of predicted levels of traffic associated with the Arena in combination with the Brabazon development. The Arena application was accompanied by a Transport Assessment which compared the future baseline traffic flows (2022 and 2036) with the future development traffic flows (2022 and 2036) for each scenario, based on the Greater Bristol Area Transport Study (GBATS) model outputs. The Arena future transport strategy (2036) relies on the majority of visitors arriving by non-car transport modes, including via park & ride, Metrobus and the North Filton Rail Station. The

applicant has committed to a specific set of modal share targets as part of the obligations for delivering the Arena.

- 5.33 Highways England, alongside SGC and BCC thoroughly scrutinised the effects of the Transport Assessment accompanying the Arena application in combination with the Brabazon development. A package of financial contributions to on-site and off-site highways works as well as a range of transport management obligations was agreed. These included contributions towards feasibility studies and improvements to Junction 16 and 17 of the M5. Refer to the S106 attached to the Arena permission for full details.
- 5.34 In summary, whilst it is acknowledged that the combination of the Arena operation together with the Brabazon development will give rise to additional impacts, this matter has been thoroughly assessed and mitigated by way of the Arena applications. There have been no fundamental highways objections raised and as such the principle of amending the layout to better facilitate the future Arena Transport Strategy is considered good planning and acceptable.

Repositioning of Urban Centre

- 5.35 The repositioning of the 'Urban Centre' has the benefit of enabling this space to become fully pedestrianised and also improves its relationship with the Arena, providing a further safe space for visitors to disperse through. This change has been particularly welcomed by the police on safety grounds. The detailed design of the urban centre will be thoroughly assessed through the Reserved Matters application that covers this phase. There are no objections from Officers in relation to the amendments to the Urban Centre.

Building Heights and Density

- 5.36 The building heights and density parameter plans have been revised to accommodate the amended site layout for the Eastern Framework however the broad approach to heights and density remains unchanged from the original Outline.

Amendments to Flood Risk Assessment (Condition 24)

- 5.37 The site remains in Flood Zone 1 and as such is at low risk of flooding. The updated Flood Risk Assessment has been scrutinised by the LLFA who have agreed with the conclusions that the conclusions of the strategy remain as per the original FRA.
- 5.38 The FRA Addendum concludes that the alterations to the plans will not affect the impact of the development on flood risk to the site or surrounding area. No additional risks of flooding to the development have been identified since the original FRA and the principles of surface water management established in the original FRA are still applicable to the revised masterplan. The offsite discharge rate will remain the same as previously approved as the development catchment boundary has not changed. The LLFA have highlighted some points to note within their consultation response that will be dealt with at the detailed design stage.
- 5.39 The suggested amendment to the wording of Condition 24 has been agreed with the LLFA and the EA and is considered acceptable.

Proposed Amendments to Wording of other Conditions

5.40 In relation to the changes to the wording of certain other Outline conditions, Officer's views on these are as follows:

Condition 9 – Sustainable Construction

5.41 It is acknowledged that predominantly the matters covered by Energy Statements relate to the development of new buildings and homes and it would be onerous for applications only relating to infrastructure to submit a full Energy Statement. However, the Sustainability Officers' need to ensure that work underway on delivering the Heat Network for the site is taken into account within all reserved matter applications. For example this may have a bearing on the way that utilities infrastructure is provided. As such the following wording for amended Condition 9 is recommended:

Except for reserved matters applications for the first site access road infrastructure within a phase. Applications for approval of reserved matters within each geographical phase that include buildings identified in the approved Phasing Plan submitted pursuant to condition 4 above shall not be approved until an Energy Statement for the phase in question has been submitted to and approved by the Local Planning Authority. The Energy Statement shall be updated for each phase and shall also include, for the airfield site as a whole, the emerging CPNN District Heating Feasibility Study. It shall also commit to requiring developers to build to Building Regulations and local planning policy compliant renewable energy measures current at the time of the commencement of construction of that phase. The Energy Statement as well as all reserved matters applications shall comply with the requirements of the Utilities and Renewable Energy chapter within the adopted Cribbs/Patchway New Neighbourhood Development Framework SPD and be in accordance with Policy CS4 of the South Gloucestershire Local Plan – Core Strategy and the prevailing development plans policy at the time. Applications for approval of reserved matters shall be in accordance with the relevant approved Energy Statement, and the development of each phase shall be implemented in all respects in accordance with the relevant approved Energy Statement. All reserved matters applications (including applications without buildings) shall take account of the emerging CPNN District Heating Feasibility Study.

Condition 20 – Great Crested Newts

5.42 The Council's Ecologist has been consulted on this proposed change and the removal of Condition 20 is not accepted. There will be ongoing updates to ecological surveys over time and this condition stands as a standard compliance condition in recognition of the potential for newts to be present within this locality.

Condition 22 - LEMP

5.43 Following consultation with the Landscape Officer, the principle of the proposed amendment to Condition 22 is accepted given that the original LEMP condition has been fully discharged. The following wording is proposed for the new compliance condition:

All development shall accord with the Landscape Ecological Management Plan (LEMP) (FAD-GRA-000-XX-RP-L-9005) Rev 08 (March 2019). Where required, Reserved Matters applications shall include the submission of an addendum to the approved LEMP confirming the management regime for any additional open space typologies not currently covered by the LEMP to be approved in writing by the Local Planning Authority. Thereafter, the LEMP and any approved addendum shall be adhered to in full.

Condition 24 – Sustainable Drainage

- 5.44 Following consultation with the Environment Agency and the LLFA, the amended wording is considered acceptable reflecting the latest version of the Flood Risk Strategy.

Condition 32 - Wayfinding

- 5.45 Following consultation with Officers and based on the experience of discharging this condition for the first phase, the wording of the condition is proposed to be improved as follows:

- 5.46 *Prior to first occupation of each geographic phase, a Way-finding strategy to include full signage proposals shall be submitted to and agreed with the Local Planning Authority. The way finding strategy shall consider the following: reserved matters development parcel, full details of signage and way-finding, including an implementation programme, shall be submitted for approval in writing by the Local Planning Authority. The way-finding details shall include where relevant the following:*

- *HGV routing*
 - *Access to the Concorde Museum*
 - *Access to Employment Areas*
 - *Access to development Parcels with confirmation of residential area and street names*
 - *Directional signing to Metrobus Stops*
 - *Cycle Trunk Route signage*
 - *Cycle Route signage*
 - *Pedestrian and recreational route signage*
 - *Strategic routing signage to:*
 - ♣ *Bristol City Centre*
 - ♣ *Motorway Junctions*

The Way-Finding and signage shall be implemented in accordance with the approved details and the implementation programme and thereafter retained.

Condition 38 – Hangar 16U Survey

- 5.47 Following consultation with the Conservation Officer, it is recommended that Condition 38 be amended from a pre-commencement condition to the following compliance condition, in order to ensure the maintenance and condition of this Listed Building until it is redeveloped into its final use:

Prior to the completion of works (under application PT18/2111/F or replacement of a similar nature) Hangar 16U shall be regularly inspected in accordance with the Hangar 16U Urgent Works Statement (1st March 2018, updated 22nd November 2018) on a quarterly basis as a minimum, in order to ensure that it remains secure, weather-tight and structurally sound. Where defects or instances of vandalism are identified, appropriate repairs or mitigation measures are to be undertaken in accordance with the commitments set out within the Hangar 16U Urgent Works Statement. The building shall also be regularly inspected for evidence of rodent activity and bird access, and appropriate control measures taken, including the re-fixing of bird access prevention netting.

Condition 42 – Bird Nest Boxes Scheme

- 5.48 Following consultation with the ecologist it is accepted this condition can now be removed given that the condition was discharged in full via application DOC18/0131.

Condition 43 – Leasehold Agreement/Arlington Land

- 5.49 It is accepted this condition can now be removed given that the condition has already been discharged was discharged in full via application DOC18/0131.

Other Planning Considerations**Sustainability and Climate Change**

- 5.50 The Council declared a climate emergency in 2019 and as such it is important that large strategic sites delivering housing over the next period are required to align with the Council's objectives for addressing the impacts of future climate change. The EIA regulations were amended in 2017 to require that impacts related to climate change are given due consideration within environmental impact assessments. The previous ES for the site was prepared prior to this change however the matter was dealt with through the usual planning process resulting in a condition (9) being placed on the Outline consent. This condition requires an Energy Statement to be submitted and approved with Reserved Matters application that commits the developers to build to whatever the Building Regulations and local planning policy is at that time. The condition therefore builds in the flexibility to accommodate stricter measures in terms of emissions reductions as these emerge over the next period. The condition also requires account to be taken of the district heating network feasibility work that is underway.
- 5.51 The ES prepared for the Arena application included an energy assessment for that development resulting in a number of conditions and obligations being placed on the development. These included the applicants being required to deliver a culvert under the railway line to transport waste heat from the Arena complex to the airfield site.
- 5.52 There are already conditions placed on the Outline consent which will remain in place which are considered to provide a robust framework to enable each of the future reserved matters application to be considered in the context of sustainability policies at the time of submission.

Delivery of Community Infrastructure

- 5.53 The items of community infrastructure that will be delivered via the development remain the same as under the existing Outline and there are no changes to these proposed through this application. The SSA S106 obligations remain in place that establish timing triggers and delivery parameters for schools, early years, community centre, health care and sports facilities.
- 5.54 The triggers for the delivery on infrastructure are based on the numbers of dwellings completed across the CPNN area. Given delays in some of the other strategic sites coming forward, there is some concern that the multi-purpose community centre facility will not need to be delivered until late on in the development (by the 2500th CPNN dwelling), estimated at 2027-2029. Given the integration with the operation of

the Arena, the Community Infrastructure Officer considers there is now an even greater need for some form of community facility early on in the development to provide a space for residents' groups, host stakeholder liaison meetings and so forth. Discussions have taken place with the applicant as to whether some form of temporary community space provision could be accommodated in the short term and this is currently being explored.

Landscape and Visual Effects

- 5.55 The landscape officer is satisfied with the proposed changes. In relation to visual effects, it is considered that the larger park leading up to the Arena entrance area with additional provision for pedestrians and cyclists should overall enhance the aesthetic of this part of the masterplan. The scale of the parameter plans in terms of overall quantum of development and heights remains unaffected.

