

# 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: 41/21**

**Date to Members: 15/10/2021**

**Member's Deadline: 21/10/2021 (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)

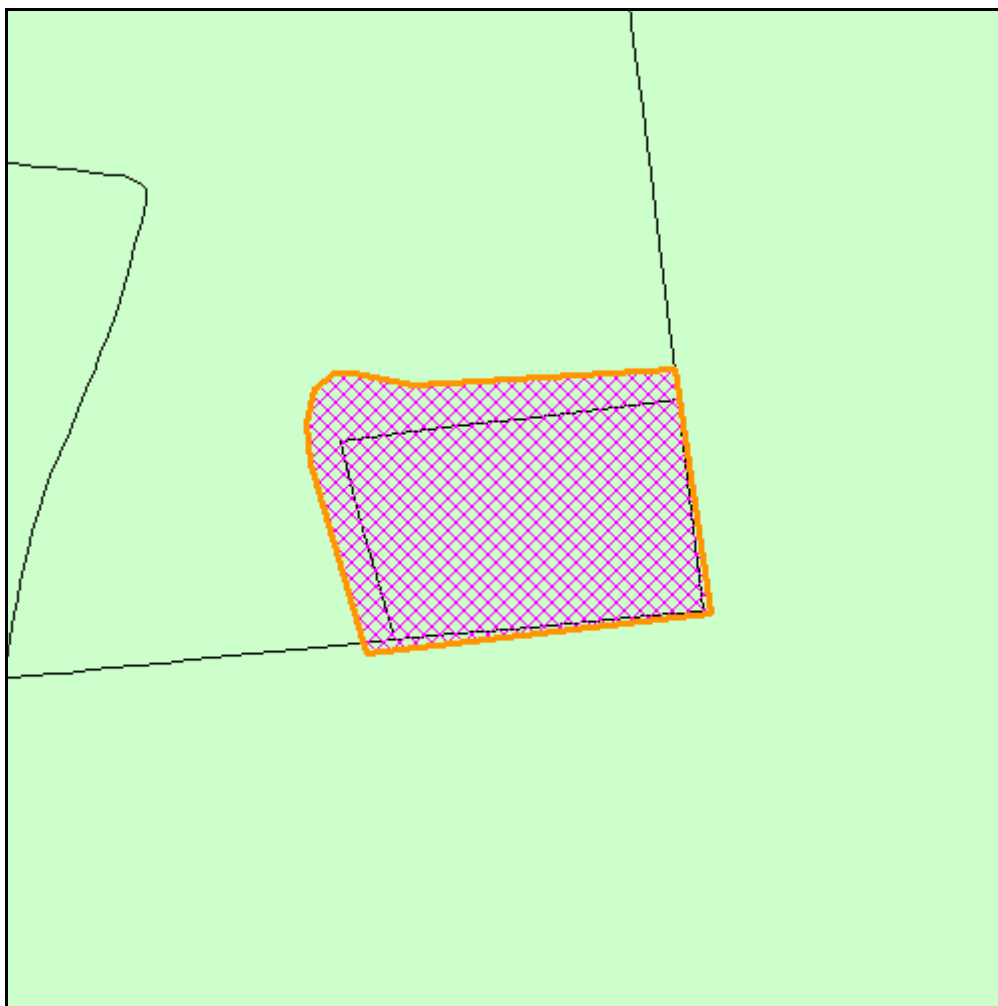
# CIRCULATED SCHEDULE 15 October 2021

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/16805/RM	Approve with Conditions	Land At North Yate New Neighbourhood South Gloucestershire Yate	Yate North	Yate Town Council
2	P21/00356/F	Approve with Conditions	Land West Of The Wave Main Road Easter Compton South Gloucestershire BS35 5RE	Pilning And Severn Beach	Almondsbury Parish Council
3	P21/02502/F	Approve with Conditions	20 Heath Rise Cadbury Heath South Gloucestershire BS30 8DD	Parkwall And Warmley	Oldland Parish Council
4	P21/02958/F	Approved Subject to Section 106	Land At Hornbeam Close Bradley Stoke South Gloucestershire BS32 8FE	Bradley Stoke South	Bradley Stoke Town Council
5	P21/04019/F	Approve with Conditions	Land To Rear Of 5 St Marys Way Yate South Gloucestershire BS37 7AR	Yate Central	Yate Town Council
6	P21/04882/F	Approve with Conditions	14 Lees Hill Kingswood South Gloucestershire BS15 4TN	New Cheltenham	
7	P21/05390/F	Approve with Conditions	113A Palmers Leaze Bradley Stoke South Gloucestershire BS32 0HH	Bradley Stoke South	Bradley Stoke Town Council
8	P21/05423/F	Approve with Conditions	Ashley Down Old Boys Rfc Bonnington Walk Stoke Gifford South Gloucestershire BS7 9YU	Stoke Park And Cheswick	Stoke Gifford Parish Council
9	P21/05612/O	Refusal	Land Between 3 And 9 Old Gloucester Road Frenchay South Gloucestershire BS16 1QR	Frenchay And Downend	Winterbourne Parish Council
10	P21/06233/TRE	Approve with Conditions	The New House 11 Barn End Marshfield South Gloucestershire SN14 8PE	Boyd Valley	Marshfield Parish Council

## CIRCULATED SCHEDULE NO. 41/21 -15th October 2021

<b>App No.:</b>	P20/16805/RM	<b>Applicant:</b>	BDW Trading Ltd (Barratt Homes Bristol Division)
<b>Site:</b>	Land At North Yate New Neighbourhood South Gloucestershire Yate	<b>Date Reg:</b>	14th October 2020
<b>Proposal:</b>	Formation of local play area with hard and soft landscaping with details of appearance, layout, scale and landscaping to be approved. Approval of Reserved Matters to be read in conjunction with outline permission PK17/4826/RVC - Variation of conditions 12, 19 and 41 attached to outline planning permission PK12/1913/O to rationalise and validate amendments to conditions previously granted under application reference numbers PK15/5230/RVC, PK16/2449/RVC, and PK17/0039/NMA.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	370877 184892	<b>Ward:</b>	Yate North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	2nd December 2020



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100023410, 2008.

N.T.S.

P20/16805/RM

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

## **INTRODUCTION**

This application appears on the circulated schedule because an objection has been received from Yate Town Council which is contrary to the officer recommendation.

## **1. THE PROPOSAL**

1.1 This application seeks reserved matters consent for the installation of a local play area with associated works. The proposal consisting of appearance, layout, scale, and landscaping should be read in conjunction with outline planning permission PK12/1913/O superseded by application P19/6296/RVC. The proposed play area consists of a Local Area for Play (LAP) - a play area for very young children and a Local Equipped Area for Play (LEAP) - a play area for slightly older children. The play area will consist of the following pieces of equipment:

### LAP

1. Mule
2. Toddler spica
3. Single slide
4. Two seat swing with cradle seats
5. Crawling Pyramid

### LEAP

6. Wheelchair Carousel
7. Two seat swing with swing seats
8. Parkour
9. Tree climber

1.2 The application site comprises the Ladden Garden Village (formerly the North Yate New Neighbourhood (NYNN)). The play area is located between residential parcels PL9 and PL12A as shown on the approved phasing plan. The play area is associated with phase 4 and is required to be provided before 80% residential occupations take place in this phase as set out in the S106 agreement. The long term management and maintenance of the play area will be the responsibility of a private management and maintenance company.

1.3 The application site is enclosed by hedgerow consisting of field maple, ash and elder and oak and ash trees. A ditch is located along the southern boundary hedge.

1.4 Following discussions between the developer and Council Officers, revised plans have been received which have improved the scheme in the following ways:

- Confirmation that all timber equipment confirmed as FSC certified and all play equipment meets all relevant British Standards.
- Fence amended to be finished in dark green colour

- Splay amended as per recommendation
- Extent of bonded rubber mulch safety surfacing amended to connect pieces of play equipment
- Hornbeam hedge to be maintained at low height (125cm) to maintain visibility across both areas
- Reduction of the existing hedgerow to 1.5m limited to 3m either side of the access.
- Additional trees and RPAs have been surveyed added to the layout and the access moved to avoid RPAs
- Additional access to the west added. Additional access to the north added
- Extent of bonded rubber mulch safety surfacing amended to connect pieces of play equipment
- Metal boundary fence rationalised to improve play area
- Single bike rack and bin provided
- More accessible version of roundabout specified

## 2. **POLICY CONTEXT**

### 2.1 National Guidance

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

### 2.2 Development Plans

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

CS1 High Quality Design  
 CS2 Green Infrastructure  
 CS4A Presumption in Favour of Sustainable Development  
 CS8 Improving Accessibility  
 CS9 Managing the Environment and Heritage  
 CS24 Green Infrastructure, Sports and Recreation Standards  
 CS30 Yate and Chipping Sodbury  
 CS31 North Yate New Neighbourhood

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

PSP2 Landscape  
 PSP3 Trees and Woodland  
 PSP8 Residential Amenity  
 PSP11 Transport Impact Management  
 PSP21 Environmental Pollution and Impacts

### 2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)  
 Trees and Development Sites SPD (adopted)  
 Green Infrastructure SPD (adopted)



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

- 3.1 P19/6296/RVC, Variation of condition 19 attached to outline planning permission PK12/1913/O (as amended under applications PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA and PK17/4826/RVC) to amend the wording of the condition (19) to "There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. Construction use and residential use are deemed operational." Approved on 13<sup>th</sup> September 2019.
- 3.2 PK18/1656/RM, Approval of remaining site wide infrastructure including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping in relation to Phase 0 (Reserved Matters application to be read in conjunction with outline planning permission PK12/1913/O) amended by PK17/4826/RVC in regards to landscaping, appearance, layout and scale). Approved on 5<sup>th</sup> December 2018. This application relates to phase 2 infrastructure.
- 3.3 P20/16804/RM, Erection of 183 no. dwellings with associated parking, garaging and works with appearance, layout, scale and landscaping to be approved (Approval of Reserved Matters to be read in conjunction with outline permission P19/6296/RVC formerly PK12/1913/O). Approved on 25<sup>th</sup> June 2021. This application relates to residential development to the north and west of the application site.
- 3.4 P19/12246/RM, Erection of 155 no. dwellings, with roads, parking and associated works with appearance, landscaping, layout, scale and access to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PK12/1913/O as amended by PK17/4826/RVC). Approved on 16<sup>th</sup> December 2019. This application relates to residential development to the south of the application site.

### **4. CONSULTATION RESPONSES**

#### **4.1 Yate Town Council**

We repeat our previous objection, regarding the plan to have a gate at each end of the play area with no dog grids. Unless these are installed, in our experience, you get people taking dogs into the park and that creates a health risk to the children and also increases maintenance costs, which the residents will have to bear, and is unfair.

The litter bins should be split so people can separate recycling.

There are footpaths in from behind, but not for people crossing the road to it, which is a danger for children going to the play areas.

In addition, there appear to be no footpaths on the same side of the carriageway as the play area, so shouldn't there be, as a minimum, drop kerb

access from the proposed footpath opposite the play area (and ideally traffic calming either side).

4.2 Transport Officer

We, transportation development control have no comments on this application

4.3 Drainage Officer

We are satisfied with the level of information which has been submitted and therefore, providing the development is constructed in accordance with the following approved plan and supporting document which are acceptable to the LLFA, we have No Objection to the development proceeding;

Play Area (LAP & LEAP) Proposals, Phase 4, South of Parcel 9 / Drwg. No. GL1355 01 / Rev. B / Dated 25-09-20

Phase 0 Landscape and Infrastructure Specification and Maintenance Schedule / Rev.C / Dated September 2018.

4.4 Crime Prevention Design Advisor

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

4.5 Archaeological Officer

No comments

4.6 Highway Structures Officer

No comment

4.7 Ecology Officer

I would prefer that they remain in a natural state e.g. leave the dead wood etc. on the tree but sometimes H & S overrides things.

If they have to go ahead with the crown lift, I would recommend that they follow these guidelines regarding tree works and bats  
<https://www.trees.org.uk/Trees.org.uk/files/e4/e4bdca92-c9a0-44bd-9af2-f4a300424bbf.pdf>

<https://cdn.bats.org.uk/pdf/Bats-Trees.pdf>

4.8 Landscape Officer

The revised layout of the play area shown in revision D has addressed the majority of the comments I raised, with an improvement to accessibility.

4.9 POS Officer

They have used the same revision letter to the plan i.e. they are both called revision D; they need to change it or there is a chance the old revision D will be implemented/considered as the latest plan. They will need to ensure the location of the racks and the opening of the gates don't clash, causing gates to hit onto the racks. I have suggested locations in red but they need to have a good think about suitable locations. Surfacing to be provided at and to each set of racks.

## **Other Representations**

### 4.10 Local Residents

No comments received

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

North Yate New Neighbourhood (NYNN) is a major development site allocated by policy CS31 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 for a major mixed use development of up to 3000 dwellings. Outline consent was subsequently granted on 17th July 2015 for a mixed use development across 100.76 hectares of land comprising up to 2450 new dwellings, including 4.63 hectares of employment land, a local centre, two primary schools and supporting infrastructure. This approval covers a substantial area of the NYNN allocation. A masterplan and design code for the NYNN were subsequently approved by the Local Planning Authority on 20th January 2017 and 12th May 2017 respectively. Parameter plans approved as part of the outline consent require a play area consisting of a Local Area for Play (LAP) - a play area for very young children and a Local Equipped Area for Play (LEAP) - a play area for slightly older children, to be located at the application site. The principle of the development is therefore, acceptable.

### 5.2 Design and Layout

The existing trees and hedgerow located around the perimeter of the site are to be retained through the development which will provide instant maturity to the play area. It is necessary to crown lift and to lower the height of sections of hedgerow in the interests of safety by ensuring there is adequate surveillance from surrounding development and visibility around the main access. Additional accesses and pedestrian paths have been added to the north and east of the play area to provide adequate connections to the approved residential development and to cater for pedestrian desire lines. Amendments to the play area are proposed which address comments made by the Council's Landscape and POS Officers and include improving accessibility to equipment through amendments to the line of a hard surface path and increased use of reinforced grass safety surfacing; providing more space within the play areas; rationalising the cycle store area; and providing more inclusive play equipment. The bicycle racks have been relocated to outside the play area but adjacent to the northern access point in accordance with the Council's POS Officer's comments. The cycle stands have been amended from adult to junior specification being 600mm in height. Safety surfacing is not required given the low height of the stands. The specification of bins to be provided within play areas has already been agreed as set out in the approved design code for the NYNN. Under this application, two steel litter bins are provided which accords with the requirements of the design code. There is no requirement for recycling bins to be provided within the play area and therefore, there is no objection on this basis. Given the changes that have been made to the scheme it is considered that the play area will offer a good level of play value and will be applicable to children with varying levels of ability.

### 5.3 Residential Amenity

Dwellings and apartment blocks have been approved to the north, south, east and west of the play area; however, they would all be located at a distance of 20 metres or over. Therefore, the proposal complies with the separation distance between play areas and residential properties specified in Fields in Trust Guidance to ensure that facilities do not enable users to overlook neighbouring properties and reduce the possibility of conflict between local residents and users of the play area. The principle of a play area in this specific location has also already been approved by virtue of the framework plans and masterplan approved at outline stage.

### 5.4 Transportation

The necessary footpaths have been provided for within the scheme to take account of desire lines and pedestrian access to and from residential parcels to the north, east and west. Pedestrian crossing points are provided throughout the North Yate New Neighbourhood such that there will be safe pedestrian access to and from the play area. The proposal is a local play area located within walking distance to a large number of properties. It is not considered that it would result in an increase in vehicular traffic or on street parking to a level that would be adversely harmful in terms of highway safety and the amenities of the area. The comment received from Yate Town Council with regards to the need for dog grille at the entrance rather than a gate to prevent dogs entering the play area is noted. However, a gate is considered adequate in combination with fencing to prevent access by dogs and to provide a physical barrier to the highway in the interests of children using the play area. As dogs should be accompanied by an owner, an important deterrent will be signage erected at the play area advising that dogs are not permitted within the play area; an informative note is appropriate to bring this requirement to the attention of the developer. The comments received from Yate Town Council regarding the need for footpaths, drop kerbs and traffic calming are noted. The speeds of roads around the NYNN are very low and traffic calming, dropped kerbs and crossing points will be provided throughout to ensure safe pedestrian movement. The Council's Transportation Officer has raised no objections to the proposal.

### 5.5 Drainage

The Council's Drainage Officer has no objections to the development provided that it is constructed in accordance with the plan submitted and Phase 0 Landscape and Infrastructure Specification and Maintenance Schedule Rev C. Reference to this plan will be made on the decision notice.

### 5.6 Tree Impacts

Although a tree protection plan was originally submitted with the application, this is required to be updated to reflect the revised plans. A condition is therefore, attached on this basis. In addition, no dig paths are proposed within the root protection zone of trees. A method statement for the construction of these paths is required to be agreed with the Local Planning Authority, and a condition is attached accordingly.

## 5.7 Ecology

Existing trees and hedgerow at the site will be retained through the proposal, which will reduce the ecological impacts of the proposal. In addition, a number of ecological strategies were secured as part of the discharge of conditions on the outline consent. This included a Landscape and Ecological Management Plan, and wildlife mitigation strategies. These strategies were required to help mitigate the impact on, as well as measures to enhance wildlife. An informative note is attached to notify the developer of the requirement to accord with the relevant wildlife strategies. An addition an informative note is attached in relation to the Ecological Officers comments regarding guidance on tree work and bats. Accordingly, there are no objections to the proposal in relation to ecology.

## 5.8 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application following the improvements made to the scheme to include equipment for less able-bodied children is considered to have a positive 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 consent has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

- 7.1 Reserved Matters Consent is GRANTED subject to the following conditions.

### CONDITIONS

1. Any trees or plants shown on the landscaping scheme hereby approved, which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason

In the interests of the character and visual amenity of the area and 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.

2. Notwithstanding the details submitted, no development shall commence until a revised Tree Protection Plan is submitted and the location of the tree protection fencing agreed in writing by the Local Planning Authority. For the avoidance of doubt, the Tree Protection Plan shall accord with BS5837 (2012). Tree protection fencing shall thereafter be erected in accordance with the agreed details prior to the commencement of the development and shall remain in place for the duration of the development.

Reason

In the interests of the health and visual amenity of trees and to accord with policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that trees are protected before any development starts.

3. Notwithstanding the details submitted, no development shall take place within the Root Protection Area (RPA) of any tree at the site until a revised Arboricultural Method Statement (AMS) has been submitted to and agreed in writing by the Local Planning Authority in respect to no-dig footpath construction. Any works within the RPA shall be carried out strictly in accordance with the agreed Arboricultural Method Statement. All works within the Root Protection Area (RPA) of any tree on the site shall be undertaken under the watching brief of an Arboricultural Clerk of Works.

Reason

In the interest of the health and visual amenity of trees and to accord with policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that trees are protected adequately during construction.

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

Play area (LAP and LEAP) proposals, phase 4, south of parcels PL9, GL135501 E  
Received on 1st October 2021.

Site sections, GL135502  
Site location plan, 0642-P4-101  
Topographical survey, 0642-P4-100  
Received on 7th October 2020

Phase 0 Landscape and Infrastructure Specification for Soft Landscape Works,  
4945\_PL\_900 C  
Received on 27th September 2018

Reason

For the avoidance of doubt.

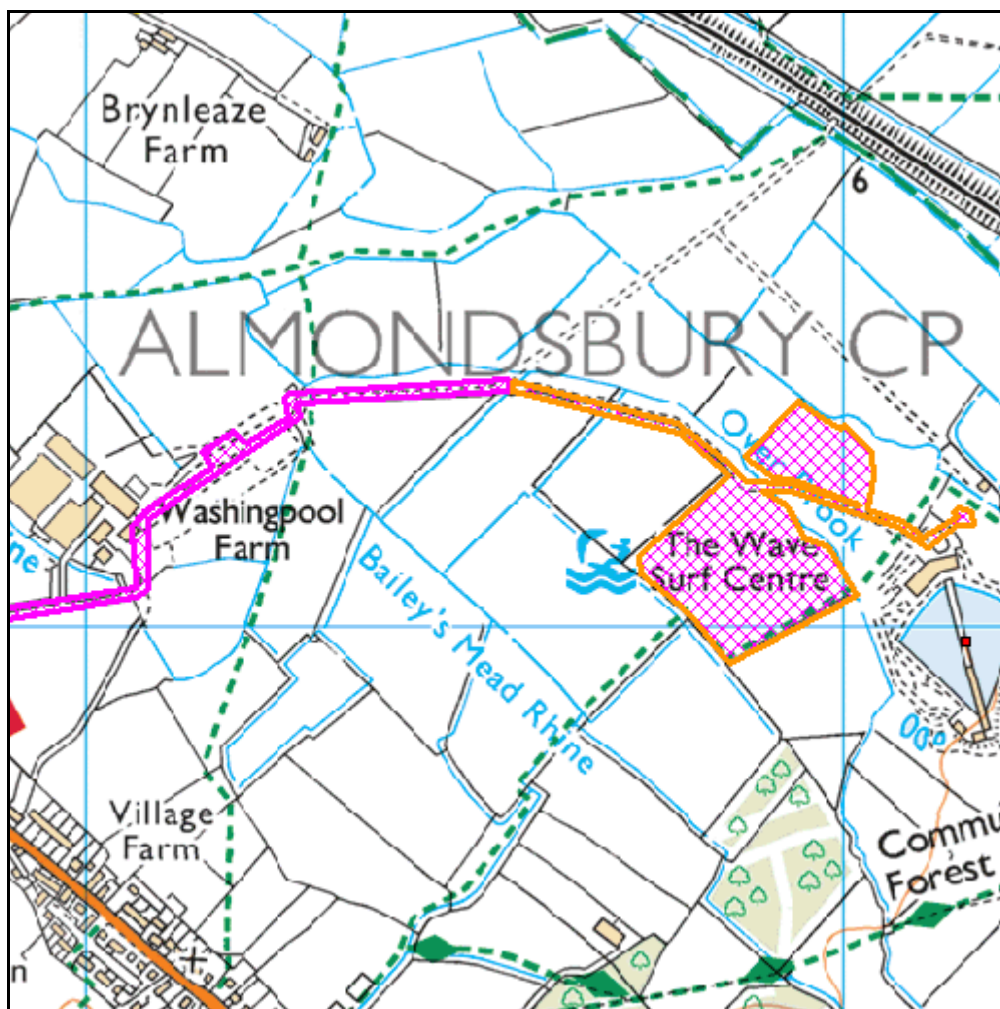
## **INFORMATIVES**

1. This permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant.
2. You must obtain the prior written consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with this development including future repairs/maintenance, or to obtain support from adjoining property. This permission does not authorise you to take such action without first obtaining this consent. Your attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996.
3. If a play item becomes obsolete, or if equivalent or better proposals are put forward for the Local Planning Authority to consider, a comprehensive comparison table explaining the equivalence or betterment, including photos of the approved and proposed items will be required.
4. Public information signs must be displayed at each entrance of the play area. The Local Planning Authority will be able to provide further information with regards to the content of the signage but it should include the intended age range of the play area, no dogs, no littering, no ball games etc and display contact details to report any misuse or damage. Any signs required should be in place before the play area is open to the public.
5. This permission is to be read in conjunction with the AGREEMENT AND UNDERTAKING dated 17th July 2015; in pursuance of Section 106 of the Town & Country Planning Act 1990, as amended by Section 12 of the Planning & Compensation Act 1991.
6. Your attention is drawn to the need to comply with the approved mitigation and enhancement strategies in relation to Hedgehog, including the use of Hedgehog holes, which are set out in Ecology Strategy (Part 1): Mitigation Strategy April 2016 and Ecology Strategy (Part 2): Ecology and Landscape Management Plan April 2016. Development must comply with these approved strategies.
7. Your attention is drawn to the need to comply with the approved mitigation and enhancement strategies in relation to reptiles which are set out in Ecology Strategy (Part 1): Mitigation Strategy April 2016 and Ecology Strategy (Part 2): Ecology and Landscape Management Plan April 2016. Development must comply with these approved strategies.
8. When undertaking any works to trees at the site it is recommended that guidance contained in the documents Bats and Trees 2018 by the Bat Conservation Trust, and Habitat Assessment Prior to Arboricultural Operations 2013 by Natural England are adhered to.

**Case Officer: Jonathan Ryan**  
**Authorising Officer: Eileen Paterson**

CIRCULATED SCHEDULE NO. 41/21 -15th October 2021

<b>App No.:</b>	P21/00356/F	<b>Applicant:</b>	Nick Asheshov The Wave Group Ltd
<b>Site:</b>	Land West Of The Wave Main Road Easter Compton South Gloucestershire BS35 5RE	<b>Date Reg:</b>	11th February 2021
<b>Proposal:</b>	Installation of solar apparatus comprising 2.97MW ground mounted solar arrays with associated inverters and transformer, 30kW solar car port, 2.5kW solar smart flower, 330kW Flow Machine Energy storage system, and 4x 7kW dual Fast Electric Vehicle charging points, along with associated access, landscaping, security fencing and CCTV.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	358160 182980	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Major	<b>Target Date:</b>	12th May 2021



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

## **INTRODUCTION**

This application has been referred to the Circulated Schedule because the Parish Council is concerned about the adequacy of public notice in the area. To address this concerns, the Case Officer confirmed that additional site notices have been displayed along Main Road in Easter Compton and Badger Lane in Over.

### **1. THE PROPOSAL**

- 1.1 The proposed development comprises the installation of solar apparatus consisting of 2.97MW ground mounted solar arrays with associated inverters and transformer, 30kW solar car port, 2.5kW solar smart flower, 330kW Flow Machine Energy storage system, and 4x 7kW dual Fast Electric Vehicle charging points, along with associated access, landscaping, security fencing and CCTV on land to the west of the Wave, Main Road, Easter Compton. The primary purpose of the installation is to generate renewable energy for the Wave. The Wave has a 40 year lease and expects the solar farm to be operational for the entire time that the Wave is.
- 1.2 The site is located within the land controlled by the Wave, and the area is approximately 4.65 ha. The proposal are located at 3 separate areas, i.e. (i) a pole mounted solar canopy array will be sited within the existing Wave car parking area to cover approximately 12 no. parking spaces, (ii) the ground based solar array will be laid out over 2 fields adjacent to the north west of the Wave, separated by the main access route and Over Brook. An Energy Storage equipment, access track and turning head, and HV Equipment are proposed, and they would be sited adjacent to the access road, and (iii), A Smart Flower is positioned adjacent to the entrance area of the Wave Clubhouse.
- 1.3 The site is located within the open countryside and outside the settlement boundary of Over, Easton Compton and Almondsbury. It is situated within the Bristol/Bath Green Belt and the Flood Zone 3. A public footpath runs along the southern boundary of the fields and the other footpath runs across the existing access road near the car parking area. The application site lies within the North Avon (South Gloucestershire) Levels an area of potentially national archaeological significance.
- 1.4 The proposed development does not trigger the requirement for an Environmental Impact Assessment (a screening has been undertaken P21/015/SCR). In support of the application (aside form plans) the following information has been submitted and considered by Council Officers:
  - Planning Statement
  - Design and Access Statement
  - Energy Statement
  - Flood Risk Assessment

- Land Contamination Assessment
- Landscape and Visual Impact Appraisal (LVIA)
- Phase 1 Habitat Survey
- Reptile Survey
- Transport Assessment
- Arboricultural Impact Appraisal
- Statement of Significance
- GCN Surveys
- Breeding Bird Survey
- Reptile Mitigation Strategy

## 2. **POLICY CONTEXT**

### 2.1 National Guidance

National Planning Policy Framework July 2021  
 National Planning Practice Guidance (General)  
 National Planning Practice Guidance – Conserving and Enhancing the  
 Historic Environment;

### 2.2 Development Plans

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

CS1	High Quality Design
CS2	Green Infrastructure
CS3	Renewable and Low Carbon Energy Generation
CS4A	Presumption in favour of sustainable development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees & Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management

### 2.3 Supplementary Planning Guidance

South Gloucestershire Landscape Character Assessment SPD (Revised and  
 Proposed for Adoption November 2014)  
 Development in the Green Belt SPD 2005  
 Renewables SPD 2014

Historic England's Good Practice Advice in Planning Note 2 "Managing Significance in Decision-Taking in the Historic Environment".

Historic England's Good Practice Advice in Planning Note 3 "The Setting of Heritage Assets (2<sup>nd</sup> Edition)".

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

3.1 The application site has been the number of applications however for the purposes of this application only the following is relevant:

P21/015/SCR Installation of solar apparatus comprising 2.97MW ground mounted solar arrays with associated inverters and transformer, 30kW solar car port, 2.5kW solar smart flower, 330kW Flow Machine Energy storage system, and 4x 7kW dual Fast Electric Vehicle charging points, along with associated access, landscaping, security fencing and CCTV. EIA is not required  
30.09.2021

### 3. **CONSULTATION RESPONSES**

The following is a summary of the relevant comments received from the general public, parish councils, internal and external consultees, full details can be viewed on the Council Website.

4.1 Parish Council No objection to the application, but has concerns about adequate public notice have been given, not just to local residents in and around Main Road, East Compton, but also to residents of Badgers Lane and part of Over Lane.

#### 4.2 *External consultees*

Health and Safety Executive Do not advise to against the proposal

Environment Agency No objection subject to conditions

#### 4.3 *Internal consultees*

Highway Officer No objection subject to condition seeking a construction management plan

Highway Structure No objection

Drainage Engineer No objection

Ecology Officer No objection subject to conditions to ensure that the mitigation measures are implemented, to seek further details regarding lighting, Construction Environmental Management Plan, Landscape and Ecological Management Plan,

Arboricultural Officer No objection subject to condition to ensure the submitted Arboricultural Report will be implemented.

Landscape Officer Conditions are required to seek detailed planting plan and management plan

Conservation Officer Concerns are raised regarding the visual impact due to the proximity of All Saints Church. It is suggested that mitigation planting is required.

Archaeology Officer No objection subject to condition to seek a programme of archaeological investigation and recording for the site

Public Rights of Way Officer Objection. Condition is required to seek enhancement works to the existing footpaths

Crime Prevention Design Advisor No adverse comment

Sustainability Team Strongly support the proposal.

#### Other Representations

4.4 Local Residents No comments received.

## **5. ANALYSIS OF PROPOSAL**

5.1 The proposed development details the installation of 2.97MW ground mounted solar arrays with associated inverters and transformer, 30kW solar car port, 2.5kW solar smart flower, 330kW Flow Machine Energy storage system, and 4x 7kW dual Fast Electric Vehicle charging points, along with associated access, landscaping, security fencing and CCTV on land to the west of the Wave, Main Road, Easter Compton.

### 5.2 Principle of Development

There is a strong national and international agenda to reduce CO2 emissions through the generation of energy from renewable sources. At a national policy level, the Climate Change Act 2008 set out the carbon emissions reduction target. In June 2019, following updated advice from the Climate Change Committee 'CCC' in its report 'Net Zero – The UK's contribution to stopping global warming', the Government amended the Climate Change Act from an 80% reduction in emissions by 2050 against a 1990 baseline, to a target Net Zero Carbon target. At a local level, more than 400 Councils, including SGC, have declared a Climate Change Emergency and agreed to work toward cutting CO2 emissions at a faster rate than the UK government target of Net Zero Carbon by 2050. SGC has also signed up to the UK100 pledge to ensure 100% renewable energy across the district by 2050, currently only 4.8% of the district's energy needs is generated renewably from within the district. There are no statutory targets set by government for reductions to be achieved in each district.

5.3 National Planning Policy Framework 2021 sets out that the overarching aim of the planning system is to contribute to the achievement of sustainable development i.e., "meeting the needs of the present without compromising the ability of future generations to meet their own needs". This can be achieved through economic, social, and environmental means. Paragraph 152 states that the planning system should support the transition to a low carbon future in a changing climate through among other factors supporting renewable and low carbon energy and associated

infrastructure. Paragraph 158 also clearly states that, when determining planning applications for renewable and low carbon development, *local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy*, should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; *and approve the application if its impacts are (or can be made) acceptable*.

5.4 From the local planning policy perspective, the starting point when considering the application is Policy CS3 of the Core Strategy (Adopted) and the other relevant policies as listed in section 2. Policy CS3 is supportive of such development but sets out what weight should be applied to various influences. Policy CS3 has found to be consistent with the requirements of the NPPF and therefore most weight should be applied to this policy. The application must be determined in accordance with the requirements of Policy CS3 unless material considerations indicate otherwise. Policy CS3 states that proposals for the generation of energy from renewable sources that would not cause significant demonstrable harm to residential amenity, individually or cumulatively will be supported. Policy CS3 sets out that in assessing proposals for renewable energy significant weight will be given to the following 4 criteria:

**1. The wider environmental benefits associated with increased production of energy from renewable sources.**

The direction of both international and national policy is overarching desire to increase the amount of energy produced from renewable sources. To place the development in perspective, in September 2020, South Gloucestershire had 152.4MW installed renewable energy (including electrical capacity and thermal capacity, source – *South Gloucestershire Renewable Energy Progress Report 2019-20, Regen*). Solar development makes up 74.5 MW of this capacity.

Technology	Total electrical capacity (MW)	Total thermal capacity (MW)	Number of projects	Percentage of installed capacity
Biomass	9.5	7.4	86	11%
Energy from waste	16.0	-	1	10%
Heat pumps	-	5.6	385	4%
Landfill gas <sup>8</sup>	7.6	-	4	5%
Onshore wind	8.3	-	12	5%
Solar PV – ground mounted	74.5	-	8	49%
Solar PV – rooftop	23.3	-	4,128	15%
Solar thermal	-	0.3	102	0%
Hydropower	0.001	-	1	0%
<b>Total</b>	<b>139.1</b>	<b>13.3</b>	<b>4,727</b>	

Within this context, the proposal for a 2.97MW would only make modest contribution to the South Gloucestershire Climate Change Strategy (CCS), which carries the objective of reducing the reliance on unsustainable energy generation in the interests of reducing the impacts of climate change. Although the proposal would only make small contribution, the NPPF makes clear that the Local Planning Authority should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. In terms of site selection, your officer accepts that a challenging balance to be made between finding sites of sufficient size with good grid

connection, with acceptable landscape, residential amenity, ecology, hydrology, heritage impacts. The point of connection is also a key element for site selection.

## **2. Proposals that enjoy significant community support and generate an income for community infrastructure purposes by selling heat or electricity to the National Grid**

The submitted planning statement sets out the level of community engagement that has taken place. In the statement, the applicant states that the Wave has been seeking to engage Almondsbury Parish Council, however, due to the unforeseeable circumstances and timescale, it has not been possible to formally address the locally elected members. Nevertheless, the Wave currently engage with local stakeholders. Officers also noted that a residents / community liaison group for the local community has been set up for the Wave, and it was secured by a planning condition when planning permission was granted in 2014 for the surf lake and associated facilities. Although there is no community benefit agreement associated with the current proposal, the Case Officer is satisfied that the existing residents / community liaison group will provide an effective channel for the applicant to engage with the local community. As such, a modest weight can be given to this in the planning balance.

## **3. The time limited, non-permanent nature of some types of installations**

The primary objective of the proposed development is to support the operation of the Wave, which has been approved and in operation since November 2020. Given the nature of the proposal, the proposal is not temporary in the strictest sense. Some types of installations are usually for a 25-year period. Nevertheless, should national, local or global situations arise, the panels could be removed, and the land reverted to agriculture within a few months. In terms of the loss of agricultural land, the NPPG guides development away from the best and most versatile land, i.e., land graded between the best Grade 1 and Grade 3. Based on the Agricultural Land Classification Map South West Region (ACL006), the application site falls within the Agricultural Land Classification (ALC) grade 3 – Good to Modest. However, given that the proposed installation is not substantial in size and such installation could be removed and the land could be reverted to agricultural purposes, your case officer consider that it would be consistent with the requirement set out in the National Planning Policy Framework.

## **4. The need for secure and reliable energy generation capacity, job creation opportunities and local economic benefits**

The proposed solar farm is a reliable source of renewable energy. Given the operational method of solar farms, the site would generate notable local employment opportunities.

In summary, the proposal is considered to carry significant beneficial weight in principle. Having regards to the above, the proposed solar energy farm would make a modest contribution towards renewable energy production in South Gloucestershire and the objectives of the CCS, as well as contributing towards the National commitment. These benefits therefore carry significant weight in considering this planning application. It is considered that the proposed development would meet the local and national policy objectives for renewable energy

development and as such is acceptable in principle. However, it is necessary to weigh the policy objectives and renewable energy benefits in the balance with the impact upon the local environment.

#### 5.5 Green Belt

The site is located within the Green Belt. Section 13 of the National Planning Policy Framework (NPPF) considers the Green Belt in relation to development proposals. Paragraph 147 of the NPPF sets out that in the case of proposals which come forward in the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Furthermore, the NPPF also states that the fundamental purpose of the Green Belt is to preserve its openness. Paragraph 150 of the NPPF states that certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, and these include engineering operations. Paragraph 151 of the NPPF states that, when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

5.6 In this instance, given that the proposal would introduce built form onto open fields, the proposal would have an impact inevitably upon the openness of the green belt. Therefore, the onus is with applicant to demonstrate that very special circumstances exist so as to outweigh the defined harm. Whilst the applicant has not submitted a statement of 'Very Special Circumstance, the submitted Design and Access Statement, Planning Statement and Energy Statement clearly states the primary purposes of the proposed solar farm. Given the planning history of the site, officers agreed that the proposal forms part of the wider vision and aims of the Wave to create a sustainable and carbon neutral visitor designation in South Gloucestershire. The proposal using the locally generated solar energy to power the surf lake and facilities, would also form a part of the wider education element of the Wave to illustrate and demonstrate the use and viability of sustainably generated power. Further to this, additional hedgerow planting along the boundary of the site would make modest contribution to the biodiversity of the site.

5.7 The National Planning Policy Framework sets out that in the case of renewable energy projects, 'very special circumstances' can include the wider environmental benefits which could be achieved through the development. This carries the objective of reducing the reliance on unsustainable energy generation in the interests of reducing the impacts of climate change. This is directly linked to the UK commitment to reducing the impact of climate change. In this instance, the proposal is not large in scale, the proposed installation would still make a positive contribution and would bring positive wider environmental benefits, and this should be given weight in determining this application. As set out in the introduction to this section significant weight is given to the harm that will by definition result from this inappropriate Green Belt Development that will result in built form and to other resultant harms. Whilst the proposal would have an impact upon the openness of the Green Belt, and some harm would result in terms of other planning considerations discussed elsewhere in the report, the aspects of the proposed development would carry more weight than others. When taken all elements of the case as discussed above, it is considered that the

amount to the “Very Special Circumstances” would outweighs the harm. In summary, therefore having regard to National and Local Policy, including consideration of the impact upon the Green Belt, the development is considered acceptable in principle. As such, it is considered that the proposal would not be contrary to the national or local planning policy.

#### 5.8 Listed Building/Heritage Impact

The application was accompanied by a Statement of Significance, (as required by Paragraph 189 of the National Planning Policy Framework) which has been supplemented. Sections 16(2), 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 place a statutory requirement on the local authority to consider the impact of development upon listed buildings and their setting. Section 66(1) states that in considering whether to grant planning permission for development which affects a listed or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or features of special architectural or historic interest which it possesses. For the purposes of considering this application where the development will not directly impact upon the structure of heritage assets, the potential for the impact upon setting is of relevance as will be set out in the assessment below.

5.9 Paragraph 199 of the National Planning Policy Framework July 2021 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 202 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.10 The Local Development Framework and in conformity with the National Planning Policy Framework, Policy CS9 of the Core Strategy states that new development will be expected to “ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance”. This objective is set out in more detail in PSP17 of the Policies, Sites and Places Plan.

#### 5.11 Heritage Assessment

The Statement of Significance, supported by a visual commentary in Appendix III, provides a proportionate assessment of the significance of the grade II listed Washingpool Farm is so far as it relates to the proposed development. In terms of the contribution of the development site to the significance of the designated heritage asset, officers agree that the extensive 20th century developments have reduced the contribution of the Farmhouses setting to its significance and that, consequently, the proposed car-port structures, which would be viewed against other 20th century development, would not cause additional harm to the setting or significance of the farmhouse. A brief description is also provided for the grade II listed Brynleaze Farmhouse, located c400m north of the car park and c750m northwest of the solar farm. The topography and intervening vegetation screen the site to the extent that the proposals are not considered to directly or indirectly cause visual or landscape effect on the setting of the listed building in any views. Given the extent of 20th century development surrounding the listed farmhouse, the separation distances involved, the



presence of structures associated with the ticket office and the implementation of the screen planting as approved/proposed, whilst the solar canopy structures may result in a minor change to the wider setting of the farmhouse, that change would not harm the significance of the designated heritage asset. Likewise, there would be no impact on the significance of the listed farmhouse as a result of the solar PV installation.

5.12 An aspect that of the proposal that should be looked at further is the impact of views to the application site from Spaniorum Hill. This is picked up in photographic Viewpoint 2 of the LVIA, where the site is seen in an elevated view from the public right of way on the north side of Spaniorum Hill, approximately 1km south of the site. What is of note about this view is that in the middle distance is the group of Church Farm (grade II listed), All Saints Church (grade II\* listed) and the Lych Gate to All Saints Church (grade II listed). At the distances involved, the church tower and the south elevation of Church Farm can be seen on the vale, with the application site located in the fields that visually sit above the buildings. After reviewed the additional photos, although some plantings are proposed to the mound, a triangle of woodland planting of a 1 metre bund and an additional new hedge extending up to an existing field boundary, the area of the files to the north / northwest, would have no additional planting. From a heritage perspective, the panels could potentially be a visible addition to the landscape above the church tower as an extension of the already permitted Wave development and there has been additional development at the site over 2020/21. As such, to mitigate the impact as much as possible, it is considered that an extension of the mitigation planting along the south/southwest boundaries and with the inclusion of additional hedgerow trees and/or a woodland planting zone in the corner will be required. In this instance, subject to planting conditions, it is considered that the proposal would not result in unacceptable impact upon the heritage assets or their setting.

5.13 Glint and Glare/Residential Amenity

Ingleside would be the nearest dwelling to the proposed installation, and it would be approximately 190 metres from the proposed solar array and approximately 65 metres from the Smart Flower. The solar panels are designed to absorb light rather than reflect it, as such, glare would not occur in the same way as reflections off a mirror. Any glare would therefore appear as a sheen and the solar panels would take on a lighter colour for a period of time. As the proposed panels and Smart Flower would be located within the existing Wave complex, they would be partially screened by the existing buildings and additional planting, as such, it is considered that there would not be any significant potential harm to neighbouring dwellings by means of glint and glare.

5.14 Landscape and Visual Impact

Policy CS1 of the Core Strategy requires that development of a sufficient scale or significance explains how it contributes towards the vision and strategic objectives of the locality. Policy CS9 states that new development will be expected to “*conserve and enhance the character, quality, distinctiveness and amenity of the landscape*”. The site lies within the Piling Levels Landscape Character Area; Area 20 and adjacent to the Severn Ridges Landscape Character Area; Area 18, which lies to the east of the site. It also lies within the identified Forest of Avon area. The proposals are not envisaged to adversely affect the objectives of the Community Forest, however the proposals will be required to comply with the requirements of the plan, providing increased tree cover.

- 5.15 The proposed development is split into 3 sections, with the main site with solar panels covering 2 fields either side of the access track to The Wave. The general arrangement of the solar modules within the site is shown on the Landscape Proposals plan. The maximum height of the PV array modules will be a maximum of 3 metres above ground level. The solar arrays will have a perimeter fence comprising a 2.4 metres high post and wire deer fence with pole mounted security CCTV and lighting located within the arrays. The majority of the existing vegetation is to be retained, with the loss of a small section of vegetation required. Landscape mitigation will comprise approx. 590 metres of new native hedgerow planting, new native tree planting and woodland blocks, plus new and enhanced wildflower meadows. This proposed planting has been factored into the LVIA assessment regarding the landscape and visual effect of the development at year 15, following the completion of development.
- 5.16 The Landscape & Visual Impact Appraisal has been carried out in accordance with the latest approved methodology GLVIA guidelines 3rd Edition (April 2013). The submitted details set out a no. of key viewpoints including the scarp provides extensive views over the levels to the west, with the site in centre ground of the overall view. Officers considered that the proposal relating to the carport and Smart Flower are modest in scale, as such, they would not have material adverse impact upon the visual amenity and the landscape character of the site. Regarding the main area (Area 2), Officers accepted that the potential visual effects would be significant at year 1, however, the proposed planting would gradually mitigate the potential impact. Once planting has established at year 15, the proposed planting would make some noticeable and positive contribution to the landscape character of the site. The Landscape Officer concurs with the concerns raised by the Conservation Officer and agreed that additional screen planting should be included to the north eastern boundary of Area 2, which would mitigate the landscape and visual impact of the development in key views from the Severn Ridge. Therefore, subject to conditions seeking detailed planting scheme, there is no landscape objection.
- 5.17 Public Rights of Way  
PSP10 of the South Gloucestershire Council Local Plan Policies Sites and Places Plan indicates that existing active travel routes must be protected. Development that would reduce, sever, or adversely affect the utility, amenity and safety of such routes will be acceptable where improved quality can be provided.
- 5.18 This application will affect public footpath OAY63 and it also appears from the proposal that a large proportion of the footpath within the Wave ownership will go from originally being part of a relatively open landscape to being hemmed in between high hedges, high mounds and high fences. There are concerns that the footpath has been left in very poor condition where debris and rubbish and stone were dumped on it leaving trip hazards, a change in levels and a very unpleasant walking surface even though the original application (for the main development of the Wave) did not propose any changes to the footpath as it was "outside the site boundary". Although these hazards have been addressed to a small degree over the winter whereby the path has been flattened and the trip hazards "buried" with a view to further works in dryer weather, it is considered that the following works need to be carried out to reinstate the original condition and to enhance the quality of the footpath:

- from Badgers Lane within a pleasant to use green corridor with a minimum of 1 metre width from the edge of the existing boundary hedges
- A 2m suitable stone/dust surfaced path and then a further minimum 3m distance to the nearest fence/hedge so that it is not a narrow corridor with associated safety concerns.
- The footbridge near Badgers Lane replaced with one that has a long life span and is more user friendly,
- The kissing gates removed where there is no requirement for stock control.
- Where the footpath exits from the Wave land to the west, the existing stile replaced with a gate

Therefore, subject to condition to seek an improvement and enhancement work to be carried out, the proposed development is acceptable in this regard.

#### 5.19 Ecological Impact

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

5.20 A Phase 1 Habitat Survey (Alder Ecology, July 2020), Reptile Survey (Alder Ecology, November 2020), Breeding Bird Survey (Alder Ecology, July 2021) and Reptile Mitigation Strategy (Alder Ecology, July 2021) has been submitted. The Ecology Officer confirmed that the site is not subject to any designated sites for Nature Conservation.

Bats - Suitable habitat is present for foraging bats, however it is not confirmed that potential the habitat has for foraging bats. It is understood that option A has been selected, therefore there are no buildings on this site. However it is unclear what impacts will be imposed on bats during and post development, this is to be confirmed. Mitigation to any impacts during development need to be included within a Construction and Environmental Management Plan (CEMP). Sensitive lighting will also be required during and post the proposed works and will also be included within the CEMP.

Great crested newt (GCN) - Suitable terrestrial habitat is found on site and suitable breeding habitat for amphibians. GCN surveys were undertaken and found no GCN present, no further GCN surveys are required. Common toad (NERC) was recorded, and mitigation is to be provided in order not to disturb or inure common amphibians.

Dormice - The site was assessed as being of low value to dormice, there are some limited opportunities within the hedgerows, however they will be retained.

Otter - There are suitable habitats along the Overbrook for otters and water vole, evidence of use by otter was recorded in 2018. Though no holts or other signs for permanent occupation, though future use is likely.

Birds - There are opportunities for nesting birds throughout the site. Breeding bird surveys were undertaken which recorded several red and amber list

species, more specifically the skylark which has the potential of being impacted by the works. Mitigation has been recommended which includes habitat buffers, sensitive habitat management and timing of the works to be outside of the breeding bird season and where not possible a suitably qualified ecologist is to undertake a check immediately prior to works. The management details for the habitat for skylark and other wildlife is to be detailed within the Landscape and Ecological Management Plan (LEMP).

Reptiles - The site provides suitable habitat for reptiles. The reptile surveys confirmed that low populations of grass snake and slow worm were recorded. A reptile mitigation strategy has been submitted, this is acceptable, receptor sites have been identified and though existing population of reptiles is not recorded for the receptor site, the number of reptiles resumed to be translocated is low and therefore it should not have a significant negative impact.

Water Vole - No evidence for water voles were recorded on site, however the habitat is suitable at Overbrook.

Badgers - No signs of badgers were recorded, and they are unlikely to be found on site due to limited opportunities for residency due to flooding.

Hedgehog - Hedgehogs are not mentioned within the report. As there are suitable habitats on site for hedgehogs, measures need to be undertaken to ensure they are not harmed during construction, this includes installing any excavations with ramps to ensure any animal that may fall in have a means for escape.

Invertebrates - The site has the potential to support a good assemblage of invertebrates, compensation planting is required to limit the potential impact. This will be part of a Landscape and Ecological Management Plan (LEMP).

In summary, subject to conditions seeking additional details regarding lighting strategy, construction environmental management plan, and landscape and ecological management, there is no ecological objection.

#### 5.21 Transportation and Highway Safety/Amenity Impact

Policy PSP11 indicates that new development should not create or contribute to severe traffic congestion or impact upon the amenities of communities on surrounding access routes.

- 5.22 This planning application seeks to construct a solar farm on land west of The Wave at Easter Compton. The main impact of the development in highways and transportation terms, occurs during its construction phase. This is borne out by the Transport Statement and the information relating to the construction phase has been provided. Whilst officers consider that the submitted details are broadly acceptable, a formal Construction Traffic Management Plan based on this information and the highway condition surveys will be required. Subject to the condition to seek those details, there is no highway objection to the proposal.

5.23 Drainage and Flood Risk

Policy CS9 of the Local Plan Core Strategy and Policy PSP20 of the Policies, Sites and Places Plan seek to ensure that any development is not adversely affected by the existing water environment or results in an impact to the surrounding area. As stated in the Core Strategy, new development has a significant role to play in managing flood risk by minimising its own surface water run-off through the use of Sustainable Drainage Systems (Suds), this provides a means of discharging surface water in ways that prevent flooding and pollution within the site (methods such as attenuation ponds and controlling flows).

5.24 The proposed development has been considered by both the Lead Local Flood Authority and the Environment Agency. The application site is within Flood Zone 3, the Flood Risk Assessment has also been submitted and accepted by the Environment Agency who have raised no objection, (subject to conditions relating to pollution control and the development proceeding in accordance with the submitted and approved flood risk assessment), to the proposal subject to the satisfactory passing of the “Sequential and Exception Tests”.

5.25 Table 2 within the NPPF (Flood Risk and Coastal Change) sets out the different categories according to their vulnerability to Flood Risk. It is considered that this development that would be classified as “essential infrastructure” is not inappropriate subject to the passing of the sequential test and the subsequent exception test as set out in table 3 of the guidance.

*Sequential Test* - Paragraph 161 of the NPPF sets out that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding, with development being rejected if there are other alternative locations with such a lower risk. The key driver for the location of the development is to make sure that the renewable energy generated will connect to the existing surf lake and the associated facilities. Given that most of the land associated with the Wave is within Flood Zone 3, the fields to the south of the surf lake are used for the maintenance purposes and the rest of the fields have been designed as landscaped garden and to provide other facilities to support the surfing activities. Therefore, it is not considered that there would be other sites of a similar size, which could be appropriate having regard to other material considerations in particular landscape impact. It is therefore considered that the sequential test is passed.

*Exception Test* - Paragraph 163 of the NPPF states that the application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:

- a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

With respect to “a” above, the overriding impetus behind the NPPF is to actively promote sustainable development. Several paragraphs as set out elsewhere in this report are relevant to the development of a site such as this and indicate that planning plays a key role in helping to secure radical reductions in greenhouse gas emissions, supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic social and environmental dimensions of sustainable development. The NPPF is very specific when it states that to support the move to a low carbon future, local planning authorities should plan for new development in locations and ways which reduce greenhouse gas emissions”

With respect to “b”, the detailed Flood Risk assessment has been reviewed by the Environment Agency and the Council Drainage Engineers and is accepted. This satisfies the second requirement of the exception test. A condition is imposed to ensure that all works are carried out fully in accordance with the submitted details and subject to this the development is considered acceptable in flood risk terms. In terms of site sustainable drainage, the Council Drainage Engineer has reviewed the submitted details, and raised no objection to the proposal.

#### 5.26 Site Security

There were some concerns regarding the site security. To address these concerns, the applicant confirmed that the following security measures will be in place:

- People are on site 24 hours a day, including 2 on-site security guards at night who will patrol the solar apparatus as part of their remit
- CCTV cameras are to be installed in the car park to cover the entrance and gatehouse areas. These are monitored from the reception by security staff who would see any vehicles approaching. These cameras would also monitor the carports and electric vehicle chargers once built;
- The gates at the car park on to the road leading to the Wave would be locked and impassable to vehicles at night;
- Gates from all access tracks around the site are padlocked at night

Officers noted that the proposed deer fencing cannot be deemed to meet any security standards. However, given that the proposed installation is situated within the existing complex and there would be several other security measures in place, there is no objection in this regard.

#### 5.27 Balancing Exercise

In accordance with the requirements of the NPPF and the Policies of the Local Development Framework as set out above, officers attach significant weight to the fact that the development is inappropriate development in the Green Belt and further weight is attached to the harm caused by the development to the openness given that the land is currently agricultural in nature and free from obstruction.

5.28 By definition the introduction of any installation of renewable energy will have a degree of harm to the landscape which is currently largely natural in appearance. However, the harm to the landscape as set out above will be mitigated by planting/landscaping but that mitigation would only take effect once it becomes mature. The greatest impact would be during the first few years. In addition, from the heritage perspective, the panels could potentially be a visible addition to the landscape above the church tower as an extension of the already permitted Wave development, and such impact would

also be mitigated by additional planting along the north / northwest boundary, which would be secured via planning condition.

- 5.29 In favour of the development, very significant weight is given due to the need of providing additional energy from renewable sources and the considerable wider environmental and educational benefits associated with the existing surf lake and facilities. Some very limited weight is given to the time limited and non-permanent nature of the installation, but the potential lifespan of 40 years is a significant period. That said the decommissioning of the infrastructure would allow a return to a natural landscape. Some moderate weight is also given to the potential improvements to the public rights of way that will be secured by planning condition.

Having regard to the evidence, it is concluded that the public benefits would clearly outweigh the harm caused by the proposal.

5.30 Other Matters

The Town and Country Planning (Consultation) (England) Direction 2009, which has been replaced by the Direction 2021 came in force on 21 April 2021, sets out those matters that should be referred to the Secretary of State prior to the issuing of a decision by the Local Planning Authority (the decision-maker).

- 5.31 As set out in this report the proposed development is situated in the Green Belt and does not fall within the list of appropriate development set out in the National Planning Policy Framework. Officers have, as set out above, accepted that there is “Very Special Circumstances” to support the proposal.

- 5.32 Section 4 of the direction in setting out those matters that must be referred to the states:

For the purposes of this Direction, “Green Belt development” means development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which consists of or includes-

- a) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- b) Any other development which by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

- 5.33 In this instance, it should be noted that the Direction does not define what is ‘significant’. Taken into consideration of the size of the site, i.e., 4.95 ha and the proposed installation of the solar array would only generate 2.97MW and a very small amount of renewable energy generated by the solar panel above the carport and the proposed Smart Flower, it is considered that the proposal would not have a significant impact upon the openness of the Green Belt, hence, it is considered that that proposal would not need to refer to the Secretary of State.

## **6.0 CONCLUDING SUMMARY**

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

## **7. RECOMMENDATION**

- 7.1 It is recommended that the application be **APPROVED** subject to the following conditions:

### **CONDITIONS**

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

Reason

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

2. Construction Traffic Management Plan

Prior to the commencement of the development hereby approved, a detailed construction traffic management plan shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the statement shall include details of:

- a. Parking of vehicle of site operatives and visitors;
- b. Routes for construction traffic;
- c. The Construction Hours;
- d. Method of prevention of mud being carried onto highway and provision of wheel washing facilities on site;
- e. Pedestrian and cyclist protection;
- f. Arrangements for turning facilities of site for vehicles;
- g. Method to prevent dust, and
- h. Temporary signage and its location in relation to the agreed routing details to and from the site, and
- i. A highway condition survey (including photographs) of the adjoining road network and the second highway condition survey following the completion of the approved development.

The approved plan/statement shall be adhered to throughout the construction period

Reason: In the interests of highway safety and to accord with Policy CS8 of the South Gloucestershire Council Local Plan Core Strategy 2013. A pre-commencement condition is required to avoid the need for future remedial action.

3. Prevention of Pollution (Construction Phase)



No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The scheme should include details of the following:

- a. Site security
  - b. Fuel oil storage, bunding, delivery and use
  - c. How both minor and major spillage will be dealt with
  - d. Containment of silt/soil contaminated run-off
  - e. Disposal of contaminated drainage, including water pumped from excavations
  - f. Site induction for workforce highlighting pollution prevention and awareness.
- Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

Reason: To prevent pollution of the water environment and to accord with Policy PSP20 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013). A pre-commencement condition is required to avoid the need for future remedial action.

#### 4. Construction Environmental Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall be written in accordance with BS42020, including mitigation details on birds, great crested newt, reptiles, dormice and badger, as well as any pollution prevention measures. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the wildlife habitat and biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013. A pre-commencement condition is required to avoid the irreversible damage to the wildlife habitat and the need for future remedial action.

#### 5. Archaeological investigation and recording

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

Reason: In the interest of archaeological investigation or recording, and to accord with Policy 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 July 2021.

## 6. Flood Risk Assessment

The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 15101-HYD-XX-XX-RP-FR-001 and the following mitigation measures it details

Section 4.2.1 - The proposed solar structures and associated electrical infrastructure will be elevated between 2.0-1.0 metres AOD above existing ground levels in sites a, b and c.

Section 4.2.2 - during construction of the solar development and during operation of the solar units, operatives will be required to follow the existing and approved Flood Warning Evacuation Plan that was approved in planning application PT17/1730/RVC.

Section 4.2.3 - Flood risk - noted that due to the small footprint of the structures, and flood flow will not be impeded due to the metal frames being located on legs, it is accepted that no flood compensation is required.

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

Reason: To reduce the risk of flooding to the proposed development and to accord with Policy PSP20 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

## 7. Landscape and Ecological Management Plan 'LEMP'

Prior to the first operation of the development hereby approved, a landscape and ecological management plan shall be submitted to, and be approved in writing by, the Local Planning Authority. The LEMP shall be written in accordance with BS42020. The LEMP shall also include the following elements:

- a. details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.
- b. sets out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
- c. details of any sensitive habitat management in relation to ground nesting birds
- d. a map detailing ecological enhancements highlighting the location and specification of the enhancements.
- e. hedgerow management proposals, for all new existing hedgerow on the site and meadow areas.

The management proposals shall cover the whole operational life of the solar array. The approved plan shall be implemented in accordance with the approved details.

Reason

In the interests of biodiversity and to accord with Policy CS2 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP2 and PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

8. Planting Plan

Notwithstanding the submitted landscape drawing No. 1034-APG-XX-OO-DR-L - 005, and No. 1034-APG-XX-OO-DR-L-004, prior to the commencement of the development hereby approved, a detailed planting plans, detailing size, type and specification, mixes and quantities of all proposed planting including a detailed planting scheme around the south western boundary, shall be submitted to and approved in writing by the Local Planning Authority. The approved detailing planting scheme shall be fully implemented within the first planting seasons following the installation of the development hereby approved.

Reason

In order to protect the health and amenity of the trees and hedgerows on the site and to accord with Policy CS2 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP2 and PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

9. External Lighting

Prior to the commencement of development hereby approved, details of external lighting for any proposed structures or buildings associated with the solar array shall be submitted to and approved in writing by the Local Planning Authority to ensure that they are sensitively designed in order to not deter wildlife such as bats from using the site. The details shall include the location and specification of proposed lighting.

Reason: In the interest of the wildlife habitat and biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013. This is a pre-commencement condition to ensure that precautionary measures in place before the commencement of the development.

10. Associated Equipment

Prior to the commencement of development hereby approved, a detailed drawings showing any equipment associated with the proposal, including HV Equipment, such as inverters and transformer, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason - In the interests of visual amenity, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013, and PSP1 of the South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017.

11. Mitigation Measures (Ecology and Biodiversity)

The development shall proceed in strict accordance with the Mitigation Measures provided in the Phase 1 Habitat Survey (Alder Ecology, July 2020), Reptile Survey (Alder Ecology, November 2020), Breeding Bird Survey (Alder Ecology, July 2021) and Reptile Mitigation Strategy (Alder Ecology, July 2021).

Reason: In the interest of the wildlife habitat and biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

12. Footpath Enhancement

Within three months following the commencement of development hereby approved, details of improvement and enhancement works to the existing footpaths shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first operation of the approved development.

Reason: To protect and enhance existing travel routes and to accord with Policy PSP10 (Active Travel Routes) of the South Gloucestershire Council Local Plan Policies Sites and Places Plan (Adopted November 2017).

13. Protection of Trees

The development hereby approved shall be carried out in accordance with the submitted Arboricultural Impact Appraisal and Method Statement by Barrell Tree Consultant, dated December 2013. The trees shall be retained in accordance with the drawing no. 13702\_L01\_03 Rev C and Drawing No. 13702\_L01\_04 Rev C.

Reason

In the interests of the health of the tree, and to accord with Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

14. Export of Electricity

The developer shall notify the Local Planning Authority in writing within 21 days of such time that electricity from the development is first exported to the National Grid for commercial operation.

Reason: In order to allow the Local Planning Authority to adequately monitor the time scale of the development; and conditions contained in this decision notice.

15. Operational Year

The development hereby approved is a for a period of a maximum of 40 (forty) operational years to coincide with the length of The Wave lease of the site. No later than three months before the cessation of the development a Decommissioning Method Statement shall be submitted to and approved in writing by the Local Planning

Authority. The Statement shall include the timing for decommissioning of the solar farm, along with the measures, and a timetable for their completion (to be completed within 12 months from cessation of the export of energy to the grid), to secure the removal of the solar farm equipment and all associated road, equipment and structures in accordance with the Decommissioning Method Statement.

**Reason**

In order to ensure that the approved development does not remain in situ beyond the projected lifetime of the equipment so installed in the interests of the visual amenity and character of the surrounding landscape; and to accord with Policy CS3 and CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and the National Planning Policy Framework July 2021.

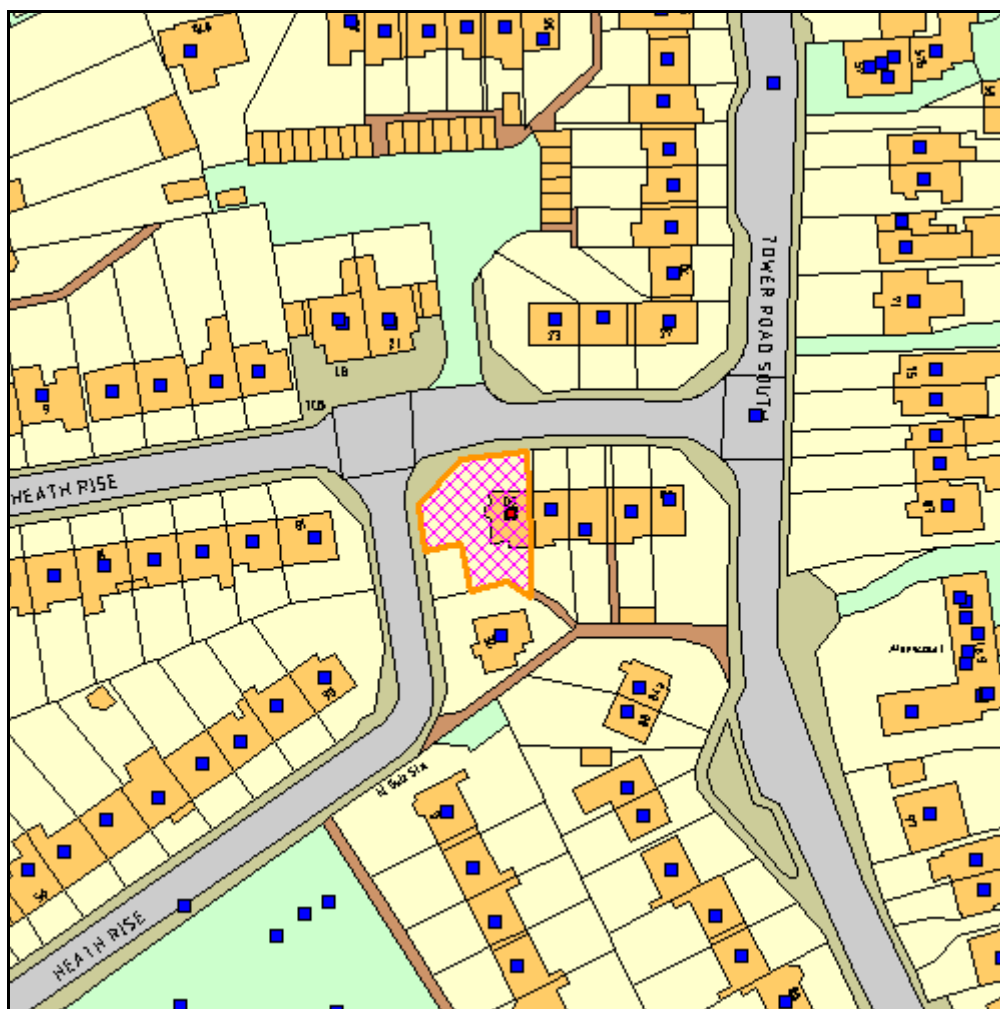
16. Development hereby approved shall be carried out in accordance with the following plans, all received by the Local Planning Authority on 22 January 2021:
- Site Location Plan, Drawing No. 1034 APG XX 00 DR L 001 A,
  - Proposed Block Plan, Drawing No. 1034 APG XX 00 DR L 002 A
  - Proposed Solar Canopy, Drawing No. 1908 SK0111
  - Proposed Solar Canopy (Section), Drawing No. 1908 SK0112
  - Proposed Solar Canopy (Component), Drawing No. 1908 SK0113
  - Proposed Solar Canopy (Steel Frame), Drawing No. 1908 SK0114
  - Proposed Solar Canopy (Elevations), Drawing No. 1908 SK0115
  - Proposed Solar Farm (Visual Example), Drawing No. 02
  - Proposed Flow Battern Installation Proposed Layout, Drawing No. 6000
  - Proposed Solar Fields Boundary and Inverter Details ref: 1034 APG XX 00 DR L 010 Revision A
  - Highway Construction Details Sheet 1 Drawing No. WAVB-HYD-XX-AR-DR-C-0450 Revision C03, and
  - Highway Construction Details Sheet 2, Drawing No. WAVB-HYD-XX-AR-DR-C-0451 Revision C07 and
  - Proposed Block Plan, Drawing No. 1034 APG XX 00 DR L003, received on 14 October 2021

Reason: For the avoidance of doubt.

**Case Officer: Olivia Tresise**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 41/21 -15th October 2021**

<b>App No.:</b>	P21/02502/F	<b>Applicant:</b>	Finnix Ltd.
<b>Site:</b>	20 Heath Rise Cadbury Heath South Gloucestershire BS30 8DD	<b>Date Reg:</b>	9th April 2021
<b>Proposal:</b>	Demolition of existing side lounge bay window. Erection of semi detached dwelling and associated works. Creation of new vehicle access and parking areas.	<b>Parish:</b>	Oldland Parish Council
<b>Map Ref:</b>	366856 172286	<b>Ward:</b>	Parkwall And Warmley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	3rd June 2021



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P21/02502/F

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

The application appears on the Circulated Schedule as there is an objection raised by Oldland Parish Council where the officer recommendation is one of approval.

## **1. THE PROPOSAL**

- 1.1 The proposal seeks full planning permission for demolition of existing side lounge window and erection of 1no. semi-detached dwelling and associated works.
- 1.2 The application site relates to the land associated with 20 Heath Rise, Cadbury Heath.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework  
National Planning Practice Guidance

### **2.2 Development Plans**

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

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	Communities of the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP16	Parking Standards
PSP22	Unstable Land
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist  
Householder Design Guide SPD

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

3.1 No relevant planning history.

### 4. **CONSULTATION RESPONSES**

#### 4.1 Oldland Parish Council

The Parish Council **objects** to this application on grounds of over development and a contrived layout on a cramped site. Parking and access issues are also a cause for concern. Furthermore if the development is permitted, the rear garden will not meet the private amenity space standard.

#### 4.2 Other Consultees

##### Sustainable Transport

No objection, conditions recommended.

##### Lead Local Flood Authority

No objection, subject to informatives.

##### The Coal Authority

No objection, subject to conditions.

##### Highway Structures

Details of excavations and the temporary support that is to be provided during construction are to be submitted to satisfy the highway authority that support to the highway and area of land not under applicants ownership is provided at all times.

##### Tree Officer

No objection.

#### **Other Representations**

#### 4.3 Local Residents

2no. objection and 1no. neutral comments were submitted, with key points summarised below:

Objection:

- This will worsen the existing parking situation in the area;
- Small garden lost to development;

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

#### 5.1 Principle of Development

The application site is located within residential area of Cadbury Heath, which is within the east fringe of Bristol urban area. Based solely on the location of the application site, the proposal is acceptable in principle, subject to further consideration below.



## 5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.3 No 20 Heath Rise is an end-of-terrace corner property. The majority of houses in the vicinity are terraced. It is proposed to remove the existing side lounge window and erect 1no. 3-bedroom attached dwellinghouse. The proposal also involves the creation of 2no. off-street parking spaces for each dwelling. It is considered that the plot is adequately sized to accommodate the proposed dwellinghouse.

5.4 In regards to visual appearance, the proposed house would be similar to those existing within the terrace, and would overall reflect its existing character. Overall, it is considered that the proposal was designed to a good standard and therefore accords with Policies CS1 and PSP38.

## 5.5 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.6 It is considered that the introduction of 1no. new dwellinghouse at this location would not be detrimental to the residential amenity of neighbouring occupiers.

5.7 A number of concerns were raised in regards to available private amenity space for both the existing and proposed dwellings. A revised block plan was submitted which indicates that the proposal would comply with the required minimum standards as per PSP43. Following the initial concerns in regards to the privacy of the proposed side garden, it was confirmed by the agent that a 1.5m boundary wall would be erected to address this.

5.8 On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impacts on residential amenity, and the proposed development therefore accords with policies PSP8, PSP38 and PSP43.

## 5.9 Transport

The submitted plans indicate that there would be 2no. off-street parking spaces available for each dwelling post development, which is acceptable as per Policy PSP16. The proposed parking arrangement is considered to be a significant improvement on the existing situation, as No 20 currently does not possess any off-street parking.

## 5.10 Coal Referral Area

The application site is located within Coal Referral Area. The Coal Authority was consulted and raised no objection to the proposal. It was recommended to condition intrusive site investigations which would have to be undertaken prior to commencement of development.

## 5.11 Consideration of likely impact on Equalities

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

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions included on the decision notice.

## CONDITIONS

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

Reason

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

2. The development must be carried out in accordance with the below listed plans:

BLOCK PLANS  
THE LOCATION PLAN  
EXISTING FLOOR PLANS (Drawing No. 01)  
EXISTING ELEVATION PLANS (Drawing No. 02)  
PROPOSED FLOOR PLANS (Drawing No. 03)  
PROPOSED ELEVATION PLANS (Drawing No. 04)  
SECTION PLANS (Drawing No. 05)  
Received by the Local Planning Authority on 31 March 2021.

Existing and Proposed Front Elevations  
Received by the Local Planning Authority on 09 April 2021.

Proposed Block Plan (Drawing No. 06B)  
Received by the Local Planning Authority on 24 August 2021.

Landscaping - Walls (Drawing No. 06D)  
Received by the Local Planning Authority on 21 September 2021.

Reason  
For the avoidance of doubt.

3. Prior to first occupation of the development hereby approved, 2no. off-street parking spaces must be provided for both the existing and proposed dwelling (Drawing No. 06B), and retained as such thereafter.

Reason  
To comply with Policy PSP16 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The new dwelling shall not be occupied until 7kW 32 Amp electric vehicle charging point have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason  
To promote sustainable travel and to accord with Policy CS8 of South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

5. No development shall commence until:
  - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. This should include the submission of the approved site layout plan to illustrate the location of the mine entry (if found present within the site) and the calculated zone of influence of the mine entry (CA ref: 366172-015).

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

Reason:

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

6. Prior to first occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason

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

7. The boundary treatments hereby approved, including hedge planting shall be implemented prior to the first occupation of the dwelling hereby approved.

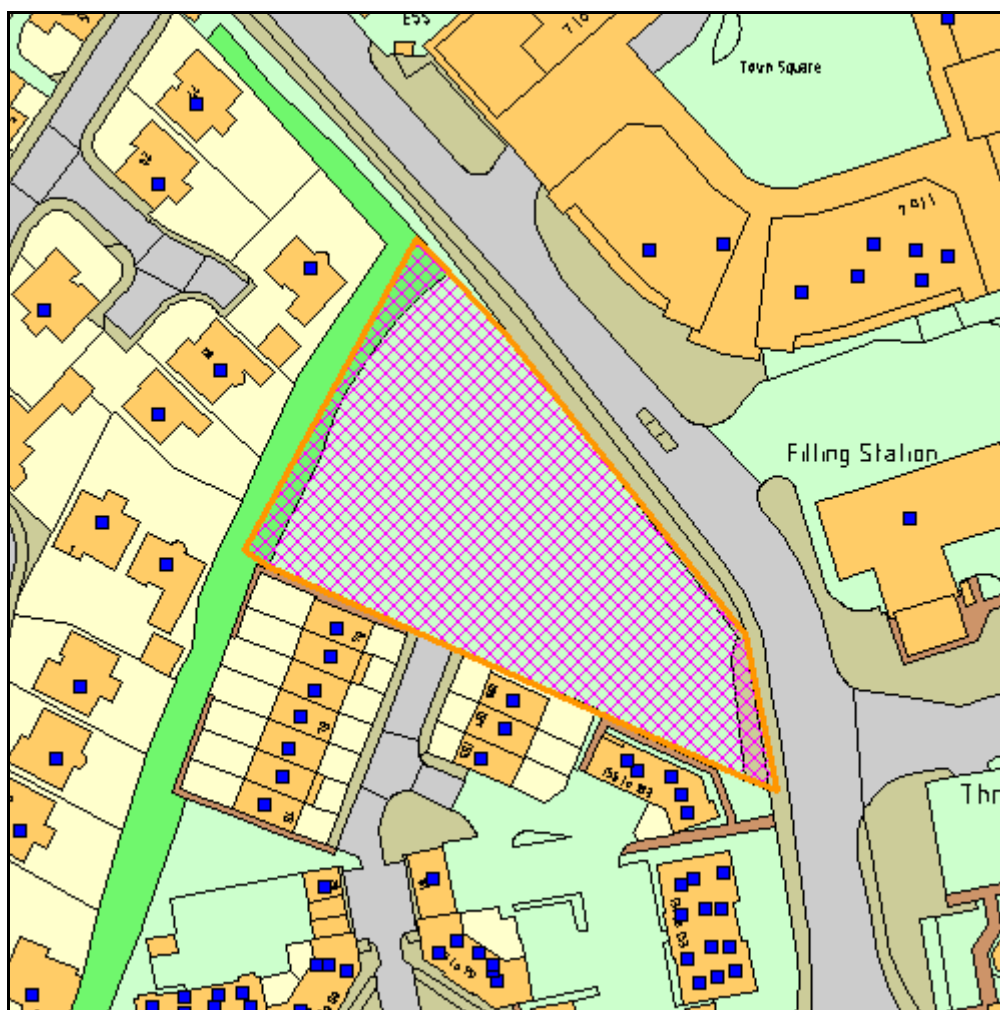
Reason:

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

**Case Officer: Mykola Druziakin**  
**Authorising Officer: Helen Ainsley**

**CIRCULATED SCHEDULE NO. 41/21 -15th October 2021**

<b>App No.:</b>	P21/02958/F	<b>Applicant:</b>	Live West
<b>Site:</b>	Land At Hornbeam Close Bradley Stoke South Gloucestershire BS32 8FE	<b>Date Reg:</b>	7th May 2021
<b>Proposal:</b>	Erection of 21 no. dwellings with associated landscaping and works.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	361906 181792	<b>Ward:</b>	Bradley Stoke South
<b>Application Category:</b>	Major	<b>Target Date:</b>	4th August 2021



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P21/02958/F

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

## **INTRODUCTION**

This report is referred to the Circulated Schedule in accordance with the Council Constitution as responses have been received that are contrary to the Officer recommendation

### **1. THE PROPOSAL**

- 1.1 The application site comprises 0.35 hectares in total and is located within the residential area of Bradley Stoke. The site is broadly triangular shaped with residential properties on two sides (north-west and south) and the road that leads into the Willow Brook Centre on the third side (east). A 1.8m close boarded fence lies on the sides adjacent to the residential properties in Manor Farm Crescent and Hornbeam Close. The site is grassed over and there is a grass verge between the site boundary and the footpath along the road.
- 1.2 The development for this full planning application comprises 21 residential units of Affordable Housing (100%) as follows:
  - 7 no. 2 bed houses (Plots 2-8 – 2 storey town houses on western side of site)
  - 2 no. 3 bed houses (3 storey with integral garages (Plot 1 and 9 bookend to the above units)
  - 9 no. 1 bed flats located within the a block situated along the eastern boundary
  - 2no. 1 bed flats (wheelchair accessible) within the block
  - 1 no. 2 bed bungalow situated at the south-eastern corner
- 1.3 The site is accessed by providing an extension to the existing Hornbeam Close. In total 28 no. parking spaces are to be provided including 2 garages, 4 accessible spaces and 5 visitor spaces. The layout allows flexibility to create an additional two bays at a future date if so required. Fencing often topped by a trellis forms the site boundary. A communal garden is located to the south-east to serve the “flatted” element and a limited amount of landscaping is provided elsewhere. All existing landscaping/tree cover is retained including the large Ash Tree covered by a Tree Preservation Order (TPO) on the western side of the site.
- 1.4 In addition to the plans and design and access statement the applicant has submitted the following supporting information, which has been assessed by officers:
  - Drainage Strategy
  - Affordable Housing Statement
  - Interpretive Ground Investigation Report
  - Preliminary Ecological Appraisal
  - Sustainability Statement
  - Aboricultural Impact Assessment
  - Transport Statement
  - Environmental Noise Assessment

- 1.5 During the consideration of the application a number of changes have been negotiated. The principle change has been the addition of four parking spaces with some minor landscape changes to accommodate this. A wider access to accommodate wheelchair access at Plot 21. A change of Plot 9 to a socially rented property and Unit 1 to an Affordable Rent. The scheme will continue to provide 100% Affordable Housing. It is considered that these changes are quite minor and a re-consultation has therefore not taken place in this instance.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework July 2021

National Planning Practice Guidance

### **2.2 Development Plans**

The South Gloucestershire Local Plan Core Strategy (Adopted) 2013

CS1 - High Quality Design

CS2 - Green Infrastructure

CS4A - Presumption in Favour of Sustainable Development

CS5 - Location of Development

CS6 - Infrastructure and Developer Contributions

CS7 - Strategic Transport Infrastructure

CS8 - Improving Accessibility

CS9 - Managing the Environment and Heritage

CS15 - Housing Distribution

CS16 - Housing Density

CS17 - Housing Diversity

CS18 - Affordable Housing

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

PSP1 - Local Distinctiveness

PSP2 - Landscape

PSP3 - Trees and Woodland

PSP6 - On Site Renewable and Low Carbon Energy

PSP8 - Residential Amenity

PSP11 - Transport Impact Management

PSP16 - Parking Standards

PSP17 - Heritage Assets and the Historic Environment

PSP19 - Wider Biodiversity

PSP20 - Flood Risk, Surface Water and Watercourse Management

PSP21 - Environmental Pollution and Impacts

PSP22 – Unstable Land

PSP43 - Private Amenity Space Standards

### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Check List (SPD)

Trees on Development Sites SPG (Adopted) Nov. 2005

South Gloucestershire Council Residential Parking Standards (SPD) