

# 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: 10/21

**Date to Members: 12/03/2021**

**Member's Deadline: 18/03/2021 (5.00pm)**

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

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

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

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

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

### **Additional guidance for Members**

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

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

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

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

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

**A template for referral is set out below:**

## **Referral from Circulated Schedule to Development Management Committee**

1. Application reference number:

2. Site Location:

3. Reasons for referral:

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

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

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

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

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

**Date:**

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

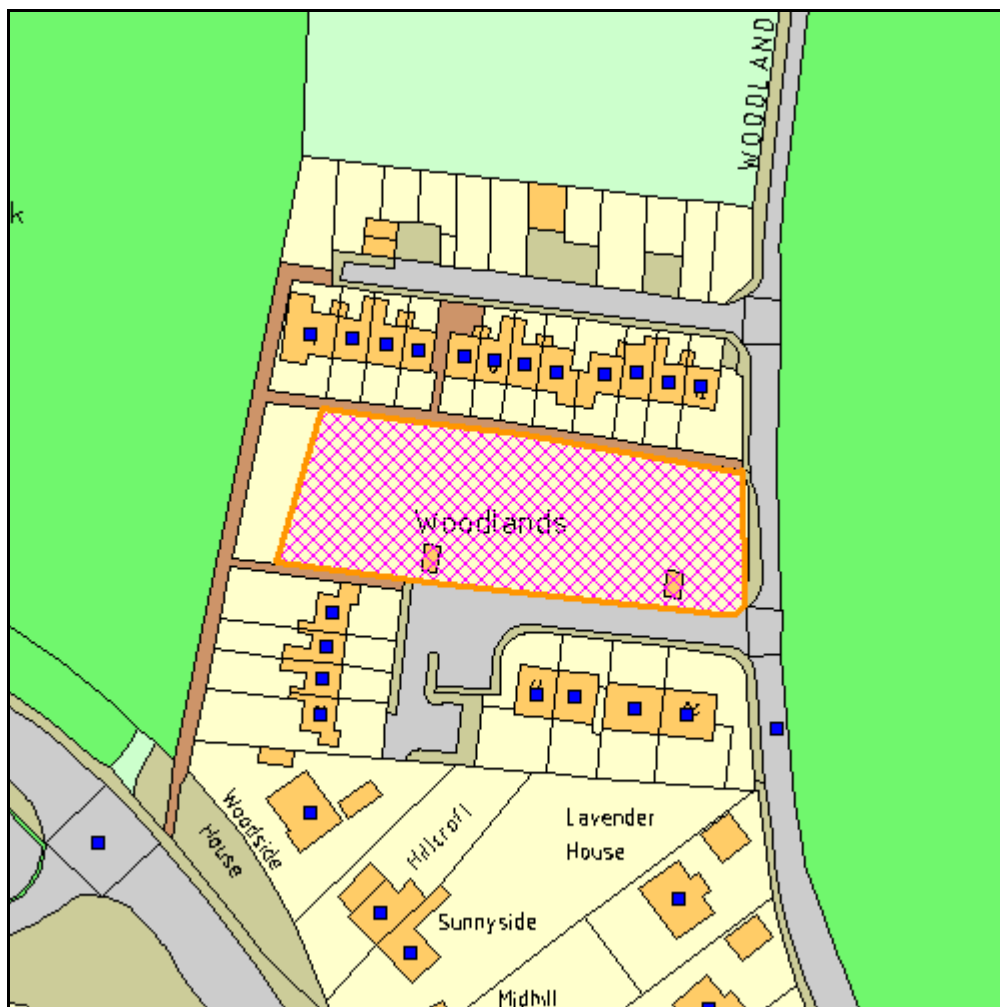
# CIRCULATED SCHEDULE 12 March 2021

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>P19/19333/R3O</b>	Approve with Conditions	Land At Woodlands Road Tytherington Wotton Under Edge South Gloucestershire GL12 8UJ	Frampton Cotterell	Tytherington Parish Council
2	<b>P20/23273/RVC</b>	Approve with Conditions	Land At Former Frenchay Hospital Site Frenchay Park Road Frenchay South Gloucestershire BS16 1UU	Frenchay And Downend	Winterbourne Parish Council
3	<b>P21/00039/TRE</b>	Approve with Conditions	43 Woodlands Road Charfield South Gloucestershire GL12 8LT	Charfield	Charfield Parish Council
4	<b>P21/00358/F</b>	Approve with Conditions	Building At The Bristol Mineral Works Limekiln Road Yate South Gloucestershire BS37 7QB	Chipping Sodbury And Cotswold Edge	Wickwar Parish Council

**CIRCULATED SCHEDULE NO. 10/21 -12th March 2021**

<b>App No.:</b>	P19/19333/R30	<b>Applicant:</b>	South Gloucestershire Council SGC
<b>Site:</b>	Land At Woodlands Road Tytherington Wotton Under Edge South Gloucestershire GL12 8UJ	<b>Date Reg:</b>	9th January 2020
<b>Proposal:</b>	Erection of 6 no. self build dwelling (Outline) with access to be determined, all other matters reserved.	<b>Parish:</b>	Tytherington Parish Council
<b>Map Ref:</b>	366635 188784	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th March 2020



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 100023410, 2008. N.T.S. P19/19333/R30

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 objections from the residents and

### **1. THE PROPOSAL**

- 1.1 This is an outline planning application for the erection of 6 no. self-build dwellings with access to be determined, all other matters reserved, on land at Woodlands Road, Tytherington, Wotton Under Edge.
- 1.2 The site, is an area of 0.18 hectares, is situated within the settlement boundary of Tytherington and formerly used as an allotment until 2012. The site is not situated within Bristol / Bath Green Belt or any conservation area. The site is however within an area of archaeological potential, and is adjacent to the boundary of the Medieval settlement of Tytherington and only a little more than 400 meters from the Iron Age hillfort called the Castle (a schedule monument). Evidence for historic lime working is also evident within the immediate landscape. A public footpath runs along the eastern boundary of the site.
- 1.3 In support of the application the following documents have been submitted:
- Design and Access Statement
  - Arboricultural Report
  - Coal Mining Report
  - Self Build Design Code
  - Ecological Survey
  - Ground Investigation and Permeability Test
  - Archaeological Desk-Based Assessment
  - Acoustic Report

### **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
CS4	Renewable or low carbon district heat networks
CS4a	Presumption in favour of sustainable development
CS8	Improving accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing

CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and cultural activity
CS24	Green Infrastructure, 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
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP24	Mineral Safeguarding Areas
PSP37	Internal Space Standards and Accessibility Standards for Affordable Dwellings
PSP43	Private Amenity Space Standards
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

Affordable Housing Supplementary Planning document (Adopted)

South Gloucestershire Residential Parking SPD (Adopted)

South Gloucestershire Landscape Character Assessment SPD (Adopted)

South Gloucestershire Waste Collection SPD (adopted Jan 2015)

South Gloucestershire Community Infrastructure Levy (CIL) & Section 106

3. **RELEVANT PLANNING HISTORY**

None

4. **CONSULTATION RESPONSES**

4.1 Parish Council: Tytherington Parish Council have concerns that the houses in question will be in keeping with the present houses in Woodlands. They also hope that due consideration will be given to the flooding and the already low water pressure in the area. They would like to draw attention to the fact that the present electricity supply is feed by a cable attached to a pylon which is only able 16 feet in the air.

Coal Authority: The site does not fall within the defined Development High Risk Area.



Highway Officer: No objection in principle, subject to conditions securing the size of the parking spaces and the installation of electric vehicle charging point for each dwelling.

Highway Structure: No comment

Archaeology Officer: No objection subject to conditions

Drainage Engineer: No objection subject to conditions

Ecology Officer: No objection subject to conditions

Environmental Protection: The Environmental Noise Assessment has been submitted. No objections provided that the recommendation included in the report are followed.

Arboricultural Officer: There are no objections in principle to this proposal however there are no trees proposed for the site with the revised site plan. The applicant can provide mitigation planting for the removal of the existing trees by offering funding for the planting of trees on Council owned land in the local area.

Self-Build Officer: No objection. It is recommended that a phasing plan is submitted where the principle access road is the first phase and plots are individually phased. The phasing plan will need to be conditioned as such in the planning permission to meet CIL exemption requirements; Confirmation plots will be delivered as serviced plots (all utilities connected to each plot).

Urban Designer: No comments received.

## **Other Representations**

### 4.2 Local Residents

7 no. objections were received, and comments are summarised as follows:

#### Highway concerns

- would cause parking problems
- large vehicle required to a major works and large deliveries
- The small single road is not suitable for this
- major disruption to the people living here
- The vehicles taking up space and being in the way off residents
- The access through Woodlands Road is narrow due to the already overcrowded parking. This development would make this worse.
- Visitor parking is already constrained and the two visitor bays identified will likely be in regular use by the residents of the new houses reserving their allocated parking lots for other purposes.
- The bottom of single track road has poor visibility onto the main road.
- The current public transport options are limited.
- increase risk of accidents
- emergency service access problems

- safety issues concerning the single track access road from the main road, lack of local transport (meaning all property's will need cars)
- The highway is already deemed unsafe to walk to school.
- would adversely affect highway safety on an already busy street with no passing places.
- There would certainly be an increase on on-street parking in the area.
- I cannot see how one of the properties next to the hedge would even be able to reverse out of their driveways with the cars parked all along the opposite pavement.
- We would lose 3 (on-street) parking spaces in an already saturated street
- The access would be problematic due to the access to Woodlands road being narrow with only room for 1 car at a time.
- There is a lot of traffic generated by the football club with matches, training and deliveries all using Woodlands road.
- The construction traffic needed for the dwellings and all the debris created would be extremely problematic for residents especially on exiting Woodlands road down the steep hill onto Stowell Hill road.

#### Design concerns

- destroy the views from my home
- The patch of grass on which the development is proposed provides an already small amount of 'breathing space' to the area.
- Without this the area of housing would be very hemmed in and end up in a 'council estate' feel which isn't suitable in this countryside village
- This area provides a valuable amenity space for the people of Woodlands and woodlands Road
- loss of the open aspect of the neighbourhood
- The proposed buildings are out of character
- over development in a village that has no school or other local services
- The plan for 6 individual plots/developers does not promote the idea of houses in-keeping with the existing residencies surrounding the plots.

#### Amenity concerns

- Loss the field to play sports and keep active
- The current buildings on 2 sides of the proposed development are bungalows and the proposed are houses hence I can't see how this can be allowed.
- severe loss of light to current property's,
- current houses being over looked,
- Every house here has either oil heating or other types. I think that the air source heat pumps would be noisy and disruptive.
- The shared grass area that is central to the Woodlands community would see the local children, grandchildren, nieces and nephews lose a safe and valuable playing area.

#### Environmental concerns

- environmental damage to the area
- This development is very unreasonable
- access and resources are already scarce in the immediate area; there is no gas supply.

- We will lose the wildlife corridor and we will be pushing these species away from the area.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

This is an outline planning application for an erection of 6 no. self-build dwellings with access to be determined, and all other matters reserved. As the site is within the settlement boundary of Tytherington and in the defined rural areas of South Gloucestershire, as set out in CS34. As such, based solely on the location of the site, the principle of the development is acceptable.

- 5.2 The site is also situated within an undesignated open space within the settlement of Tytherington. Policy PSP5 states that development proposals will be acceptable if it does not adversely affect the quality, character, biodiversity, sustainable water management, recreation opportunities, heritage value, amenity or distinctiveness of the locality. These elements have been considered as follows:

### 5.3 Loss of undesignated open spaces

The site, an area of 0.18 hectares, was formerly used until 2012 as an allotment and it is now laid to grass. A public footpath runs along the eastern boundary of the site and it links to the nearby Harkwicke Playing Field. Whilst the proposal would result a loss of grassed area, it is considered such loss would not be so detrimental to the amenity of the nearby residents given that its proximity to the existing playing field and the public footpath. From visual perspective, the site is located between a group of bungalows and a row of 2 storey properties. Given its open nature and location, the area does give a visual break within the built environment. The proposal would therefore cause some impact upon the visual amenity of the locality, and such impact should be given some modest weight.

### 5.4 Design, Layout and Landscaping

This is an outline application for up to 6 dwellings where such matters as appearance, layout and scale, landscaping are reserved for future consideration. The Design and Access Statement (DAS), the Design Code and the Plot Passport for each individual plots are the primary document for consideration. It is therefore necessary to consider the principle of whether an adequately designed residential scheme could be delivered at the site without adversely harming the character and visual amenity of the area.

- 5.5 Para. 130 of the NPPF sets out that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards. As it is an outline application, the design of each plot will be considered at the reserved matters stage.

- 5.6 In terms of the site layout, the proposed layout plan and Plot Passport for each dwelling were submitted. The plans show that the dwellings at plot 4-6 and the dwellings and plot 1-2 would share the same frontage among them. The development pattern also follows the existing linear development pattern with

the existing neighbouring properties. Moreover, the proposed build zone and the associated outdoor amenity space to the size of each plot are well proportionated. The individual Plot Passports have indicated that the height of new dwelling and the potential rear extension would follow the topography of the site and respect the height of the neighbouring properties.

- 5.7 Policy PSP2, CS1 and para. 127 of the NPPF set out that effective landscaping should form an integral part of the design of the development. It is noted that the existing trees are scheduled for removal to make way for the proposal. To mitigate the loss of the existing landscape features, a 2 metre wide hedgerow is proposed to the northern boundary of the site. In addition, a comprehensive landscaping scheme and a tree planting for each plot would be expected to be submitted as part of a Reserved Matters application.

In summary, it is considered that the proposed layout and scale can be supported subject to appropriate conditions as the submitted detailed layout and scale would not be harmful to the character of the site.

5.8 Residential Amenity

Residents' concerns are noted. Based on the submitted layout of the site, given the proposed dwellings orientation, the height of dwellings, the separation distance (approximately 16 metres front to front, 18-21 metres front to rear, 14 metres front to side and 5 metres side to side) between new dwellings and the existing dwellings, it is considered that the proposal would not introduce detrimental impact upon the residential amenity of surrounding occupiers. Furthermore, a condition is imposed to restrict no window to be installed to minimise the overlooking or inter-visibility upon the existing properties.

- 5.9 In terms of the provision of amenity space, the following table shows the size of outdoor space for each plot.

	No. of bedrooms	Area of Amenity Space without extension (approx.)	Area of Amenity Space with extension (approx.).
Plot 1	3	90 sqm	88 sqm
Plot 2	2	81 sqm	62 sqm
Plot 3	3	113 sqm	91 sqm
Plot 4	3	106 sqm	87 sqm
Plot 5	3	97 sqm	79 sqm
Plot 6	3	89 sqm and the hedges to be retained.	63 sqm and the hedges to be retained.

Given that the proposed outdoor space would meet the Council's suggested amenity space and the proposed layout demonstrates that the proposed spaces are functional and well related to the character of the locality, there is no objection in this regards.

5.10 Due to the proximity to the motorway, the Environmental Noise Assessment issued by MACH Acoustics Ref: RP 200821 – Woodlands Tytherington – BS8233 was submitted. The Council Environmental Protection Team has reviewed the submitted report and is satisfied with the Report's recommendation. Subject to condition to secure the recommendations are followed, there is no objection in this regards.

5.11 Removal of Permitted Development Rights

Paragraph 53 of the NPPF states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. Whilst, the proposed site layout plan and plot passports show the distance between the new dwellings and the neighbouring properties, it is an outline planning application with only access to be determined. Furthermore, the legislation for permitted development rights have recently introduced Class AA - enlargement of a dwellinghouse by construction of additional storey. Other existing Classes in the legislation would also allow certain development without the express of planning consents.

Class A	Enlargement, improvement or other alteration of a dwellinghouse
Class B	Additions etc to the roof of a dwellinghouse
Class E	Buildings etc incidental to the enjoyment of a dwellinghouse

Therefore, given the residents' concerns, the close proximity to the neighbouring properties, and topography of the site, it would be necessary to impose a condition to restrict permitted development rights to safeguard the visual amenity of the site and residential amenity of the neighbouring residents.

5.12 Access and Parking

The access is to be determined at this stage. Residents' concerns are noted. Regarding the highway safety, the Highway Officer has reviewed the accidents records within the locality and confirmed that no injury accident records last 5 years. Given that the nature of the road, which is primary residential, it is considered that no objection to the use of the existing access for the proposed development from highway safety perspective. It is also considered that the proposed access is acceptable and the existing turning area is adequate for services and emergency vehicles to use. Therefore, there is no highway objection in this regards. In terms of parking provision, the revised drawings with correct scale have been submitted. The plans shows 2 no. parking spaces are proposed for each dwelling and 2 no. visitor parking space are also proposed within the site. Officers consider that the level of proposed parking spaces are acceptable. Subject to condition securing the size of each parking spaces would be a minimum of 3 metres wide by 5.5 metres long and one electric vehicle charging point to be installed for each dwelling, there is no highway objection to the proposal.

5.13 Ecology

An Ecological Survey by Wessex Ecological Consultancy (January, 2017) has been submitted in support of this application. The Council Ecology Officer has

reviewed the submitted details. No Statutory or non-statutory sites will be directly affected by this proposal. The site comprises of a piece of grassland which has been regularly mown and hedges along the eastern boundary is to be retained. This is a remnant of a historic field boundary and contains six woody species making it an important hedgerow under the 1997 Hedgerow Regulations. There is a single cypress growing on site. The report confirmed that the following:

Bats – There are no roosting habitat on site and the habitat is not suitable for foraging or commuting bats

Great crested newt (GCN) – The habitat is not suitable for GCN's

Nesting birds – The hedgerow offers some potential for nesting birds

Reptiles – The habitat was not suitable for reptiles

Badger - There were no signs of badgers on site

It is noted that no enhancements have been recommended in the Ecological Survey by Wessex Ecological Consultancy (January, 2017). The design and access statement and the proposed site plan shows a new hedge to be planted along the northern boundary, this should be a mixed native hedgerow so that it is in keeping with the existing hedgerow. Further enhancements should include integrated bird boxes such as sparrow nest terraces in each of the new dwellings. Therefore subject to condition for seeking details of proposed hedges and biodiversity enhancement features such as, bird boxes, there is no ecological objection.

#### 5.14 Archaeology

The proposed development site is within an area of archaeological potential. It is adjacent to the boundary of the Medieval settlement of Tytherington and only a little more than 400m from the Iron Age hillfort called the Castle (a scheduled monument). Evidence for historic lime working is also evident within the immediate landscape. The applicant submitted an archaeological desk-based assessment to support the proposal. While there has clearly been some limited impact to the surface of the site from its most recent use as allotment gardens, it cannot be concluded that this reduced the impact of the proposal on subsurface archaeological deposits. Therefore it would be necessary to impose a pre-commencement condition, including any exempt infrastructure, geotechnical or remediation works, to seek a programme of archaeological investigation (evaluation) and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy (or where the results of the evaluation are negative, a final evaluation report). Subject to this condition, there is no archaeological objection.

#### 5.15 Other Matters

Parish Council's concerns regarding the overhead services was noted. The applicant is aware of this existing infrastructure and it will be the applicant's responsibility to relocate it to an appropriate location. Regarding the concerns regarding the loss of view, it would not be material planning consideration.

## 6. PLANNING BALANCE

- 6.1 The NPPF sets out in para. 7 that the purpose of planning is to contribute to the achievement of sustainable development. The Government recognises that there are three overarching objectives which are interdependent. These are economic, social and environmental.

### *Economic Objective*

- 6.2 The development would have economic benefit of providing housing and infrastructure within the locality. It would lead to the direct formation of construction jobs (although these are temporary in nature and therefore can be afforded limited weight). It would also enable greater economic spending in the area through additional population growth. A greater population would also help support local goods, services and facilities. These economic benefits attract modest weight in favour of granting permission.

### *Environmental Objective*

- 6.3 Some harm has been identified to the visual amenity of the site and the loss of existing trees, such harm places some weight against the grant of planning permission. Having said this, there would be some benefits to biodiversity through additional hedgerows along the northern boundary and additional biodiversity enhancement features, such as bird boxes. In addition, the installation of an electric vehicle charging point for each dwelling would also encourage future residents to use zero emission vehicles. While there are some benefits, it can only be considered modest as it seeks to minimise any impact of the development itself. In terms of weight attribution, this factor is considered neutral.

### *Social Objective*

- 6.4 There would be some social harm, this would be in relation to the loss of undesignated open space without replacing with better or equivalent provision in terms of quantity against the scheme. A modest weight is given. Having said that, the development would also result in considerable social benefits. The Self-build and Custom Housebuilding Act 2015 placed a duty on local authorities to keep a register of individuals (and associations of individuals) who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects, to publicise that register and to have regard to it when carrying out planning and housing functions. Relevant authorities must give suitable development permission to enough serviced plots of land to meet the demand for self-build and custom housebuilding in their area (Housing and Planning Act 2016). South Gloucestershire Council have kept a register since the 1st April 2016, as of the 31st January 2020 the total number of entries on the register was 895 against which 228 plots have been granted planning permission. Given that the current provision of self-build plot is considerable below the number of entries on the register, it is considered that the provision of 6 no. self-build plot would make positive contribution to the overall delivery within the South Gloucestershire area.

## 6.5 Overall Planning Balance

The principle of development is in accordance with the development plan, and therefore paragraph 11 of the NPPF sets out that the development should be approved without delay. The NPPF sets out that there is a presumption in favour sustainable development. The assessment above has found that there would be some harm arising from the development, however, these would largely be mitigated against. In any case, it is considered that the wider public benefits of the development would outweigh the harm. As such, it is recommended that the development is approved.

## 7 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.

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. With regards to the Duty, the development contained within this planning application is considered to have a neutral impact as equality has been considered through planning policy.

## 8. CONCLUSION

- 8.1 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.
- 8.2 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.

## 9. RECOMMENDATION

That planning permission be granted subject to the following conditions:

### CONDITIONS

1. Approval of the details of the scale, layout and appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained on a phased basis in accordance with the submitted Phasing Plan, Drawing No. F002.DA 05, from the Local Planning Authority in writing before any development is commenced.



Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, in accordance with the submitted Phasing Plan, Drawing No. F002.DA 05, including details of existing and proposed site levels and ground floor slab levels for the respective dwellings, details of the new native hedgerow along the northern boundary shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority on a phased basis in accordance with the submitted Phasing Plan, Drawing No. F002.DA 05 before the expiration of three years from the date of this permission.

Reason

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

4. The development hereby permitted shall be begun on a phased basis in accordance with the submitted Phasing Plan, Drawing No. F002.DA 05 either before the expiration of three 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).

5. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, AA, B, E), 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

In the interests of minimising the visual impact of the area and the residential amenity of the neighbouring properties, in accordance with policy CS5 and CS34 of the South Gloucestershire Core Strategy, policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and the National Planning Policy Framework.

6. No windows shall be inserted at any time in either side elevation of the proposed dwellings hereby approved.

Reason

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

7. The dwellings hereby approved shall not exceed the indicated height measurement stated in the respective Plot Passports, which are received on 10 March 2021.

Reason

To ensure the satisfactory external appearance of the development, in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP1 and PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS1 and CS34 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 the submitted phasing plan, which was received by the Council on 1st March 2021.

Reason: In the interests of clarity and proper planning.

9. No dwelling shall be first occupied until noise mitigation has been carried out in accordance with a scheme that has first been submitted to and approved in writing by the local planning authority. This shall be in accordance with the recommendations stated in the accordance with the Environmental Noise Assessment Document Reference RP 200821 - Woodlands Tytherington - BS8233, which was received by the Council on 10 September 2020. The acoustic mitigation measures shall be carried out in accordance with the approved details and shall be maintained as such for the lifetime of the development.

Reason

To protect the amenities of the occupiers of proposed dwelling houses, and to accord with Policy PSP8 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and the provisions of the National Planning Policy Framework.

10. Notwithstanding the submitted site layout and plot passports, the proposed parking spaces including the visitor parking spaces shall be a minimum of 3 metres by 5.5 metres in size.

Reason

To ensure the satisfactory provision of good standard parking spaces, in the interest of highway safety and the amenity of the area, and to accord with Policy 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.

11. Prior to the first occupation of proposed dwellings hereby approved, one electric vehicle charging point shall be installed for the respective dwelling.

Reason: To reduce the CO<sub>2</sub> footprint of transport and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2018).

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

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

- A clearly labelled drainage layout plan showing the exact location of any soakaways.
- Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal
- Note the Percolation / Soakage tests will need to be carried out in the location of the proposed soakaway.
- Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
- Sp. Note; - Soakaways must be located 5 Metres from any structure including the Public Highway
- Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.

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.

13. Prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, a programme of archaeological investigation (evaluation) and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy (or where the results of the evaluation are negative, a final evaluation report), must be submitted to and approved by the local planning authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

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

14. The development should proceed in accordance with the recommendations made in Ecological Survey by Wessex Ecological Consultancy (January, 2017). This includes avoiding disturbance and harm to birds and the SNCI to the east of minor road during construction.

Reason

In the interests of wildlife habitats, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

15. Prior to the first occupation of the respective dwelling, the location and type of Schwegler Sparrow Terraces shall be submitted to the Local Planning Authority for approval in writing. The approved nest box shall be installed prior to the first occupation of the dwelling and shall be retained as such thereafter.

Reason

In the interests of biodiversity enhancement, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

16. The proposed development hereby approved shall be carried out in accordance with the following documents:  
Design and Access Statement  
Design Code  
Plot Passport Drawings No. F002.DA-REVA-04P1-PROP PASSPORT 1, F002.DA-REVA-04P2-PROP PASSPORT 2, F002.DA-REVA-04P3-PROP PASSPORT 3, F002.DA-REVA-04P4-PROP PASSPORT 4, F002.DA-REVA-04P5-PROP PASSPORT 5, and F002.DA-REVA-04P6-PROP PASSPORT 6 , received by the Council on the 10th March 2021.  
Phasing Plan, Project No. F002.DA, Drawing No. 5, received on 1st March 2021  
Revised Proposed Site Plan, Project No. F002.DA, Drawing No. 3, received on 20 April 2020  
Site Location Plan Drawing No. 1, and Existing Site Plan Drawing No 2, received on 19 December 2019.

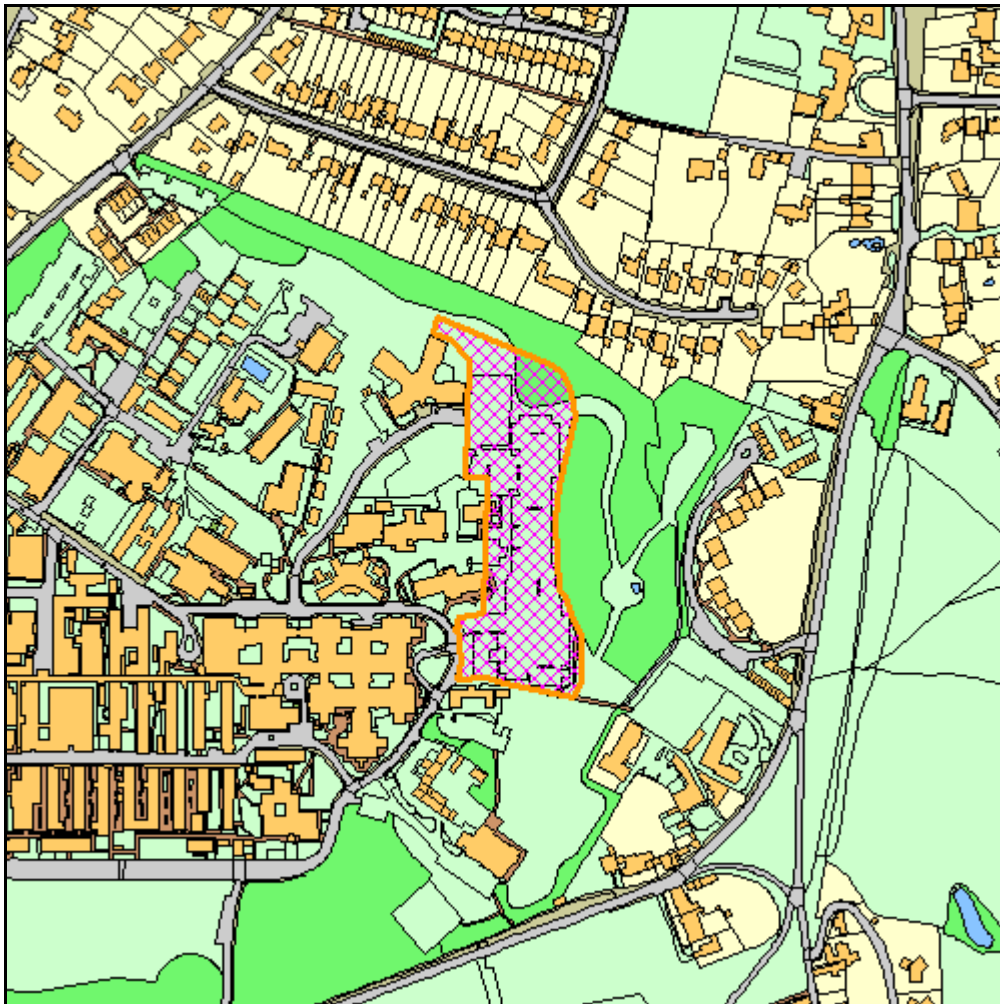
Reason: In the interests of clarity and proper planning.

**Case Officer: Olivia Tresise**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 10/21 -12th March 2021**

<b>App No.:</b>	P20/23273/RVC	<b>Applicant:</b>	South Gloucestershire Council
<b>Site:</b>	Land At Former Frenchay Hospital Site Frenchay Park Road Frenchay South Gloucestershire BS16 1UU	<b>Date Reg:</b>	23rd November 2020
<b>Proposal:</b>	Variation of condition no 2 attached to planning permission P19/3567/F to substitute plans to illustrate variation in design to reduce carbon output	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	363847 177910	<b>Ward:</b>	Frenchay And Downend
<b>Application Category:</b>	Major	<b>Target Date:</b>	22nd February 2021



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 100023410, 2008. N.T.S. P20/23273/RVC

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

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

The application has been referred to the Circulated Schedule as South Gloucestershire Council is the applicant.

### **1. THE PROPOSAL**

- 1.1 This application is made under section 73 of the Town and Country Planning Act 1990 (as amended). Applications made under this section seek to develop land without compliance with conditions previously attached to planning permissions. In this instance, the applicant seeks permission to vary condition 2 attached to planning permission P19/3567/F to substitute plans. This is primarily in order to illustrate a design variation as to reduce carbon output. Other minor changes to the scheme are also proposed, and these are detailed in section 5 of this report. The application relates to the proposed Frenchay Primary School; situated within the former Frenchay Hospital site.
- 1.2 Permission was granted under application P19/3567/F in July 2019 for the construction of a two form entry primary school (420 places) on the former Frenchay Hospital Site. The school will accommodate the existing Frenchay C of E Primary School, which will be relocated from its current site and expanded. The site is 1.3 hectares in size, and is located approximately 700 metres from the existing school.
- 1.3 Further commentary and additional plans were submitted by the applicant to the Local Planning Authority on 5<sup>th</sup> March 2021.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework February 2019  
National Planning Practice Guidance

#### 2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity
CS25	North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP5	Undesignated Open Spaces within Urban Areas and Settlements
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards (Cycle Parking)
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP24	Mineral Safeguarding Areas

2.3 Supplementary Planning Guidance

Frenchay Conservation Area SPD Adopted March 2007  
Design Checklist SPD Adopted August 2007  
Renewables SPD Adopted November 2014  
Waste Collection SPD Adopted January 2015

**3. RELEVANT PLANNING HISTORY**

3.1 **P19/3567/F**

Erection of a 2 form entry primary school and associated works.

Approved: 22.07.2019

3.2 **P19/3568/LB**

Partial demolition of curtilage listed wall.

Approved: 10.07.2019

3.3 **P19/8104/F**

Relevant demolition of existing extension and erection of a replacement single storey side extension to facilitate conversion to 3no dwellings, with parking, screening and associated works. (Building to south).

Approved: 09.03.2020

3.4 **PT17/4904/RM**

Erection of 41no dwellings (Phase 3a) with the provision of public open space and ancillary supporting infrastructure. (Reserved Matters application to be

read in conjunction with Outline Planning Permission PT13/0002/O in regards to scale, appearance and layout) (site to west).

Approved: 29.05.2018

### 3.5 **PT13/0002/O**

Redevelopment of hospital site to facilitate the construction of up to 490 residential units; a new health and social care centre and; a 1 form entry primary school, all with associated works. Outline application with access to be determined: all other matters reserved.

Approved: 05.12.2014

## 4. **CONSULTATION RESPONSES**

### 4.1 **Winterbourne Parish Council**

No objection – however would like it noted that the footpath is currently hogging and should be tarmac. Appears to be no drop-off/pick-up parking for the school and the gap in the football pitch perimeter has not been included.

### 4.2 **Internal Consultees**

#### Archaeology Officer

No comment

#### Children and Young People

No comment

#### Early Years and Childcare

No comment

#### Ecology Officer

No objection

#### Environmental Policy Team

Strongly support the proposal to design and construct the school to the certified Passivhaus (Classic) standard, and the proposal to include air source heat pumps and PV in the specification. However in order to ensure that aims are achieved, request clarification on a number of points.

#### Environmental Protection

No comment

#### Highway Structures

No comment

#### Landscape Officer

No objection

#### Lead Local Flood Authority



No objection

Lighting Engineer

Following submission of more detailed specification of the proposed lighting units and supporting lighting calculations, no objection.

Sustainable Transport

No objection

Tree Officer

No objection

Urban Design Officer

Overall design changes are positive, however amount of render proposed at lower level may cause problems medium and long term. Would suggest substituting for pale buff brick.

Waste Team

No comment

**4.3 External Consultees**

Avon Badger Group

No comment

Avon Bat Group

No comment

Avon Fire and Rescue

No comment

Avon Gardens Trust

Support the additional feature which will reduce carbon output of the school building.

Avon Wildlife Trust

No comment

Bristol City Council

No objection

Bristol Water

No comment

Coal Authority

No comment – site falls outside Development High Risk Area.

Environment Agency

No comment

Frenchay Preservation Society

No comment

Historic England

No comment

National Grid

No comment

NHS

No comment

Police Community Safety

No objection

Sport England

No objection

The Gardens Trust

No comment

Wales and West Utilities

No comment

Wessex Water

No comment

Western Power

No comment

#### **4.4 Other Representations**

Local Residents

No comments received

### **5. ANALYSIS OF PROPOSAL**

- 5.1 This application seeks to vary a condition in order to incorporate a design variation to an approved primary school building.

#### **Principle of Development**

- 5.2 Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.
- 5.3 If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly. If the Authority decides that

planning permission should be granted subject to the same conditions, then the application should be refused.

- 5.4 Therefore, an analysis of other conditions attached to the previous planning consent should also be undertaken against the provisions of paragraph 55 of the National Planning Policy Framework.

### **Analysis of Variation**

- 5.5 The application seeks to amend the plans upon which the previous decision was based, primarily in order to incorporate design changes to the building. The overall aim of the design changes is for the resultant primary school building to achieve Passivhaus Classic certification; and thus a largely passive building design which seeks to reduce energy consumption from the outset. In order to achieve this, the Passivhaus Planning Package (PHPP) design tool has been used in the re-design.
- 5.6 In terms of specific changes to the building in order to achieve Passivhaus certification, features such as increased levels of thermal insulation, use of high-performance triple glazing and very low fabric air permeability levels have been incorporated, in order to reduce the need for heating. The incorporation of efficient systems with regards to building services also allows for energy consumption to be reduced. Reducing peak heat demand allows for required heat to be generated by air source heat pumps; the building is to be fully electric with no fossil fuels consumed on site and no associated on-site combustion emissions. The final stage is the provision of low or zero carbon technologies to generate renewable energy for the development as required to target net zero carbon emissions for regulated energy use. In this case, photovoltaic panels (PV) will be utilised on the roof of the building.
- 5.7 The main changes to the scheme are therefore the design changes to the primary school building as detailed above. In terms of other minor changes proposed as part of the s73 application, these are summarised below:
- Changes to site levels, construction depths of external surfaces, site drainage and lighting strategy.
  - Changes to surfacing of main car park to tarmacadam, to tie in with the proposed new drainage system.
  - Alterations to site levels allowed for removal of proposed retaining wall running along section of western boundary between school and residential block, to be replaced with planted slope and road kerb. Retaining wall on eastern boundary also shortened.
  - Some rationalisation of proposed play features, play equipment and external seating to take into account equipment and seating to be re-used from the existing school site.
- 5.8 Together with the proposed alterations to the building design, the implications of the above changes will also be considered. An analysis of the proposed changes is set out below.
- 5.9 Design

The overall footprint and general form/massing of the building would remain largely unchanged from the approved scheme. The overall design concept has been carried forwards, with a contemporary appearance proposed through the use of cladding at first floor level and render at ground for level. This general design approach was found to be appropriate for the original proposals, and this remains the case for the amended scheme.

- 5.10 The detailed appearance of the building has however been modified in order to improve efficiency. Most notably, a more robust external appearance is proposed through a reduction in the number of openings and glazing in general. Whilst the high levels of glazing originally proposed did add to the contemporary look of the building, the reduction in glazing is not considered to significantly compromise overall appearance, with the benefits in terms of efficiency also given considerable weight.
- 5.11 The urban design officer has reviewed the proposals, and is satisfied that the overall building design is of sufficient quality; with the visual impacts of the modified development being similar to those of the consented scheme. Some concerns were raised with regards to the amount of render proposed at lower levels, and whether this would give rise to maintenance issues in the medium and long-term. The applicant has however outlined that they have specified a through colour monocouche render which provides an attractive, low maintenance finish, and that this render system has been successfully used on a number of past projects. In any case the specific materials to be used in the external finish of the building can be agreed by condition, and therefore it is considered that the matter can be fully resolved at a later stage.
- 5.12 On the basis of the above, the amended scheme is found to be acceptable in general design terms, and it is not considered that the proposals would have any significantly greater impact on visual amenity than the consented scheme. The proposals are therefore considered to comply with the design related policies contained within the Development Plan.
- 5.13 Sustainability  
The proposals have been reviewed by environmental policy officers, who are strongly supportive of the proposal to construct the school to the certified Passivhaus (Classic) standard, and the proposal to include air source heat pumps and PV in the specification. A number of queries relating to the specific elements of the Passivhaus approach were raised by officers, and these have been satisfactorily responded to by the applicant. The improvements to the efficiency of the building are acknowledged by officers, and the overall benefits of the proposed amendments with regards to the sustainability of the development are considered to weigh in favour of the proposals.
- 5.14 Landscaping and Trees  
It is not considered that the proposed changes to the building would have any significant impact on proposed site landscaping or existing/proposed trees. In terms of amendments to the wider site, the applicant has confirmed that there would be no significant changes to proposed landscaping, and that trees would remain unaffected by the proposals. The scheme has been reviewed by both the landscape and tree officers, with no concerns raised. As such, it is not

considered that the amended proposals would have any greater impact in this regard than the approved scheme, and the proposals are considered to comply with policies PSP2 and PSP3 of the Policies, Sites and Places Plan.

5.15 Residential Amenity

No significant concerns regarding the potential impacts of the development on the amenity of neighbouring residents were raised as part of the original application. It is not considered that the proposed changes would result in any materially greater impact. An amended lighting strategy has been submitted by the applicant, and has been found to be satisfactory by the Council's lighting engineer. As such, the proposals are considered to accord with Development Plan policies relating to residential amenity.

5.16 Transport

The transport officer has reviewed the proposals, and does not consider that the proposed changes would have any material impacts on the transport patterns associated with the school or general highway safety. Whilst the changes to the surfacing of the car park are noted, it is not considered that this alteration would have any implications in highway safety terms. Therefore as per the approved application, the proposals are considered to comply with transport related policies contained within the Development Plan.

5.17 Heritage

It is acknowledged that the removal of a section of curtilage listed wall was discussed within the officer report for the original scheme. However the detailed heritage implications of this have already been considered and accepted as part of a separate listed building consent application for the partial demolition of the wall (ref. P19/3567/LB), and therefore further consideration as part of this application is not required.

5.18 Environmental Impacts

In terms of archaeology, ecology and drainage, the proposals have been reviewed by specialist officers, and it is not considered that the revised scheme would have any greater impact in respect of these matters than the approved scheme.

5.19 Other Matters

The points raised by the parish council have been taken in to account. In terms of the matter of a pick-up/drop-off parking area being provided, it is noted that this matter was considered as part of the original application. For the reasons set out in the original officer report, it was concluded that this feature would not be necessary. The matter has also not been raised as an issue by transport officers. It is not considered that the changes proposed by way of this s73 application would materially alter this position, and therefore there is limited scope for requesting such a provision.

5.20 In terms of the matter of the footpath, the applicant has confirmed that this falls outside of the site boundary, but a separate planning submission for the footpath is expected shortly. With regards to the gap in the wall, it is understood that this has already been granted listed building consent through a separate application.

## Other Conditions

- 5.21 As any permission granted under this application would stand as a planning permission in its own right, all other conditions should be reviewed. The conditions should only be reapplied where it is necessary to do so. An analysis of other conditions attached to the previous planning consent P19/3567/F is therefore set out below.
- 5.22 Condition 1 requires the works to commence within 3 years of permission being granted, with works not yet having commenced at the site. Section 73 applications cannot be used to extend an implementation period, and therefore the condition will be updated as to require works to commence within 3 years of the granting of the original consent (by 22<sup>nd</sup> July 2022).
- 5.23 Condition 2 is the subject of this application and will be updated accordingly, factoring in the latest sets of plans. Condition 3 restricts development from commencing until surface water drainage details have been submitted to and approved by the LPA. This condition is still considered necessary and will be carried forwards. Condition 4 requires samples of all external materials to be used on the building to be submitted to and approved by the LPA prior to any construction above slab level. A condition to this effect will be re-applied to any consent. Condition 5 requires details of retaining wall materials to be submitted, and this will also be re-applied.
- 5.24 Condition 6 requires an arboricultural consultant to be appointed, and details of how they will carry out their work to be submitted to and approved by the LPA prior to development commencing. This condition is still considered relevant and will be carried forwards. Condition 7 requires an additional Renewable Energy Statement to be submitted and agreed, and for required measures to increase energy efficiency to be implemented prior to first occupation. It is acknowledged that the primary rationale for the changes proposed under this s73 application is to improve efficiency. That said, it is still considered necessary for detailed measures to be set out to the LPA, to ensure that an appropriate approach is taken with regard to Passivhaus, and ensure that the ambitions with regard to sustainability are realised. As such this condition will be re-applied.
- 5.25 Conditions 8, 9 and 10 relate to contamination, and require investigations to be carried out in accordance with submitted reports. The conditions also require results of investigations to be submitted to the LPA, and for any mitigation works to be carried out prior to occupation. These conditions are still considered to be both necessary and relevant, and will be carried forwards.
- 5.26 Condition 11 requires a scheme of public art to be agreed with the LPA, with condition 12 requiring a planting plan to be agreed. Condition 13 is a compliance condition which requires any planting which is removed or dies within 5 years to be replaced, with condition 14 requiring a landscape and ecological plan to be submitted. All conditions are still considered necessary, and will be carried forwards.

5.27 Condition 15 requires a school travel plan to be agreed with the LPA prior to occupation, with condition 16 requiring details of electric vehicle charging points to be agreed and then implemented. Condition 17 requires a footway link to the south of the site to be provided prior to the first occupation of the school, with condition 18 requiring safe routes to school to be submitted and agreed with the LPA and then provided. It is understood that the provision of 'safe routes to school' is a requirement of the s106 agreement associated with wider outline consent (PT13/0002/O), and the footway is still considered to be necessary prior to the opening of the school. The other transport related conditions are also still considered to be relevant and necessary, and will be carried forwards.

5.28 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.

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

## CONDITIONS

1. The development hereby permitted shall be begun on or before 22nd July 2022.

Reason

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

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

Proposed Ground Floor Plan (Drawing no. 01005 P02)

Proposed First Floor Plan (Drawing no. 01006 P02)

Proposed Elevations (Drawing no. 02001 P02)

Proposed Perspectives (Drawing no. 02002 P02)

Proposed Roof Plan (Drawing no. 27000 P02)

Proposed Sections 1 (Drawing no. 03000 P02)

Proposed Sections 2 (Drawing no. 03001 P02)

Landscape Layout 1 (Drawing no. 103 A)

Landscape Layout 2 (Drawing no. 106 A)

Landscape with Sections (Drawing no. 107 A)

(Received by Local Authority 20th November 2020)

Luminaire Schedule (Drawing no. FPS20-HYD-XX-XX-SH-E-2000)

Electrical Services Plan (Drawing no. FPS20-HYD-XX-00-DR-E-9001 P05)

External Lighting Calculations

(Received by Local Authority 5th March 2021)

And the following plans approved under application P19/3567/F:

Site Location Plan as Existing (Drawing no. 101)

Site Location Plan as Proposed (Drawing no. 011)

Proposed Site Plan Block Plan (Drawing no. 013B)

Plant, Cycle and Storage Unit Plans (Drawing no. 400)

Curtilage Listed Wall Proposals (Drawing no. L100)

(Received by Local Authority 15th April 2019)

Levels and Retaining Walls Sheet 1 of 2 (Drawing no. LA/224/109)

Levels and Retaining Walls Sheet 2 of 2 (Drawing no. LA/224/110)

Retaining Walls Section (Drawing no. LA/224/111)

(Received by Local Authority 24th June 2019)

Reason

To clarify the plans forming this consent.

3. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted to and approved by the Local Planning Authority. This shall include a detailed development layout showing the location of surface water proposals along with results of percolation tests and infiltration calculations to demonstrate that the proposal is suitable for this site. Development shall thereafter be carried out in accordance with agreed details.

Reason

This is a pre-commencement condition, and is required to ensure that provision is made for appropriate drainage to be installed and not jeopardised by construction on



the site and that the drainage for the site is appropriate and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP20 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

4. Notwithstanding the details submitted, prior to the application of any external materials on the main primary school building, samples or details of all external materials to be used on the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason

To ensure high quality design and detailing and to accord with policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy adopted December 2013 and policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan adopted November 2017.

5. The retaining walls shall not be constructed until details of facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure high quality design and detailing and to accord with policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy adopted December 2013 and policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan adopted November 2017.

6. No development shall commence until an arboricultural consultant has been appointed to supervise and monitor the erection of protective barriers around trees and the installation of no dig surfacing and provide site inspection reports on these matters in accordance with the details set out in the Arboricultural Report, and the details of the consultant and how they will carry out this work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

This is a pre-commencement condition as the tree barriers need to be erected prior to works being carried out on site. To ensure trees are retained and satisfactory tree coverage is achieved, and in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policies PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

7. Notwithstanding the submitted details, the building shall not be constructed above slab level until a revised Renewable Energy Statement has been submitted to and approved in writing by the Local Planning Authority. Any required measures to increase energy efficiency and reduction in carbon dioxide emissions in the construction of the building shall be implemented prior to the first occupation of the building and the development shall be carried out in accordance with the approved details.

## Reason

To ensure the development incorporates measures to minimise the effects of, and can adapt to, a changing climate and in accordance with Policy CS1 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP6 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

8. No development shall take place until site investigations as recommended in the Clarkbond Desk Study dated March 2019 (forming part of the approved documents for application P19/3567/F) have been carried out. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems. If unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed. The approved remediation scheme shall be carried out before the development is occupied.

## Reason

This is a pre-commencement condition so the development does not prejudice the ability to deal with any contamination on site in a satisfactory manner. In the interest of public safety, human health, ground water and plant growth and to accord with policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP21 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

9. Prior to first occupation, where works have been required to mitigate contaminants under condition 8 a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

## Reason

In the interest of public safety, human health, ground water and plant growth and to accord with policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and Policy PSP21 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

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

## Reason

In the interest of public safety, human health, ground water and plant growth and to accord with policy CS9 of the adopted South Gloucestershire Local Plan Core

Strategy (December 2013) and Policy PSP21 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

11. Prior to the first occupation of the building, a scheme for the commissioning of an artist and provision of public art on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timeframe for the provision of the public art. The final design of the artwork shall be submitted to and approved in writing by the Local Planning Authority prior to its installation, and shall be installed in accordance with the approved details and within the approved timeframe.

Reason

To ensure the development contributes to the public realm and attractiveness of the Frenchay Park Site and in accordance with Policies CS1 and CS6 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP1 of the South Gloucestershire Local Plan Policies, Sites and Plans Plan adopted November 2017.

12. Notwithstanding the submitted plans, prior to the laying out of external areas, a planting plan shall be submitted to and approved by the Local Planning Authority in writing. The landscaping shall be carried out in accordance with the agreed details in the first available planting season following the completion of the building. In addition to planting details for the landscaping scheme the planting plan shall incorporate the following additional details:
- A feature tree or large shrub incorporated into the shrub planting either side of the entrance;
  - Details of the western boundary treatment, including climbers and shrub planting;
  - Areas of wildflower meadow incorporated around the periphery of the site to increase the sites biodiversity;
  - Wildlife Areas.

Reason

To protect the character and appearance of the area and enhance landscaping and biodiversity, and to accord with Policies CS1 and CS9 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and Policy PSP2 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

13. If within a period of 5 years from the date of the planting of any tree, that tree, or any tree planted in replacement of it, is removed, uprooted or destroyed and dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as the originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason

To protect the character and appearance of the area to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy adopted December 2013 and Policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan adopted November 2017.

14. Prior to the first occupation of the school a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved.

Reason

To protect the character and appearance of the area, enhance landscaping and biodiversity, ensure future appropriate management and to accord with Policies CS1 and CS9 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and Policy PSP2 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

15. Prior to the first occupation of the school hereby approved an updated School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall be implemented in full thereafter.

Reason

To encourage means of transportation other than private car and to reduce the impact on neighbouring occupiers and to accord with policy CS8 of the adopted South Gloucestershire Local Plan Core Strategy (December 2013) and policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

16. Prior to the first occupation of the school hereby permitted, electric charging points together with the identified spaces and infrastructure for their expansion as demand increases shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason

To encourage more sustainable travel and to accord with policy CS8 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

17. Prior to the first occupation of the school hereby permitted, the footway link to the south of the site shall be completed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason

To encourage walking, cycling and scooting to school and to accord with policy CS8 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

18. The school shall not open until appropriate safe routes to school have been provided and details demonstrating the provision of such routes have been submitted to and approved by the local planning authority in writing.

Reason

To encourage walking, cycling and scooting to school and to accord with policy CS8 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and

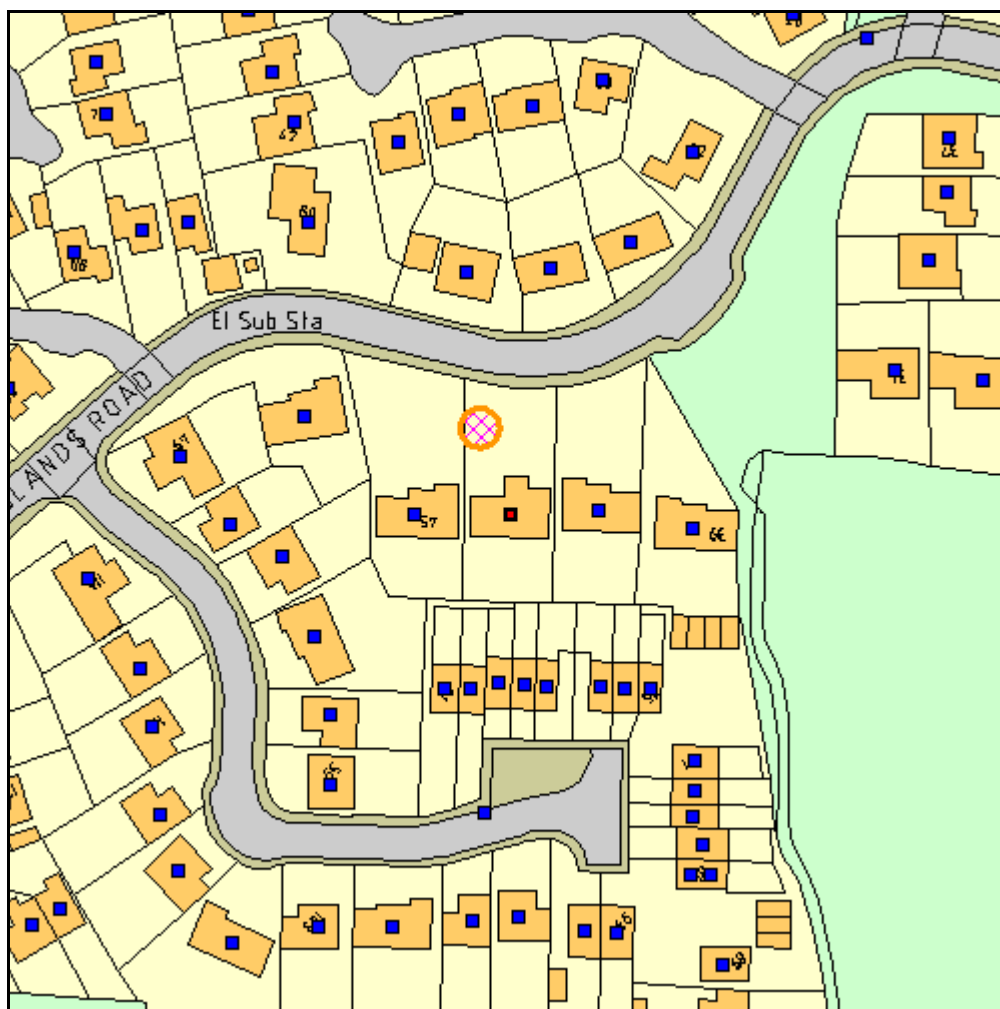
policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan (November 2017).

**Case Officer: Patrick Jackson**

**Authorising Officer: Jonathan Ryan**

**CIRCULATED SCHEDULE NO. 10/21 -12th March 2021**

<b>App No.:</b>	P21/00039/TRE	<b>Applicant:</b>	Susan Brown
<b>Site:</b>	43 Woodlands Road Charfield South Gloucestershire GL12 8LT	<b>Date Reg:</b>	20th January 2021
<b>Proposal:</b>	Works to crown reduce 1no. Oak tree back to previous pruning points. Tree covered by SGTPO 14/7 dated 04/06/2008.	<b>Parish:</b>	Charfield Parish Council
<b>Map Ref:</b>	372471 191773	<b>Ward:</b>	Charfield
<b>Application Category:</b>		<b>Target Date:</b>	15th March 2021



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P21/00039/TRE

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

### **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE/COMMITTEE**

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

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

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

1.1 43 Woodlands Road, Charfield, GL12 8LT

1.2 Works to crown reduce 1no. Oak tree back to previous pruning points.

#### **2. POLICY CONTEXT**

##### 2.1 National Guidance

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

#### **3. RELEVANT PLANNING HISTORY**

3.1 PT18/4793/TRE - Decision: COND, Date of Decision: 08-JAN-19, Proposal: Works to 1 no. Oak tree as described in Section 7 of the application form

3.2 PT18/3550/TRE - Decision:, Date of Decision: , Proposal: Work to crown thin 1no. Oak tree by 10% and reduce crown to a finished height of ?? Metres and radial spread of ?? Metre

#### **4. CONSULTATION RESPONSES**

##### 4.1 Charfield Parish Council

The parish council have objected to the application as follows;

*Charfield Parish Council wish to OBJECT to this application. This application has been made very late in the season, and if work is permitted it ought to be carried out before the first week of March or delayed until after the dormant season begins in October, in order to minimise risk of Oak decline and infection. Certainly, no work should be undertaken during the nesting season. The tree was apparently last crowned by 1.5m in 2018 and it seems early for such a tree to require a similar reduction. We ask that the tree officer provide clear guidance and if possible, advise the landowner as to future upkeep of this valuable amenity tree.*

## **Other Representations**

- 4.3 Local Residents  
none received

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Works to crown reduce 1no. Oak tree back to previous pruning points.

5.2 Principle of Development

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

5.3 Consideration of Proposal

The proposed works would see the minor reduction back to previous of a semi mature Oak tree. The Oak has high amenity value and shows good vitality however, it has been reduced previously and the proposed works are considered as routine maintenance.

The parish council has passed comment with regards to pruning in the nesting season, and I can confirm that pruning can take place in the nesting season on the proviso that no nests exist in the tree. It is common practice for tree surgeons to work all year round and there is legislation in place to protect nesting birds. The authority will of course advise tree owners and contractors to take care within the nesting season however, it is not something the authority can condition or refuse an application on.

It is considered that the works will not cause detriment to the tree and given the species, the Oak will cope well with the routine maintenance applied for.

## **6. RECOMMENDATION**

- 6.1 That consent is **GRANTED** subject to the conditions detailed within the decision notice.

## **CONDITIONS**

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

### 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(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.



2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

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

**Case Officer: Ben Wainhouse**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 10/21 -12th March 2021**

<b>App No.:</b>	P21/00358/F	<b>Applicant:</b>	Penntree Pallets Ltd
<b>Site:</b>	Building At The Bristol Mineral Works Limekiln Road Yate South Gloucestershire BS37 7QB	<b>Date Reg:</b>	5th February 2021
<b>Proposal:</b>	Installation of 2 no. batch-fed gasification biomass boilers.	<b>Parish:</b>	Wickwar Parish Council
<b>Map Ref:</b>	370690 185878	<b>Ward:</b>	Chipping Sodbury And Cotswold Edge
<b>Application Category:</b>	Minor	<b>Target Date:</b>	31st 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 REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule following comments received from the Parish Council, contrary to Officer recommendation.

## **1. PROPOSAL AND SITE DESCRIPTION**

- 1.1 The application is for the installation of 2 no. batch-fed gasification biomass boilers.
- 1.2 The application site is a commercial/industrial building at what is known as the Bristol Mineral Works, Limekiln Road, Yate. The site is occupied by Penntree Pallets, the proposals are for the installation of two batch-fed gasification biomass boilers not exceeding 300kw capacity to provide additional capacity to existing biomass boiler in the supply of heat for space heating, wood chip drying and heat treatment of pallets. The boilers would be 3m high, 2.5 m wide and 1.5 m deep.

## **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS3 Renewable and Low Carbon Energy Generation
- CS4a Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage

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

- PSP1 Local Distinctiveness
- PSP6 Onsite Renewable and Low Carbon Energy
- PSP8 Residential Amenity
- PSP16 Parking Standards

- 2.3 Supplementary Planning Guidance  
Design Checklist SPD  
Residential Parking Standards SPD

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PK02/2124/F - Retention of cladding on west elevation and retention of portacabin. Approved 7/10/02
- 3.2 PK00/2641/F - Retention of screening bunds portacabin and retention of use of the site for the storage and distribution of vehicles and outside storage of pallets. Withdrawn 13.06.2001.
- 3.3 P94/2525/CL - Use of land for processing and storage of minerals and associated plant and machinery. Approved 3/5/96

#### **4. CONSULTATION RESPONSES**

##### 4.1 Wickwar Parish Council

Wickwar Parish Council supports this application as it is a more environmentally friendly solution which supports renewable energy use going forward.

##### Rangeworthy Parish Council

Rangeworthy Parish Council, as an adjoining parish is concerned about the increase in the volume of HGV movements along a country lane that is already not suitable for such vehicles. The Parish Council remains concerned about the suitability and safety of the horse bridge on New Road and the railway bridge on Limekiln Road which is currently only appropriate for single file traffic. Finally, Rangeworthy Parish Council is concerned about the safety of pedestrians and cyclists along these popular walking/cycling routes as there are few safe refuge/pull-in places.

##### 4.2 Conservation Officer

No comment

##### Lead Local Flood Authority

No objection

##### Highway Structures

No comment

##### Landscape

No objection

##### Sustainable Transport

No objections

##### Environmental Protection

The EP team, subject to planning approval, will be issuing a Part B Permit under DEFRA legislation to control emissions to air with detailed conditions to control the activity of a Biomass boiler for disposal of wood waste

#### **OTHER CONSULTEES**

##### 4.3 Local Residents

One letter of objection has been received, as follows:

*'According to the letter accompanying this application, the new boilers will be fed by biomass created on site but it does not elaborate as to how the raw materials will reach the site. The need for two boilers in addition to the existing one implies that there will be a threefold increase in the number of vehicles carrying pallets along New Road and Lime Kiln Road. After the village settlement boundary, New Road becomes a single carriageway country lane, as is Lime Kiln Road and neither has any pavement. The lorries carrying pallets tend to be very long and there are regularly issues when they meet oncoming vehicles. The verges along New Road are generous and a couple of unofficial passing places have arisen as a result but Lime Kiln Road is not as wide plus there are sharp bends as it passes over the railway bridge.*

*The stretch of New Road between the village and Oldwood Lane has always been popular with walkers, runners, cyclists and horse-riders which is why Rangeworthy Parish Council campaigned successfully for the 30mph speed limit to be extended beyond the Horse Bridge across the stream. Since the start of the pandemic, the number of pedestrians has increased exponentially, especially during the winter months when local footpaths across the fields become extremely muddy and this has been the only route for exercise without using a car.*

*Should the Planning Officer be minded to approve this application, I would request that the Council consider some mitigation against the increase in traffic such as creating a footpath or "safe haven" along the verge of New Road. In such a rural setting, a conventional tarmac pavement abutting the road with kerbstones would not be appropriate but there are environmentally friendly materials which could be used to create a pedestrian path parallel to the road down the middle of the verge and well-separated from the traffic.'*

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The proposal is supplementary to an existing industrial building located in an industrial estate. Policy CS3 'Renewable and Low Carbon Energy Production' of the South Gloucestershire Core Strategy states "Proposals for the generation of energy from renewable or low carbon sources, provided that the installation would not cause significant demonstrable harm to residential amenity, individually or cumulatively, will be supported".

- 5.2 The site is an established industrial site which it is stated has been used for many years for the supply, refurbishment, treatment and recycling of pallets. The site contains two principal buildings as well as areas for the storage of pallets. The premises already make use of chipped and off cut materials for sustainable biomass fuel within one 290 kw biomass boiler in the building, but are now seeking the installation of two further batch-fed gasification biomass boilers not exceeding 300kw capacity to provide additional capacity to the existing biomass boiler in the supply of heat for space heating, wood chip drying and heat treatment of pallets associated with the existing business. There is no change to the access to the site or the nature of the way

the business has long operated. The nature of the business means that it has the self-sustaining ability to sustainably re-use generated on site biomass in the generation of heat for the wider business in the supply of heat for space heating, wood chip drying and heat treatment of pallets.

- 5.3 The proposals would also require permit authorisation from the Environmental Protection team, under the Environmental Protection Regulations as amended to control emissions to air at source for the completed installation. It is not considered that there is any further requirement of the planning system to consider these elements. Planning considerations should not duplicate the remit of other legislation which should complement and run alongside each other.
- 5.4 Design and Visual Amenity  
The application site is an existing industrial site. The addition of the two boilers immediately next to the building, given their design, location and scale are not considered to give rise to any material visual amenity issues. There are no landscape objections to the proposals.
- 5.5 Residential Amenity  
The site is an existing industrial unit. The nearest residential properties are located on the other side of the road. Due to the scale, siting and nature of this application, it is not considered that the proposal would have a significant detrimental effect on the amenity of neighbouring properties. The boilers would require to be permitted through the EP process.
- 5.6 Sustainable Transport  
The comments above are noted. The site is an existing industrial site used for the pallet business. The premises already make use of chipped and off cut materials for sustainable biomass fuel within one 290 kw biomass boiler in the building, but are now seeking the installation of two further batch-fed gasification biomass boilers not exceeding 300kw capacity to provide additional capacity for use within the existing site. Having reviewed the application it is not considered, given the nature and scale of the proposal, that it is likely to materially alter travel demand at this site or raise any material safety concerns and there are no transportation objection on the application. On this basis any additional mitigation or off-site footpath or road improvements are not considered to be warranted in this instance, on the basis of this planning application. There will be no change to the access to the site.
- 5.7 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.

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

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

7.1 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:

Site Location Plan (Rev A) and Existing Block Plan, received by the Council on the 22nd January 2021 and Proposed Block Plan, received by the Council on the 2nd February 2021 and Proposed Elevations, received by the Council on the 4th February 2021.

Reason:

To define the terms and extent of the permission.

**Case Officer: Simon Ford**

**Authorising Officer: David Stockdale**