Safety and Security Matters

- 5.56 Core Strategy Policy CS1 'High Quality Design' states that development proposals are required to take account of personal safety, security and crime prevention. As the main entry, exit and parking area for visitors to the Arena it is critical that the Brabazon Masterplan is fit for purpose in terms of safety and security both in Event and Non-Event modes including during an evacuation incident.
- 5.57 YTL's Security Consultants have held ongoing consultation meetings with Avon and Somerset Police Crime Prevention Through Design Officer and the local Counter Terrorism Security Adviser (CTSA) in designing the Arena and its supporting infrastructure. YTL's Security Consultants prepared the Security Section within the Design and Access Statement (that accompanied the Arena application) which detailed the range of internal and external Security measures that will be designed in as part of the Security Management System.
- 5.58 YTL provided a high-level 'Masterplan Security Report' which confirmed their commitment to preparing an 'Integrated Security Strategy' to cover the Arena as well as the wider Airfield site which has been secured via S106 legal agreement. The S106 also requires an Arena Steering Group to be formed with security and safety to be a key matter for ongoing monitoring.
- 5.59 External Crowd Modelling was undertaken as part of the Arena application which highlighted that the pedestrian bridge, its landing area, the 'Station Square' and the footway widths along the adjacent highway ('Arena Way') leading to the Station are all key factors in enabling quick and safe egress. The outcomes of these assessments as well as feedback from the police and Counter Terrorism advisors informed some of the amendments to the layout now included within the application.
- 5.60 The consultee response to this application from the Avon and Somerset Police confirms that from a crime and safety perspective generally they welcome the way the Masterplan has been re-designed. In particular, they welcome the change to the Metrobus route and the changes to the Urban Square.
- 5.61 The police disagreed with some of the wording that was used within the ES in relation risk of major accidents and disasters. They have reiterated that the security matters

previously considered as part of the Arena applications only related to a limited geographical area, covered by those applications. They want to ensure that security matters, related to the Arena-operation, are fully taken account of within all of the forthcoming applications on the Airfield site in proximity to the Arena. Officers share this objective and conditions have already been placed on the Arena-related permissions, including the temporary car park permission, to require Reserved Matters applications to be prepared in accordance with the principles set out within the Security section of the Design and Access Statement (P2, February 2020). In response to the comments raised, for completeness it is now recommended that an additional point is added to Condition 7 (compliance requirements for Reserved Matters applications) to require future applications to accord with the principles set out within the Security section of the Arena Design and Access Statement.

- 5.62 The Design Code application which is in the process of being determined, has now included a section on 'Public Realm Security Strategy' demonstrating that the applicants are fully considering this matter from the outset within the design principles for each phase.
- 5.63 In summary it is considered that the changes proposed are welcomed in terms of improving security and safety and that sufficient safeguards are in place via planning conditions and S106 obligations to ensure this matter remains a key consideration. The Police and the CTSA will continue to be consulted on all future planning applications.

Contaminated Land and Pollution

- 5.64 SGC Policy PSP21 (Environmental Pollution and Impacts) states that *proposals for development on land, which may be affected by contamination, will be acceptable where adequate remedial measures are taken.*
- 5.65 These Section 73 proposals are not considered to give rise to any new effects related to environmental pollution that have not already been account of within the original Outline conditions and the conditions placed on the Arena applications. Control measures already in place include:
- Condition 28 on the Outline requires a phase specific Construction Environmental Management Plan to be submitted and approved;
 - Condition 24 and 26 require details of the surface water drainage strategy and foul water drainage strategy to be submitted and approved with each reserved matters application;
 - Condition 27 requires ground investigations, proposals for remediation and verification reports to be submitted in relation to land contamination to be submitted for each phase.
- 5.66 The Contaminated land Officer has noted that some of the amendments to the layout will give rise to the need for additional site investigations and when assessing the remediation required for each phase, the most sensitive end use will need to be considered. Any additional assessments required will take place via Condition 27 as part of the future Reserved Matters applications.

Air Quality

- 5.67 In relation to air quality, SGC Policy PSP21 – Environmental Pollution and Impacts states that *“development that, on its own or cumulatively, has the potential for significant emissions to the detriment of air quality, particularly in or adjacent to air quality management areas, will be acceptable where potential adverse effects are mitigated to an acceptable level, by an appropriate scheme of mitigation.”*
- 5.68 The site itself is not located within an Air Quality Management Area (AQMA). The 2021 ES concludes that changes to the layout would not give rise to any significant new effects in relation to air quality. The existing Condition 28 requires phase specific Construction Environmental Management Plans to be prepared to manage impacts during the construction phases.
- 5.69 An Air Quality assessment of the Arena proposals, in combination with the Brabazon Masterplan was undertaken as part of the Arena ES which identified that the effects would not be significant subject to a range of appropriate mitigation measures being secured. For the construction phase, measures identified within Arena ES Chapter 10 (paragraph 7.4.1) will be incorporated into a Dust Management Plan that will form part of the Arena Construction Environmental Management Plan (CEMP).
- 5.70 In terms of operational impacts, the technical assessment considered the potential impacts of emissions from the additional traffic generated by the proposed Arena development. It concluded that the impacts on NO₂, PM₁₀ and PM_{2.5} concentrations in relation to the South Gloucestershire worse-case existing and new (Brabazon) receptors were predicted to be negligible, with concentrations remaining below the relevant objectives. Overall, the operational air quality impacts in South Gloucestershire were judged to be not significant and the Council's air quality specialist agreed that the assessment conclusions were appropriate in this respect. Measures to promote electric vehicle charging points have been secured under condition in order to further reduce air quality impacts. The measures to limit the Arena's start and finish times to avoid peak traffic periods will also serve to avoid further compounding air pollution impacts during the busiest periods.

Residential Amenity

- 5.71 Local Plan Policy PSP8 - *Residential Amenity* – states that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on residential amenity of occupiers of the development or of nearby properties.
- 5.72 The changes proposed through this Section 73 application are generally considered to improve amenity for future and existing residents given the increased amount of public open space with additional active uses, increased footpaths and cycle routes. Concern has been raised by Officers in relation to the proximity of some of the new active uses within Brabazon Park and their potential proximity to the residential areas of the development. Suitable minimum buffer distances will need to be respected, appropriate to the uses to avoid nuisance effects. These buffers will be secured by the Design Code application and at Reserved Matters stage.

- 5.73 It is also acknowledged that the presence of the Arena, with the increased use of Brabazon Park by visitors has the potential to give rise nuisance effects. This matter was assessed through the determination of the Arena applications. Noise mitigation conditions have been attached to the main Arena permission requiring appropriate sound insulation to be built into the design which will be monitored both prior and post first operation to prevent noise impacts on existing and future local residents.
- 5.74 An Event Management Plan is required by the Arena S106 agreement which will be regularly reviewed by an Arena Steering Group which will ensure matters such as waste collection and stewarding of pedestrians after events are appropriately managed. During the construction phase of the Arena bridge, potential impacts arising are to be dealt with via a Construction Management Plan as well as a Construction Environmental Management Plan to be secured via condition.

6. PLANNING OBLIGATIONS AND DELIVERY OF STRATEGIC INFRASTRUCTURE

- 6.1 As set out above, there are no changes proposed to the overall package of obligations to be delivered via the Site Specific S106 Agreement (SSA) or the CPNN Framework Agreement arising from this Section 73 application.
- 6.2 A Deed of Variation has been submitted by the applicants requesting a set of specific changes to the wording of the original SSA to ensure consistency between the SSA and the revised parameter plans and in particular to amend certain references to the Metrobus route. These requests for changes to the original S106 SSA are being scrutinised by highways officers, the Metrobus team and the Council's legal advisors. It is recommended that the determination of this application is subject to the resolution of this deed.
- 6.3 The full details of the proposed amendments to the wording requested are within Section 10 of this report and can be summarised as follows:
1. **Roundabouts** - Amendment to clarify that no development on any part of the Site shall be occupied until either the Blenheim Roundabout Works or the Brabazon Roundabout Works have been completed and dedicated as highway, whereas originally both the roundabouts needed to be completed prior to occupation (paragraph 1.5).
 2. **Railway Station Site Reservation** - Amendment to include a new trigger for the reservation of the Railway Station Site for the construction of and use as a railway station to not less than 6 months before [X date] (date to be agreed) or such earlier date; (paragraph 2.1(a))
 3. **Railway Station Site Boundaries** - Update to the trigger date for the Council's written agreement to the precise boundaries of the Railway Station Site to not less than 6 months before [X date] (new date to be agreed) or such earlier date. Previously the trigger date stated was 1 May 2020 which has now passed (paragraph 2.2(a)).
 4. **Railway Station Site Freehold Transfer** – Update to the trigger date for the delivery of the freehold transfer of the Railway Station Site before [X date] (new

date to be agreed) or such earlier date. Previously the trigger date stated was 1 May 2020 which has now passed (paragraph 2.2(e)).

5. **Railway Station Access Road** – Amendment to specify that rights of access shall be provided along the Railway Station Access Road or along any temporary route through the Site constructed in accordance with the agreement (paragraph 2.5(a))
6. **Metrobus temporary route** - Amendment to add a new subsection (c) as an alternative to (b) to provide a new temporary route through the Site for the purposes of accommodating the Metrobus route (paragraph 2.6 (b))
7. **Metrobus Use of A38 Junction** - The following changes are required as a consequence of the Metrobus utilising the A38 Junction rather than Combination Junction as its principal access from the A38:
 - Amendment to the sub-heading 3 to ‘Combination Junction Works and A38 Junction Works’;
 - Amendment to the trigger relating to the Combination Junction works in paragraph 3.1 to prior to Occupation of the 2,176th Residential Unit rather than 400th unit as it was previously;
 - Adding a new paragraph 3.3 to state that “should the Council confirm in writing to YTL that the Combination Junction is no longer required for Metrobus purposes, YTL can utilise the junction for alternative uses subject to the appropriate consents being obtained.”
 - Insertion of new paragraph 3.4 to state that the Owner shall use reasonable endeavours prior to the Occupation of the 400th Residential Unit or within two years of the Council informing the Owner in writing that it has commenced the construction of the Metrobus Extension (whichever is the later) to:
 - (a) enter into a Highways Agreement to procure the dedication and adoption of the A38 Junction Works; and
 - (b) complete the A38 Junction Works and procure their dedication pursuant to the Highways Agreement and following the date on which this paragraph fails to be complied with there shall be no Occupation of any further Residential Units until the A38 Junction Works have been completed and dedicated.
 - Insertion of new paragraph that the Owner shall be entitled to use the A38 Junction as a construction access in connection with the Development from the date of completion of this Deed. (paragraphs 3.5)
 - Amending paragraph 4.3 to state that for the avoidance of doubt the Owner shall be entitled to use the Temporary Metrobus Extension Route for construction traffic in connection with the Development from the A38 Junction (rather than Combination Junction) and any temporary wearing course forming part of the approved temporary Metrobus Extension Route Scheme may be extended during this time.

- Deletion of paragraphs 4.4 to 4.7 that reference the 'Extension of Temporary Metrobus Extension to Railway Station Site'. Since the Metrobus will no longer utilise the Combination Junction, there is no longer scope to deliver a temporary (or permanent) Metrobus route that runs past the railway station.
- The definition for Permanent Metrobus Extension to be amended to reference the route as being from the San Andreas Roundabout to A38 Junction and remove reference to running past the Railway Station.

7. PLANNING BALANCE AND CONCLUSION

- 7.1 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 provisions of Section 73 of the Town and Country Planning Act 1990 also enable a planning authority to determine applications to develop land without compliance with conditions previously attached. In doing so, they shall consider only the question of the condition subject to which planning permission should be granted. In assessing the application they can grant permission subject to conditions differing from those subject to which the original permission was granted or unconditionally. In other words, the accompanying S73 application will result in the issue of a new decision notice for the original planning permission (without any change to the original agreed timeframes) and can include the provision of alternative conditions.
- 7.2 In assessing this application, regard has also been had to the Environmental Impact Assessment Regulations (2017).
- 7.3 As set out above this Section 73 application seeks alterations to the layout of certain land uses within the site and does not affect the overall scale and mix of development originally approved. The principle of the proposal remains in accordance with Policy CS26 and the other relevant policies of the Development Plan.
- 7.4 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the development plan set out above, and to all of the relevant material considerations set out in this report. The comments raised by consultees have all been given due regard and discussed within this report. The objections raised by members of the public have been duly noted and considered. Matters raised that relate to the overall principle of the original Outline permission on this site or matters that are not affected by this application cannot be afforded any significant weight in this determination process.
- 7.5 The successful delivery of the Bristol Arena provides a significant physical, economic and social regeneration opportunity for this location. The integration of the Arena with the Brabazon Masterplan in a way that balances design quality and visitor experience with security and operational considerations whilst taking account of all of the other planning considerations set out above is supported. This matter has been afforded significant weight in the planning balance. The advice provided on security matters in relation to the integration of the Arena operations with the wider masterplan has been afforded significant weight.

- 7.6 The amendments to the other conditions sought are largely considered a 'tidying up' of the original permission reflecting that many of the conditions have now been discharged and therefore no longer meet the planning test of being 'necessary' to be attached to the permission. The proposed amended wording of the new set conditions are set out at Section 9 below.
- 7.7 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.
- 7.8 "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."

8. RECOMMENDATION

- 8.1 That authority be delegated to the Director of Environment and Community Services to grant permission, subject to:
- (a) The conditions set out below.
 - (b) The completion of deed of variation P21/00003/MOD pursuant to s106A of the Town and Country Planning Act 1990 (as amended) to secure the amendments to the site specific s106 agreement for the Airfield Outline.

CONDITIONS

1. Details of the layout, scale and appearance of the buildings to be erected, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before development on land to which the reserved matters relate commences. Development thereafter shall be carried out in accordance with the approved details.

Reason:

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Applications for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 15 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).

3. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

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

4. Prior to the submission of the first reserved matters application in a particular geographical phase, a Phasing Plan comprising all of the elements listed in (i) and (ii) below, shall be submitted to and approved in writing by the Local Planning Authority:

(i) For the geographical phase in question:

- The subdivision of the geographical phase into parcels to provide the basis for reserved matters applications;
- Location, extent and timing of infrastructure and facilities;
- Location, extent, timing and type of POS and structural landscaping;
- Location, extent, timing and type of SUDS;
- A schedule identifying the number of residential dwellings proposed for each reserved matters area within the geographical phase.

(ii) A schedule identifying the percentage of, and mix between social rented and intermediate affordable dwellings and number of wheelchair units to be provided in each reserved matters area.

For the remainder of the site as a whole:

- Geographical phases that will form the basis of each later Phasing Plan;
- Indicative location and timing of infrastructure and facilities;
- Indicative location and timing of POS, which shall comply with the overall amounts set out in the Site Specific Section 106 Agreement entered into in connection with and on the same date as this permission (hereinafter referred to as the "S106 Agreement");
- Indicative location, extent and timing of SUDs;
- A schedule identifying the number of residential dwellings proposed in each geographical phase within the site
- A schedule identifying the indicative percentage of affordable dwellings to be provided in each geographical phase.

The Local Planning Authority may in its absolute discretion accept reserved matters applications for primary access roads in advance of the approval by the LPA of the first Phasing Plan.

The Phasing Plan shall be in accordance with the approved Illustrative Landscape Distribution Masterplan, however in the event of any variation that the Local Planning Authority considers to be significant, a revised Illustrative Landscape Distribution Masterplan for the whole site shall be submitted to and approved in writing by the Local Planning Authority prior to the approval of the Phasing Plan in question.

Following approval of the first Phasing Plan, subsequent Phasing Plan submissions shall take the amount of POS within the approved previous Phasing Plan(s) into account in the POS calculations for the remainder of the site as a whole in order to demonstrate that the total POS quantity is in accordance with Schedule 5 of the S106 Agreement.

All Phasing Plans (both detailed and indicative) shall be in compliance with the approved Parameter Plans, the principles and concepts contained in the approved Design and Access Statement (April 2017 and October 2017 Amendments), and the approved Strategic Drainage Strategy (FRA Addendum April 2017) and the Flood Risk Addendum 21101-FRA-ADD-01 v4 (June 2021), except where an application for approval of a Phasing Plan demonstrates (to the Local Planning Authority's satisfaction) that any non-compliance with these documents is (a) necessary to accommodate the Arena Proposals and (b) unlikely to give rise to any new or different significant environmental effects in comparison with the development as approved in the Environmental Statement or the application is accompanied by environmental information assessing the likely significant environmental effects of the development having regard to the proposed variation. The timing of provision of infrastructure, and facilities within the Phasing Plan(s) shall comply with any triggers set out elsewhere in these conditions, the Section 106 Agreement or the Framework Agreement.

Reason:

To ensure the highest standards of urban design and comprehensively planned development in accordance with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy, and the adopted Cribbs/Patchway Development Framework SPD.

5. Prior to the submission of the first reserved matters application in a geographical phase, as identified in the approved Phasing Plan pursuant to condition 4, a Design Code for that geographical phase shall be submitted to and approved in writing by the Local Planning Authority.

The Local Planning Authority may in its absolute discretion accept reserved matters applications for primary access roads in advance of the approval by the LPA of the first Design Code, but these must be wholly compliant with the approved Parameter Plans, and the principles and concepts contained in the approved Design and Access Statement (April 2017 and October 2017 Amendments).

The Design Code shall be in accordance with and facilitate the principles and parameters set out in the approved Design and Access Statement (April 2017 and October 2017 Amendments) including the Urban Design Framework (Fig 88 Rev 1) of the latter, and the approved Parameter Plans except where an application for approval of a Design Code demonstrates (to the Local Planning Authority's satisfaction) that any non-compliance with these documents is (a) necessary to accommodate the Arena Proposals and (b) unlikely to give rise to any new or different significant environmental effects in comparison with the development as approved in the Environmental Statement or the application is accompanied by environmental information assessing the likely significant environmental effects of the development having regard to the proposed variation. It shall include:

- A regulating plan at a scale no less than 1:1,000 (to be based on an accurate site survey), which also illustrates the urban structure and form of the immediate context;
- A plan setting out the subdivision of the geographical phase in question into parcels to provide the basis for reserved matters applications;
- A plan showing safe routes to school through the phase;
- Specification of the extent and nature of any character areas and the key elements of urban form within them;

- Details of street types and junctions, block principles, frontage treatment, and landscape, open space and public realm treatment;
- Information relating to architectural detail and identity, energy efficiency and renewable energy generation and sustainable construction in accordance with Local Plan policy, and street furniture, electric vehicle charging points, and signage including Heritage Interpretation Panels; and
- The mechanism for and timing of a review of the Design Code to test its effectiveness.

Any subsequent applications for agreed revisions to an approved Design Code shall be subject to the written approval of the Local Planning Authority.

Reason:

To ensure the highest standards of urban design and comprehensively planned development in accordance with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy, and the adopted Cribbs/Patchway Development Framework SPD.

6. Any Design Code submitted for approval pursuant to condition 5 containing either buildings within the Linear Park axis (as shown in Fig 88 rev.1 of the Urban Design Framework) or an area in whole or in part defined on the approved 'Heights' Parameter Plan (drawing ref: FAD-FCB-000-XX-PL-A-7005 Rev 03) as being appropriate for buildings up to 10 storeys shall contain (as well as information required by condition 5 above) specific instructions for:
- the siting, orientation, height, form and massing of building(s), individually and where relevant within the surrounding townscape,
 - any hard and soft landscaping associated with the building(s),
 - how the proposed mix of uses within the building(s) will have a positive relationship with the surrounding public realm and any other buildings in the immediate area, including the location and frequency of access/egress points,
 - sustainable design and construction of the building(s) having reference to the Energy Statement to be updated and approved with each geographical phase (in accordance with condition 5).

Any reserved matters application for a building or buildings either within the Linear Park axis (as shown in Fig 88 rev.1 of the Urban Design Framework) or within the area defined on the approved 'Heights' Parameter Plan (drawing ref: FAD-FCB-000-XX-PL-A-7005 Rev 03) as being appropriate for buildings up to 10 storeys and over 6 storeys shall include the following supporting information:

- details of scale, proportion and silhouette, facing materials and detailed surface design, including night-time appearance,
- details of hard and soft landscaping,
- details of the proposed mix of uses within the building(s) and their relationship with the surrounding public realm,
- details of their impact on identified views within the approved Environmental Statement (ref) and impact on proposed townscape and public realm, including accurate and realistic representations of the proposal,
- consideration of their impact on the settings of identified heritage assets,

- details of environmental performance including microclimate (particularly street level wind environment and pedestrian experience), overshadowing, light pollution, and any necessary vehicle movements to support/ service the proposed uses,
- details of how the proposals have been the subject of independent design review, and how the outcomes of the design review have been incorporated into the proposed design.

Reason:

To ensure the highest standards of urban design and comprehensively planned development in accordance with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy, and the adopted Cribbs/Patchway Development Framework SPD.

7. Applications for the approval of the reserved matters shall be in accordance with:

- the approved Parameter Plans;
- the principles and parameters set out in the Design and Access Statement (April 2017 and October 2017 Amendments) including the Urban Design Framework (Fig 88 Rev 1 of the latter) except where a reserved matters application demonstrates (to the Local Planning Authority's satisfaction) that any non-compliance with these documents is (a) necessary to accommodate the Arena Proposals and (b) unlikely to give rise to any new or different significant environmental effects in comparison with the development as approved in the Environmental Statement or the application is accompanied by environmental information assessing the likely significant environmental effects of the development having regard to the proposed variation;
- the approved Phasing Plan and Affordable Housing Schedule (condition 4);
- the approved Design Code (condition 5) for the relevant geographical phase to which the reserved matters application relates;
- the principles set out in the Security section of the Design and Access Statement submitted with the Arena Proposals

A Compliance Statement shall be submitted with each reserved matters application that demonstrates the proposals are in compliance with this condition.

In relation to any building(s) either within the Linear Park axis (as shown on Fig 88 Rev 1) or within the area defined on the approved 'Heights' Parameter Plan (drawing ref: FAD-FCB-000-XX-PL-A-7005 Rev 03) as being appropriate for buildings up to 10 storeys and over 6 storeys, the Compliance Statement must also demonstrate how the proposal will result in an exemplary standard of design.

Reason:

To ensure the highest standards of urban design and comprehensively planned development in accordance with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy, and the adopted Cribbs/Patchway Development Framework SPD.

8. Delivery of affordable housing shall be carried out in accordance with the relevant approved Phasing Plan, and its accompanying Affordable Housing Schedule (condition 4) and reserved matters approvals, unless otherwise agreed in writing by the Local Planning Authority.

If there are discrepancies between the affordable housing targets established in the approved Phasing Plan for the geographical phase in question and the relevant reserved matters application(s) for that geographical phase, subsequent applications for the approval of reserved matters and Phasing Plans will be amended to ensure that the overall provision and required proportions are maintained as closely as possible. The numbers and mix for each reserved matters application will be informed by the principles in the Framework Agreement, Parameter Plans, Phasing Plan and the Design Code, including any amendments to the approved Affordable Housing Schedule (condition 4) as may be reasonably agreed with the Council from time to time.

Reason:

To ensure that the distribution of affordable houses assists the creation of an inclusive mixed community in accordance with Policy CS 18 of the adopted South Gloucestershire Local Plan: Core Strategy.

9. Except for reserved matters applications for the first site access road infrastructure within a phase, applications for approval of reserved matters within each geographical phase that include buildings identified in the approved Phasing Plan submitted pursuant to condition 4 above shall not be approved until an Energy Statement for the phase in question has been submitted to and approved by the Local Planning Authority. The Energy Statement shall be updated for each phase and shall also include, for the airfield site as a whole, the emerging CPNN District Heating Feasibility Study. It shall also commit to requiring developers to build to Building Regulations and local planning policy compliant renewable energy measures current at the at the time of the commencement of construction of that phase. The Energy Statement as well as all reserved matters applications shall comply with the requirements of the Utilities and Renewable Energy chapter within the adopted Cribbs/Patchway New Neighbourhood Development Framework SPD and be in accordance with Policy CS4 of the South Gloucestershire Local Plan - Core Strategy and the prevailing development plans policy at the time.

Applications for approval of reserved matters shall be in accordance with the relevant approved Energy Statement, and the development of each phase shall be implemented in all respects in accordance with the relevant approved Energy Statement. All reserved matters applications (including applications without buildings) shall take into account of the emerging CPNN District Heating Feasibility Study.

Reason:

To achieve improved energy conservation and protect environmental resources in accordance Policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy and the Cribbs/Patchway New Neighbourhood Development Framework SPD.

10. Each reserved matters application shall include full details of both hard and soft landscaping works and these works shall be carried out as approved. Such details shall accord with the principles of:
 - the approved Landscape Parameter Plan, the principles and concepts contained in the approved Design and Access Statement (April 2017 and October 2017 Amendments) except where a reserved matters application demonstrates (to the

Local Planning Authority's satisfaction) that any non-compliance with these documents is (a) necessary to accommodate the Arena Proposals and (b) unlikely to give rise to any new or different significant environmental effects in comparison with the development as approved in the Environmental Statement or the application is accompanied by environmental information assessing the likely significant environmental effects of the development having regard to the proposed variation; and - the approved Design Code.

These details shall include: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines, manholes); retained historic landscape features and proposals for restoration where relevant.

Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. Detailed planting plans shall detail size, type and specification, mixes and quantities of all proposed planting. Where appropriate, construction details of ground retention/acoustic bund along the railway boundary, boundary and surfacing treatments; construction details of all SUDS elements and maintenance proposals shall be submitted and approved.

Reason:

To protect and enhance the character and appearance of the area and the amenities of future occupiers in accordance with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy.

11. All hard and soft landscape works shall be carried out in accordance with the approved implementation programme on land to which the reserved matter relates or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason:

To protect and enhance the character and appearance of the area and the amenities of future occupiers in accordance with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy.

12. With reference to retained trees the plans and particulars submitted in accordance with condition 1 and 10 shall include:

a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;

b) details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, and an assessment of the general of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

c) details of any proposed tree works to any retained tree or of any tree on land adjacent to the site;

d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the RPA (root protection area) as defined in BS5837 2005 of any retained tree or of any tree on land adjacent to the site; and

e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

f) details of street trees shall include specification of root protection measures, and details of street tree management to encourage high level growth and maintain a clear zone directly above sewers.

All fencing to be in accordance with BS5837 2012 'Trees in Relation to Construction' and retained and maintained for the duration of the construction period.

Reason:

To protect and enhance the character and appearance of the area and the amenities of future occupiers in accordance with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy.

13. The plans and particulars for each Reserved Matters to be submitted in accordance with Condition 1 shall include a schedule of landscape maintenance for a minimum period of 5 years. The schedule shall include details of individual plot ownership, areas of amenity space and the arrangements for its implementation. Development shall be carried out in accordance with the approved scheme.

Reason:

To protect and enhance the character and appearance of the area and the amenities of future occupiers in accordance with South Gloucestershire Local Plan Policy L1 and to accord with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy.

14. The submission of any reserved matters pursuant to condition 1 above adjacent to the Henbury Trym Corridor shall include detailed sections of the Henbury Trym Corridor and its associated public open space. Only such details as approved by the Local Planning Authority shall be implemented.

Reason:

In the interests of nature conservation and landscape character, in accordance with policies CS1, CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017.

15. Prior to the commencement of the development in any geographical phase, (including the commencement of any site preparation works as defined by the S106 Agreement) plans for the phase indicating the location of tree protection measures shall be submitted to and approved in writing by the LPA. Such details shall be in accordance

with the tree protection measures to safeguard the retained trees as set out in the Tree Retention and Removal Table FAD-GRA000-XX-DR-L-0122 P1 and set out how the development will not adversely affect the trees to be retained. All such details as approved shall be fully implemented in advance of any works on site and retained in situ as approved for the duration of works.

Reason:

To protect and enhance the character and appearance of the area and the amenities of future occupiers in accordance with policies CS1 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy.

16. The particulars submitted as part of condition 1 for the relevant reserved matters shall include details of a refuse collection strategy including routing details, bin stores and refuse collection points. The details so approved shall be implemented prior to the first occupation of any or each individual dwelling to which the refuse collection strategy relates and maintained as such thereafter.

Reason:

To ensure there is appropriate refuse storage and in accordance with Policy CS26 of the adopted Core Strategy.

17. Prior to the commencement of any groundworks, including site investigation works, clearance or remediation and prior to the approval of any reserved matters, a programme of archaeological work and subsequent detailed mitigation and publication strategy, including a timetable for the mitigation strategy (phase 1), must be submitted to and approved by the local planning authority. Thereafter the approved programme of mitigation measures (phases 2, 3) and method of publication (phase 4) shall be implemented in all respects. The condition requires a four phase approach, comprising field evaluation and production of mitigation and publication strategy (phase 1), open area excavation where necessary (phase 2), watching brief (phase 3) and publication/archiving (phase 4).

Reason:

In the interest of archaeological investigation or recording, and to accord with Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017) and policies CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy.

18. Prior to the commencement of any development, including site preparation works as defined by the S106 Agreement (with the exception of ground investigation/site survey work, construction of boundary fencing or hoarding, archaeological investigation, and ecological mitigation works) on any phase, a Waste Management Audit and cut and fill details for that phase shall be submitted to and approved by the Local Planning Authority in writing. Details to be submitted shall comprise:

- i. The volume and nature of the waste which will be generated through the demolition and/or excavation process;
- ii. The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc;

- iii. Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant;
- iv. The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction; and
- v. The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it in order to reduce the amount of waste sent to landfill.
- vi. Detailed plans and sections at 1:500 of existing and proposed finished ground levels.

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

Reason:

To control the production of waste and to ensure satisfactory finished ground levels, in accordance with policies CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy and policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017). Pre- commencement is required in order to ensure that any contamination is dealt with at the correct time when the remediation is still possible.

19. Applications for Reserved Matters for residential or landscape development shall include measures to implement the strategy for the creation of suitable foraging and nesting habitats for hedgehogs, including vegetated linear features and garden habitats which shall have been incorporated into the LEMP to be approved under condition 22. All works shall be carried out in accordance with said hedgehog habitat enhancement strategy.

Reason:

To protect the wildlife and the ecological interests of the site, in accordance with Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy, (adopted Dec 2013).

20. All development, including site preparation works as defined by the S106 Agreement, affecting great crested newt habitat (European Protected Species), must accord with the mitigation strategy for great crested newts included within Chapter 11 Natural Heritage of the Environmental Statement dated April 2017 hereby approved. All works are to be carried out in accordance with said strategy.

Reason:

To protect the wildlife and the ecological interests of the site, in accordance with Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy, (adopted Dec 2013).

21. No development shall take place (including clearance of vegetation) in a particular phase until there has been submitted and approved in writing by the Local Planning Authority measures in respect of:

(i) The identification, through an updated site survey, of badgers, and/or their setts, as required by the badger Act 1992.

(ii) The protection of badgers, and/or their setts as identified through the site survey, and a badger mitigation strategy for the site as a whole.

Reason:

To protect the wildlife and ecological interests of the site, in accordance with Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017, and Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, (adopted Dec 2013). Pre commencement is required in order to ensure that there is no harm to badgers through construction works.

22. All development shall accord with the approved Landscape Ecological Management Plan (LEMP) (FAD-GRA-OOO-XX-RP-L-9005) Rev 08 (March 2019). Where required, Reserved Matters applications shall include the submission of an addendum to the approved LEMP confirming the management regime for any additional proposed open space typologies that are not currently covered by the approved LEMP to be approved in writing by the Local Planning Authority. Thereafter, the LEMP and any approved addendum shall be adhered to in full.

Reason:

To protect and manage any retained hedgerows, new semi natural habitat and Henbury Trym corridor, in accordance with Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017: Core Strategy, (adopted Dec 2013). Pre-commencement is required in order to ensure that there is no harm to ecological interest during construction works.

23. Hangar 16U shall be monitored for use by barn owl, in accordance with Chapter 11 Natural Heritage of the Environmental Statement (dated April 2017) hereby approved. A report on said monitoring together with any mitigation strategy as required shall be submitted to the LPA for approval with any Reserved Matters Application in respect of Hangar 16U.

Reason:

To protect the wildlife and ecological interests of the site, in accordance with Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017, and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy, (adopted Dec 2013).

24. All reserved matters applications shall include detailed surface water drainage plans, which shall accord with the principles of the 2014 Flood Risk Assessment (FRA) (by PBA Version 7), the Flood Risk Assessment Addendum (by PBA April 2017) and the Flood Risk Addendum 21101-FRA-ADD-01 v4 (by Jubb June 2021), for each phase or parcel of land. The plans shall incorporate sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development and shall be approved by the LPA. The scheme shall subsequently be implemented in accordance with the approved details before the parcel is completed.

Sufficient attenuation storage shall be provided for each phase of development and this shall be clearly demonstrated in an updated FRA which show discharge rates and

SuD control measures for each parcel. Attenuation ponds and SuD components shall be in place and operational before the completion of development in each separate phase. Should the site layout change, the FRA shall be updated and resubmitted to the LPA for approval in writing prior to approval of the reserved matters application in question.

Each reserved matters application will need to demonstrate a suitable drainage scheme in accordance with the approved FRA. The following details shall be submitted in order to discharge this condition:

- A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe node numbers referred to in the drainage calculations and the invert and cover levels of manholes.
- A manhole schedule.
- Model runs to demonstrate that the critical storm duration is being used.
- Confirmation of the agreed discharge rate referring to the FRA, with any flow control devices indicated on the plan with the rate of discharge stated.
- Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 critical duration storm event. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths and the likely depths of flooding. A 30% allowance for climate change should be incorporated into the scheme in accordance with Table 5 of the Technical Guidance to the National Planning Policy Framework.
- Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, in accordance with Policy CS9 and CS26 of the South Gloucestershire Local Plan: Core Strategy, (adopted Dec 2013).

25. The reserved matters for a layout submitted pursuant to condition 1 shall include cross sections of any proposed culverts and/or SUDs features, swales or attenuation ponds, including finished floor levels of any adjacent housing areas and roads.

Reason:

To ensure a satisfactory means of drainage is provided, and in the interests of visual amenity and to accord with policies CS9 and CS26 of the South Gloucestershire Local Plan: Core Strategy, (adopted Dec 2013).

26. No development shall take place on land to which the reserved matters relate until a foul water drainage strategy is submitted and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker:
- The drainage strategy shall include appropriate arrangements for the points of connection and the capacity improvements required to serve the proposed development phasing;

- The drainage strategy shall be completed in accordance with the approved details and to a timetable agreed with the Local Planning Authority.

Reason:

To ensure that proper provision is made for foul water disposal in the interests of public health and ensure that development proposals do not increase the risk of sewer flooding to downstream property and to accord with policies CS9 and CS26 of the South Gloucestershire Local Plan: Core Strategy, (adopted Dec 2013).

27. Prior to commencement of each phase of remediation and prior to the commencement of any development within that phase, the following must be submitted to and approved in writing by the Local Planning Authority:

- A summary of the findings of the ground investigation in relation to that phase and interpretation of the findings in relation to the proposed end use(s) (e.g. residential with gardens/ commercial/ school/ public open space).
- Proposals for remediation of each phase (where this is necessary to mitigate against unacceptable risks to the development) which should accord with the broad terms of the Peter Brett Revised Contaminated Land Risk Assessment and Land Risk Assessment and Remediation Strategy (March 2017); and include details of the proposed strategy for verification post- completion of the remediation works. Should the proposed end use of a phase be revised to a more sensitive end use, then the findings of the ground investigation shall be re-assessed in line with that more sensitive end use.

Post Completion

- Post completion of each phase of remediation and prior to the commencement of any development within that phase, a verification report shall be submitted to the LPA demonstrating that any necessary remediation has been implemented satisfactorily. To aid review and audit, the verification report shall include a summary of the ground investigation for that phase, the remediation requirements, the remediation undertaken, and demonstrate adequate supervision.

If unexpected contamination is found after the development is begun, work shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. An additional investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed by the LPA prior to the recommencement of any development on the area of unexpected contamination.

Reason:

In the interest of public safety as a potential result of land contamination and to accord with policies CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013).

28. Prior to the commencement of development other than site investigations, a phase specific Construction Environmental Management Plan (CEMP) will be submitted to and approved in writing by the LPA and shall include details of:
- Construction access details
 - On-site materials, accommodation and vehicle storage
 - Vehicle Routing from the agreed External Construction Route
 - Vehicle Routing Dilapidation Survey
 - Delivery vehicle size and frequency
 - Minimizing temporary noise and vibration impacts as set out in Chapter 12 of the Environmental Statement Addendum (April 2017).
 - Ecology requirements as set out in 11 of the Environmental Statement Addendum (April 2017).
 - Neighbourhood liaison group
 - Location and form of Wheel Washing
 - All other matters as required by the Framework Environmental Management Plan (April 2017). All works are to be carried out in accordance with said plan as approved.

The phase will be implemented in accordance with the approved CEMP.

Reason:

In the interests of residential amenity and to accord with Policy CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy and Policy PSP21 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017. Pre-commencement is required as the condition relates to the construction period.

29. The hours of working on site during the period of construction shall be restricted to 7.30am-6pm Mondays to Fridays; and 8am-1.00pm on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the site. Any 'working' outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

To minimise disturbance to neighbouring occupiers and in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy.

30. No more than 500 occupied dwellings shall be served from a single access point onto the existing Highway Network.

Reason:

To ensure sufficient access onto a Highway Maintainable at public expense is provided in the interests of Highway Safety.

31. The particulars submitted as part of condition 1 for the relevant reserved matters shall include the following, which shall be in accordance with the approved Design Code and Regulating Plan (condition 5):

- Details of all 'Safer Routes to School' serving on-site and off-site education facilities;
- Details of walking and cycling routes and how these link with the wider external network.

The details so approved shall be implemented prior to the first occupation of the first residential dwelling of each individual reserved matters consent.

Reason:

To encourage means of transport other than the private car and to accord with Policy PSP11 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017 and with policies CS8 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013).

32. Prior to first occupation of each reserved matters development parcel, full details of signage and way-finding, including an implementation programme, shall be submitted for approval in writing by the Local Planning Authority. The way-finding details shall include where relevant the following:

- HGV routing
- Access to the Concorde Museum
- Access to Employment Areas
- Access to development Parcels with confirmation of residential area and street names
- Directional signing to Metrobus Stops
- Cycle Trunk Route signage
- Cycle Route signage
- Pedestrian and recreational route signage
- Strategic routing signage to:
 - Bristol City Centre
 - Motorway Junctions

The Way-Finding and signage shall be implemented in accordance with the approved details and the implementation programme and thereafter retained.

Reason:

To maximise appropriate routes to avoid unnecessary route choice and to maximise sustainable transport modes in compliance with Core Strategy Policy CS8 and in the interests of highway safety.

33. The Metrobus stops illustrated on the approved access parameter plan shall be provided upon completion of the relevant serving road to wearing course presented in full Metrobus livery and attaining Metrobus Stop Type specification as agreed with the Local Planning Authority. Local bus stops shall be provided to a specification that shall include as a minimum a shelter, lighting and real time information. All shelter designs shall be submitted to and approved in writing by the Local Planning Authority. Additional stops shall be provided where walking distances to planned dwellings exceed 400m.

Reason:

To ensure sufficient Public Transport infrastructure is provided to accommodate Public Transport Modal Share and modal shift in compliance with Core Strategy Policy CS8.

34. Dwellings shall be located within 400m walking distance of a bus stop, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure sufficient Public Transport infrastructure is provided to accommodate Public Transport Modal Share and modal shift in compliance with Core Strategy Policy CS8.

35. Prior to their first use, all community and education facilities shall be linked to highway maintainable at public expense and by appropriate vehicle and sustainable transport infrastructure.

Reason:

To ensure that promotion and provision of sustainable modes of transport are maximised in compliance with Core Strategy Policy CS8 and that suitable vehicle access is provided in the interests of highway safety.

36. . A programme of historic building recording and analysis shall be secured and implemented in accordance with the approved Written Scheme of Investigation (October 2017) prior to the commencement of any demolition of, or site clearance operations affecting, the following buildings/structures:

- Control Tower
- Underground Structure near Gun Butts N side of runway
- Former Gun Butts
- Compass Testing Circle
- Air Raid Shelters
- Pillbox, Gun emplacement and associated structures S side of runway

The programme of recording shall accord with the guidance for recording historic buildings set out within the Historic England publication entitled 'Understanding Historic Buildings: A Guide to Good Recording Practices (2016) and shall cover the interior and exterior of all the relevant historic buildings. The completed building records shall be submitted, together with evidence of the structures having been offered to the Bristol Aerospace Museum (BACT) (to be moved at their expense), to the Local Planning Authority for approval in writing and for deposition in the South Gloucestershire Historic Environment Record. The recording shall be carried out at all times in strict accordance with the approved scheme.

Reason:

To ensure that an appropriate record is made of the historic building fabric that may be affected by the development. All in accordance with Policy PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017, policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted 2013) and the provisions of the National Planning Policy Framework (2019).

37. Prior to the approval of the Design code for the relevant Phase of development including the group of structures comprising the Sunken Pill Box and Gun

Emplacement on southern boundary (originally identified as possible Battlefield Headquarters), further survey work shall be undertaken in accordance with the approved Written Scheme of Investigation (October 2017) in order to assess the extent, former function, degree of survival and heritage significance of the structures. The record shall be to Level 3 in order to enable an assessment of the significance of the asset at a local, regional and national level and to secure a full record of the structures should the assessment conclude that they are of local rather than national significance and their retention as part of the development is not practicable. The recording shall be carried out in strict accordance with the approved scheme and shall inform the Design Code and future development of the area in question.

Reason:

In the interests of ensuring the appearance, scale, form, materials and overall aesthetic and architectural contribution of the historic buildings is recorded for future generations and to enable any redevelopment proposals to be read in historic context. All in accordance with Policy PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017, policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted 2013) and the provisions of the National Planning Policy Framework (2019).

38. Prior to the completion of works (under application PT18/2111/F or replacement of a similar nature) Hangar 16U shall be regularly inspected in accordance with the Hangar 16U Urgent Works Statement (1st March 2018, updated 22nd November 2018) on a quarterly basis as a minimum, in order to ensure that it remains secure, weather-tight and structurally sound. Where defects or instances of vandalism are identified, appropriate repairs or mitigation measures are to be undertaken in accordance with the commitments set out within the Hangar 16U Urgent Works Statement. The building shall also be regularly inspected for evidence of rodent activity and bird access, and appropriate control measures taken, including the re-fixing of bird access prevention netting.

Reason:

To reduce the risk of the building becoming identified as being 'at risk' and potentially subject to formal action by the council. In accordance with Policy PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017, policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted 2013) and the provisions of the National Planning Policy Framework (2019).

39. The extra care accommodation hereby permitted shall only be used for the provision of Assisted Living Dwellings to people in need of care, being a use within Class C2 of the Town and Country Planning (Use Classes) Order 1987, (as amended), and for no other purpose. Assisted Living Dwellings means the dwelling which can accommodate up to a maximum of two occupants and shall be occupied by the Assisted Living Person and where for the avoidance of doubt there is more than one occupant, at least one occupant must be over the age of 70. Assisted Living Person shall mean a person who is identified as a person in assessed need of at least one element of care, and or support provided by a registered domiciliary car provider and can be suitably housed in such accommodation in order to maintain independence, health, wellbeing and social inclusion.

Reason:

To ensure that the use of the building remains in a C2 use at all times, to ensure that the scheme remains policy compliant.

40. The extra care accommodation hereby permitted shall be registered for the provision of extra care with the Care Quality Commission, or any successor body.

Reason:

To ensure that the use of the building at all times, to ensure that the scheme remains policy compliant.

41. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

1074_00_07_001 Rev P10- Site Application Boundary
FAD-FCB-000-XX-PL-A-7002 Parameter Plan Land Use Rev 01
FAD-FCB-000-XX-PL-A-7004 Parameter Plan Density Rev 01
FAD-FCB-000-XX-PL-A-7005 Parameter Plan Heights Rev 03
FAD-FCB-000-XX-PL-A-7006 Parameter Plan Access.pdf Rev 03
FAD-FCB-000-XX-PL-A-7010 Parameter Plan Landscape Rev 04
FAD-FCB-000-XX-PL-A-7015 Parameter Plan-Heritage Rev 01

36713-2012-001 Rev A- Airfield Access Strategy_ Proposed A38 Access
FAD-PBA-011-XX-DR-C-002 Brabazon Roundabout Access
FAD-PBA-012-XX-DR-C-001 Blenheim Roundabout Access
470310. AX.01.14-SK01 Rev P4 Combination Ground Access junction

Tree Retention and Removal Overview_FAD-GRA-000-XX-DR-L-0110 P1
Tree Retention and Removal Plan Page 01_FAD-GRA-000-XX-DR-L-0111 P1
Tree Retention and Removal Plan Page 02_FAD-GRA-000-XX-DR-L-0112 P1
Tree Retention and Removal Plan Page 03_FAD-GRA-000-XX-DR-L-0113 P1
Tree Retention and Removal Plan Page 04_FAD-GRA-000-XX-DR-L-0114 P1
Tree Retention and Removal Plan Page 05_FAD-GRA-000-XX-DR-L-0115 P1
Tree Retention and Removal Plan Page 06_FAD-GRA-000-XX-DR-L-0116 P1
Tree Retention and Removal Plan Page 07_FAD-GRA-000-XX-DR-L-0117 P1
Tree Retention and Removal Plan Page 08_FAD-GRA-000-XX-DR-L-0118 P1
Tree Retention and Removal Plan Page 09_FAD-GRA-000-XX-DR-L-0119 P1
Tree Retention and Removal Plan Page 10_FAD-GRA-000-XX-DR-L-0120 P1
Tree Retention and Removal Plan Page 11_FAD-GRA-000-XX-DR-L-0121 P1
Tree Retention and Removal Table_FAD-GRA-000-XX-DR-L-0122 P1

Plans - submitted for information only:

Illustrative Landscape Distribution Masterplan - FAD-GRA-000-XX-DR-L-1001 Rev 06
Illustrative Masterplan Land Use & Quantum -FAD-FCB-000-XX-PL-A-7011 Rev 02

Reason:

For the avoidance of doubt.

Case Officer: Sean Herbert
Authorising Officer: Eileen Paterson

CIRCULATED SCHEDULE NO. 27/21 -9th July 2021

App No.:	P21/02941/F	Applicant:	Mr & Mrs S Lee
Site:	Land Adjacent To 5 The Newlands Frenchay South Gloucestershire BS16 1NQ	Date Reg:	30th April 2021
Proposal:	Erection of 1 no. detached dwelling and 1 no ancillary annexe with associated works.	Parish:	Winterbourne Parish Council
Map Ref:	363635 177367	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	23rd June 2021

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N.T.S.

P21/02941/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 1 no. detached dwelling and 1 no ancillary annexe with associated works at Land Adjacent to no.5 The Newlands, Frenchay.
- 1.2 The application site relates to an area of walled garden associated with The Grove. The site is situated within the Village of Frenchay within a modern housing estate at the edge of Frenchay Common and falling within the Frenchay Conservation area.
- 1.3 The application effectively forms a resubmission of the approved applications Ref. PT17/5950/O and P19/8555/RM. The main changes brought forward to this application include the provision of an annexe and changes to the design. Following the previous grant of permission the principle of development exists, and the site has for the most part now been cleared for development.

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	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS25	Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP17	Heritage Assets and Historic Environment
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
Householder Design Guide SPD (Adopted) 2021

3. PLANNING HISTORY

- 3.1 Ref. P20/23810/TCA. No objection, 4/1/2021
 Proposal: *Works to fell 1 no. Cherry and 2 no. Ash trees which are all situated within the Frenchay conservation area.*
- 3.2 Ref. P19/8555/RM. Permission Granted, 30/8/2019
 Proposal: *Erection of 1 No detached dwelling with appearance and landscaping to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PT17/5950/O).*
- 3.3 Ref. P20/23065/TRE. Permission Granted, 12/1/2021
 Proposal: *Works to 2no. Oaks to Crown lift by 4m and Crown thin covered by SGTPO-4/18 dated 31/01/2018.*
- 3.4 Ref. PT17/5950/O. Permission Granted, 10/4/2018
 Proposal: *Erection of 1no detached dwelling (Outline) with access, layout and scale to be determined. All other matters reserved.*

4. **CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council – Objection

“Two members of the public voiced concerns regarding the clearance of the land that has already commenced, resulting in the removal of trees and vegetation. There is concern regarding the very old wall which is being undermined by the work being carried out.

“The comments of the Parish Council are Strong Objection. The Parish Council consider this to be an over development of the site and not in keeping with the local area. In addition the neighbouring properties eye line will be negatively affected and there will be a significant reduction in area (which is a conservation are) for local flora and fauna”

- 3.2 Highway Structures – No comment received.
- 3.3 Sustainable Transport – No objection, conditions recommended.
- 3.4 The Tree Team – No objection, conditions recommended.
- 3.5 The Listed Building Officer – No objection.
- 3.6 Archaeology – No objection.
- 3.7 The Landscape Officer – No objection, conditions recommended.
- 3.8 The Ecology Officer – No objection, conditions recommended.
- 3.9 Lead Local Flood Authority – No objection.
- Local Residents*
- 4.0 One letter of objection has been received from a local resident. The key points have been summarised as: harm to trees and landscaping. It was also

commented that the first objection should be referred back too, however officers have been unable to find this comment.

5. ANALYSIS OF PROPOSAL

- Principle of Development
- 5.1 Whilst the principle of development for a new dwelling within this location already exists, for clarity, the overview is reiterated.
- 5.2 Planning permission is sought for the erection of 1no detached dwelling within the settlement boundary of Frenchay. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. As such, based solely on the location of the site, the principle of the development is acceptable.
- 5.3 The development is acceptable in principle under the provisions of Policy CS5. However the relevant impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm.
- 5.4 Design, Visual Amenity, and Impact to Heritage Asset
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. Policy PSP17 seeks to preserve and enhance heritage assets, in this case, the Frenchay Conservation Area.
- 5.5 The proposed dwelling would be a single storey structure, providing 4no bedrooms and the provision of a 1 bed annexe. The main change to the previously consented scheme is the addition of a granny annexe. Other minor amendments are removal of the rear canopy, increase of fenestration to the front facade, a deeper reveal and soffit outside the living room for improved solar control, the inclusion of two roof lights, and the addition of a chimney enclosure.
- 5.6 The layout of the main house and granny annexe respond directly to the conditions and constraints of the site, with the main house footprint aligning with the irregular plot shape along the northern, eastern and south eastern boundaries. The roof height of the main house is 3.5 m and the annexe is slightly lower at 3.3m, this providing an element of subservience. The external elevations incorporate a mixed pallet of materials, inclusive of grey render, dark timber cladding and grey framed windows.
- 5.7 Overall, the proposed development is considered to be of a high quality design, which respects and preserves the surrounding character and context of the site. With no objections raised by the conservation officer, the design is considered to comply with the relevant policies of the local plan.
- 5.8 Residential Amenity

- Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. With regard to the low single storey typology and its enclosed site boundary, the proposed development would not result in any overlooking, overshadowing or loss of privacy to the neighbouring residents.
- 5.9 Turning to the amenity of future residents, the main dwelling would have a gross internal area of 210m² and an attached 43m² double garage. The granny annexe would have a GIA of 50m². Both these areas exceed the Nationally Described Space Standards. With regards to access to natural light and outlook, a satisfactory provision would be provided.
- 5.10 Regarding the provision of private amenity space, excess of 70m² would be provided, thus exceeding the minimum requirement as expressed by virtue of policy PSP43.
- 5.11 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal has been carefully assessed and suitable parking provision would be provided in line with policy. Electric vehicle charging points have been indicated on the plans, for which should be fully functional prior to first occupation to ensure sustainable means of transport is being promoted in line with policy CS8 and the council's emergency climate change declaration. Subject to this requirement, no objections are raised.
- 5.12 Ecology, Landscaping and Trees
Policies PSP19 and PSP3 respectively seek to enhance wider biodiversity and to protect against the loss of trees.
- 5.13 An Ecological Appraisal (Clarke WEbb Ecology, March 2019) and an updated technical note (The Landmark Practice, May 2021) has been submitted. Following review by the council's ecological officer, it was agreed that the site is of relatively low ecological value, some works have already taken place under the mitigation provided by the initial survey. Neither reports identified nor recommended ecological enhancements, however there are opportunities to increase the biodiversity on site. Subject to the recommended ecological conditions, no objections are raised.
- 5.14 With regard to the protection of trees, the supporting information had been reviewed and deemed acceptable subject the construction of the entrance using a cellweb construction as a permanent base as it is within root protection areas. Subject to this as a condition, in addition to a standard tree protection condition, no objections are raised in regard to tree protection.
- 5.15 Archaeology
Policy PSP17 states that heritage assets must be protected, this is inclusive of archaeological heritage assets. The archaeological statement has been reviewed, and deemed acceptable with no further action required.

5.16 Annexe Test

For a proposal to be an annex it should only contain ancillary accommodation to the main dwelling and have some form of functional and physical reliance upon the main dwelling.

5.17 The proposed annexe would be a self-contained, single-storey structure within the primary amenity space directly to the front of the proposed dwellinghouse. It would have accommodation space for one bedroom, living room/kitchen and bathroom. In terms of physical reliance, the proposed annexe would be detached from the main dwelling (albeit in very close proximity) and located to the front of the property. The garden area, in addition to the available off-street parking provision would be shared with the host dwelling. Whilst the proposed annexe could be accessed independently of the main dwelling, it would not provide an attractive proposition for the residents of the host property or the annexe if it were to serve as an independent dwelling. Furthermore, due to the proposed annexe not being served within its own private amenity space, it would not be able to secure permission as an independent dwellinghouse. Therefore, given the relationship and location of the proposed annexe relative to the host dwelling, the annex test it met.

5.18 As such, Officers are satisfied that the annexe would be used ancillary to the main house. A condition should be included on the decision to secure this should the application be found acceptable in all other respects.

5.19 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 plans as set out in the plans list below.

Received by the council on 28 April 2021: ARBORICULTURAL REPORT-2019, ARCHAEOLOGY STATEMENT, CONSTRUCTION MANAGEMENT PLAN, ECOLOGICAL APPRAISAL, SITE SET UP & TREE PROTECTION PLAN (REV A), SITE LOCATION PLAN, BLOCK PLAN (REV A), PROPOSED FLOOR AND ROOF PLAN (ANNEXE), PROPOSED ELEVATIONS 1 OF 2 (ANNEXE), PROPOSED ROOF PLAN (REV D), PROPOSED ELEVATIONS 2 OF 2 (ANNEXE), PROPOSED ROOF PLAN (REV B), LANDSCAPE PLAN (REV A), ACCESS GATE DETAILS, ELEVATION 1 & 2 (REV A), ELEVATION 3 & 4 (REV A), ELEVATION 5 & 6 (REV A), ELEVATION 7 & 8 (REV A), AND ELEVATION 9 (REV A).

Received by the council on 29 June 2021: ECOLOGY NOTE, AND TREE PROTECTION MEASURES.

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

3. The development shall proceed in strict accordance with the submitted ecology report (ClarkeWebb Ecology, March 2019) and the updated technical note (The Landmark Practice, May 2021)

Reason

To ensure the works are carried out in an appropriate manner and in the interests of Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

4. Should any additional external lighting be proposed, details are to be submitted to the local authority for review prior to installation, this should include specification and location of lighting.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

5. Prior to first occupation, evidence of ecological enhancements are to be submitted to the local authority these include but not limited to bat and bird boxes, a plan detailing location and specification of the enhancements are to be provided.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

6. Though the sett is presumed as inactive, due to the mobility of badgers and local records a pre-commencement check of the site is required immediately prior to works commencing. If badgers are present appropriate surveys are to be undertaken and supported by mitigation/license.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

7. The construction for the entrance and pathways shall use cellweb construction a permanent base. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.

Reason

Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policy PSP3 of the SG Policies, Site and Places Plan (2017) and pursuant to section 197 of the Town and Country Planning Act 1990.

8. Prior to first occupation, evidence of the installed electric vehicle charging point(s) shall be submitted to and approved by the local planning authority. The charging points must remain fully operational and must not be removed unless approved by the local authority.

Reason

To accord with policy CS8 of the SG Core Strategy which encourages sustainable means of transport, and the councils emergency climate change declaration.

9. The roof area of the developments hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason

To minimise disturbance to occupiers of nearby properties and to accord with policies PSP8 and PSP38 of the South Gloucestershire Policies Sites and Places Plan (Adopted) November 2017 and the provisions of the National Planning Policy Framework.

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

Reason

To ensure a satisfactory standard of external appearance and private amenity space, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2 and PSP38 and PSP43 of the Policies, Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

11. The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the approved dwelling at Land Adjacent To 5, The Newlands, Frenchay, BS16 1NQ.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP8, PSP38 and PSP43 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

12. The proposed development shall be built in strict accordance with the submitted construction management plan.

Reason

To prevent remedial action, in the interests highway safety and to accord with Policies PSP3 and PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD.

Case Officer: Thomas Smith
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 27/21 -9th July 2021

App No.:	P21/03368/F	Applicant:	Mike Hemmings
Site:	22 Bitterwell Close Coalpit Heath South Gloucestershire BS36 2UQ	Date Reg:	19th May 2021
Proposal:	Extension to existing annexe to facilitate conversion to 1 no. dwelling with associated works.(resubmission of P20/17971/F)	Parish:	Westerleigh Parish Council
Map Ref:	367827 179427	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	9th July 2021

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N.T.S.

P21/03368/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 added to the Circulated Schedule because the proposal has received 1No objection from Westerleigh Parish Council, which is contrary to the officer's recommendation.

1. **THE PROPOSAL**

- 1.1 The proposal seeks planning permission for the erection of an extension to existing annexe to facilitate conversion to 1 no. dwelling with associated works, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The proposed application site is within the grounds of No 22 Bitterwell Close, which is a semi-detached cottage, set within a generous plot. This area is located within the small semi-rural community of Henfield, is outside of the defined settlement boundary but located within the Bristol/Bath Green Belt.
- 1.3 The existing annex currently has its own access and driveway via Ram Hill, and it has been declared within the submitted information, that the applicant has lived there independently for a number of years. As no evidence has been given to support this and no certificate of lawfulness application has been submitted, this cannot be given weight in the determination of this application. The existing annex already has permission for an extension to the side under planning application approval PT09/6044/F to increase the footprint.
- 1.4 This application is a re-submission of the previous application P20/17971/F, which was refused in February 2021.

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
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

South Gloucestershire Local Plan: 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
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the countryside
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Adopted 2007)
 Residential Parking Standards (Adopted 2013)
 Development in the Green Belt SPD (Adopted 2007)
 Household Design Guide SPD (Adopted 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 P20/17971/F. Extension to existing annexe to facilitate conversion to 1 no. dwelling with associated works. Refused. 11.02.2021

Refusal Reasons:

- *The application site is outside of any defined settlement and therefore in the open countryside. Defined settlements establish locations which the local planning authority consider suitable, in the spatial strategy, for sustainable development. The proposal conflicts with the locational strategy, the site is not considered to relate well to any defined settlements, and the proposal does not contain any of the limited forms of residential development considered acceptable outside of defined settlement boundaries. The proposal is therefore not a sustainable form of development and conflicts with Policies CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework; and*
- *The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt as the extension is considered to be disproportionate. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; the advice set out in the adopted Development in the Green Belt SPD (2007); and the National Planning Policy Framework.*
- *The application also includes a juliet balcony, which would permit significant increased levels of overlooking upon the adjacent neighbouring garden of Lakeside View, which would have a detrimental impact on the level of amenity afforded to such neighbouring dwellings. It is therefore concluded that the proposed balcony would be harmful to the amenities of the neighbouring properties and that the application is therefore contrary to the requirements of Policies PSP8 and PSP38.*

- 3.2 PT13/4181/RVC. Removal of Condition 2 attached to planning application PT09/6044/F. Refused. 18.12.2013

Refusal Reason:

- *The site is located in the open countryside outside of any defined settlement boundary; therefore, future occupiers of the dwelling will be dependent on private car use to access facilities and services. This is*

contrary to the sustainable aims of the saved policy H3 of the South Gloucestershire Local Plan (adopted) January 2006 and policy CS5 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 to direct new residential development to existing urban areas and boundaries of settlements.

This previous refusal reason is material in the consideration of this current application.

- 3.3 PT09/6044/F. Erection of extension and conversion of existing detached garage to form residential annexe ancillary to main dwelling. Approved. 15.02.2010.
- 3.4 PT08/2935/F. Erection of detached double garage (Retrospective). Approved. 27.11.2008.
- 3.5 PT06/2068/F. Erection of detached double garage with store over (in accordance with amended plans received by the Council on 31 July 2006). Approved. 12.08.2006.

4. CONSULTATION RESPONSES

4.1 Westerleigh Parish Council

1No letter of Objection –

- *Comments as submitted for the previously refused application (P20/17971/F). It constitutes inappropriate development in the open countryside and within the Green Belt and is against the original planning conditions (PT09/6044/F).*

4.2 Other Consultees

Sustainable Transport – Transportation DC
No Objections - conditions recommended.

Highway Structures
No Comment.

Lead Local Flood Authority
No Objections.

Landscape Officer
No Objections - conditions recommended.

Other Representations

4.3 Local Residents

3No letters of support for the proposal.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

- 5.2 Policy CS5 of the South Gloucestershire Core Strategy outlines the locations at which development is considered to be appropriate; new development is directed towards the existing urban areas and defined rural settlements. This application site is located within open countryside and outside of any defined settlement boundary. Policy CS5 also states that in order to deliver the strategy for development, the framework for the location and scale of development in other proposals for development in the Green Belt will need to comply with the provisions in the National Planning Policy Framework February 2019 or relevant local plan policies in the Core Strategy.
- 5.3 CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. However the impacts of the development proposal must be further assessed against relevant policies in order to identify any potential harm. Policy PSP40 of the Policies, Sites and Places Plan allows only for the following specific forms of residential development in the open countryside:
- *Rural Housing exception initiatives;*
 - *Rural Workers dwellings;*
 - *The replacement of a single existing dwelling, where it is of similar size and scale to that of the existing dwelling; within the same curtilage, and of a design in keeping with the locality, and minimises visual intrusion in the countryside; and*
 - *The conversion and re-use of existing buildings for residential purposes.*
- 5.4 In turn, it is concluded that the proposal complies with *the conversion and re-use of an existing building for residential purposes* specific form of residential development and would permit the erection of a new dwelling in this location. Officers can therefore conclude that the proposed development, does accord with the requirements of policies CS5 of the Core Strategy and PSP40 of the Policies, Sites and Places Plan.
- 5.5 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. Policy CS17 states that any proposed mix of housing should contribute to providing choice in tenure and type, having regard to the existing mix of dwellings in the locality. The density of new development should be informed by the character of the local area and contribute to the high quality design as set out in Policy CS1, improving the mix of housing types and providing adequate levels of semi-private communal open space and private outdoor space. Further to this, Policy PSP43 sets out specific private amenity space standards for all new residential units.
- 5.6 Policy PSP40 of the PSP Plan concludes that residential development proposals within the open countryside including alterations, extensions or the 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. In particular, the conversion and re-use of the existing building is for

- residential purposes; it is of permanent and substantial construction, and the extension part of the conversion is not considered disproportionate to the original building, as it is set down from the existing ridge and set back from both the front and rear facade of the host building, ensuring subservience.
- 5.7 Policy PSP39 also states that the conversion or sub-division of existing residential buildings into smaller units of self-contained residential accommodation will be acceptable, provided that they do not harm the character and amenity of the area within which they are located or indeed prejudice the amenity of neighbours. This proposal has been carefully assessed and has found to be compliant with the requirements of PSP11, PSP39, PSP40, CS4a, CS5 and the presumption in favour of sustainable development as set out at paragraph 11 of the National Planning Policy Framework February 2019.
- 5.8 Finally, and in terms of the planning history, a neighbouring property at No 24 Bitterwell Close, applied for permission for an extension and conversion of a detached garage into 1No new dwelling, and it was granted planning permission subject to conditions in August 2020. This property is located approximately 15 meters from this application site.
- 5.9 As the application at No24 Bitterwell Close did not form part of the previously refused application P20/17971/F, officers therefore consider it as a new material consideration in respect of this current application. The officer report set out the justification for allowing the extension and conversion of the garage to the 1No. dwelling, particularly against policy PSP40, which sets out that the conversion and re-use of buildings for residential purposes is acceptable, subject to certain criteria being met. Therefore officers can conclude that it is against this policy which this proposal at the application site can be assessed, as the precedent of No 24 Bitterwell Close, with a similar proposal, located just 15m away, may carry substantial weight.
- 5.10 Green Belt
CS5 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 states that proposals for development in the Green Belt must comply with the provisions in the National Planning Policy Framework February 2019. The objective is to protect the openness of the Green Belt.
- 5.11 The National Planning Policy Framework February 2019 sets out the limited types of development that may be considered acceptable in the Green Belt. Paragraph 145 (c) allows for the principle of an extension or alteration to a building provided that it does not result in disproportionate addition over and above the size of the original building. Furthermore, certain other forms of development are also not considered inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it, such as paragraph 146 (d) the re-use of buildings, provided that the building is of permanent and substantial construction.
- 5.12 PSP7 of the Policies, Sites and Places Plan goes on to demonstrate that inappropriate development is harmful to the Green Belt and will not be acceptable unless very special circumstances can be demonstrated that clearly

outweigh the harm to the Green Belt, and any other harm. It is noted that additions to dwellings in the Green Belt will be only be acceptable provided they do not result in a disproportionate addition over and above the size of the original building. PPS7 also states that additions proposed that exceed a 30% volume increase, will still be carefully assessed, paying particular regard to whether the proposal would appear out of scale and proportion to the host dwelling. Therefore, should the percentage increase of the proposed extension be significantly greater than 30%, then it is less likely that the extension would be considered proportionate.

- 5.13 With this proposed extension to the existing annexe to facilitate a conversion to 1No dwelling, it demonstrates a total volume increase of less than 41% to the existing converted garage annexe. The existing annexe has existing permission for a side extension of the same size as is proposed in this application, by virtue of application PT09/6044/F and this is therefore a material consideration.
- 5.14 Officers note that as this forms a material consideration in the decision making process and as the extension was deemed to be a 41% increase in floor area of the original building, the proposed increase in cubic volume terms is therefore less, as the extension is set down from the ridge height of the existing building. Officers can therefore summarise that this proposed extension would be deemed proportionate and not harmful to the openness of the green belt and it is therefore concluded that the proposed extension to the existing annexe is in compliance with the policies of the NPPF and CS5.
- 5.15 Design and Visual Amenity
Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Policy CS1 is fully compliant with design guidance in the NPPF.
- 5.16 The proposed extension to the existing building (which will then facilitate the conversion to 1No dwelling), will have an overall width of 2.5 metres and will be 4.7 meters in depth (as per the already approved extension under PT09/6044/F). The proposed side extension will be set back from the original front fa ade by 0.64 meters and 2.28 meters from the rear fa ade. Therefore the proposed 1No dwelling will have an overall width of 10.4 meters and maintain an maximum depth of 7.6 meters.
- 5.17 The proposed dwelling is to have a gable parapet end pitched roof and will have an eaves height of 2.6 meters (maintaining the eaves height of the existing annexe to the front elevation only) and will have an eaves height of 5.0 meters to the rear fa ade, from ground level. The proposed ridge to the extension will be subservient to the main ridge.
- 5.18 Overall, there are 3No new pitched roof dormers, 2No sliding folding doors and 1No new front entrance door, with a glass side panel proposed to the front elevation. 2No velux windows and 1No casement window are proposed to the

- rear elevation, with 1No patio door and 1No casement window to the side elevation, overlooking the private amenity space and patio. The proposed side elevation of the extension (adjacent to No 22 Bitterwell Close's private amenity space) will feature 1No obscure glazed casement window to the first floor within the stone elevation and 1No personnel door to the ground floor. Stone lintels are proposed to some of the openings to the front and rear elevations together with a combination of stone and render to the facades.
- 5.19 The proposed dwelling is situated towards the eastern end of the site and therefore will contribute to the street scene of Ram Hill. Although this proposal seeks to increase the scale and massing of the existing annexe structure, it would also fundamentally alter the character of the building, and the way in which it interacts with the street scene.
- 5.20 The main assessment therefore is whether a new dwelling house of the design proposed, would sufficiently respect existing built form in the area, and integrate successfully in to the immediate street scene. The existing street scene comprises of existing properties, generally set back from the highway, and served by relatively spacious gardens. Apart from the proposed extension, the existing building and its associated area for parking and amenity space is already in situ and consequently integrates successfully. Therefore, it is concluded that the proposal would not have an adverse impact on the visual amenity or the character of the locality. The proposal does represent a high standard of site planning and design, and is therefore compliant to policy CS1.
- 5.21 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. 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.
- 5.22 The proposal seeks to increase the scale and massing of the existing building through to an extension creating 1No dwelling. It is noted that the building would remain at a single storey level with dormers to the roof, with windows proposed to be inserted mainly in the front and side elevations, mainly facing towards the private amenity space and proposed parking area.
- 5.23 However, the proposed dormers to the front façade, the 2No velux windows to the rear elevation, would create an impact of an additional level of overlooking, to the existing surrounding properties in a southerly and northerly direction from the proposed dwelling. Furthermore, this resubmission proposes 1No obscure glazed window (2.0 meters in height by 0.6 meters in width) to the side elevation, which would overlook the private amenity space of the adjacent neighbouring property of No 22 Bitterwell Close. Although there would be some minimal impacts of loss of privacy from overlooking, officers have concluded that given the obscure nature of the glazing, that it would not be harmful to the amenities of neighbouring properties.

- 5.24 The impact on No 22 Bitterwell Close has also been considered. The proposed 1No dwelling will project further than the existing building footprint, through the introduction of the proposed extension. The existing boundary between the 2No properties consists of a 1.8 metre timber panel fence, which will be situated 0.5 meter away from the proposed stone façade, gable end, side elevation of the proposed extension, enabling an appropriate buffer and access for maintenance. Given the scale and orientation of the proposed dwelling, officers are satisfied that the proposal would not result in a significant overbearing impact to the occupants of the host property (No 22 Bitterwell Close).
- 5.25 Also, and in terms of the standard of living to be afforded to any future occupiers, it is considered that sufficient levels of internal floor space are provided, with the internal arrangement not considered to be unduly cramped. Whilst it is noted that mainly windows would be located to the front elevation, given the size of the windows in relation to the unit as a whole, it is considered that the interior would be served by adequate levels of natural light.
- 5.26 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. In terms of vehicular access to the site, this is currently gained via an existing access point immediately to the east of the existing annexe. This leads on to an area of permeable paving, which appears to demonstrate the use and manoeuvre of 2No vehicles.
- 5.27 As such, the parking area is sufficiently large as to provide external parking for 2No vehicles, fulfilling the South Gloucestershire parking standards and therefore there are no transportation objections. However, and in light of the council's recent declaration of a climate change emergency, increased weight is being provided towards environmentally sustainable policies. It is therefore not considered to be unreasonable to condition the provision of one electric vehicle charging point, in line with transport officer recommendations, should officers be minded to approve the application.
- 5.28 Private Amenity Space
Policy PSP43 of the Policies, Sites and Places Plan outlines that all residential units should be provided with adequate levels of private, usable, accessible amenity space. As illustrated on the proposed site plan, the proposed 1No dwelling will benefit from a good amount of private amenity space as shown. PSP43 sets out the standards which are based on the number of bedrooms at a property, and as there are 2No bedrooms proposed, then 50m² is required. No concern is therefore raised to the level of amenity space being proposed.
- 5.29 Within the proposed amenity space to the front of the proposed dwelling, is a well-established existing mature tree. Together with the retention of this tree, the existing private amenity space of the original dwellinghouse at 22 Bitterwell Close, remains a large garden, and measures almost 10 meters in depth and almost 20 meters in width (in line with the width of the dwellinghouse), creating a practical and useable space.
- 5.30 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.

- 5.31 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. Detailed landscape plan specifying protection measures for the existing tree (to BS5837:2021); the location, species, stock size of new structure planting together with details of all proposed new boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required.

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.

3. The development shall not be occupied until one electric vehicle charging point has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable transport choices and to accord with SGC policy CS8.

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

Location Plan (Date all received 14/05/21)

Existing Plans

Proposed Plans and Block Plan

Cycle and Bin Store Plans

Planning Statement

Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: Marie Bath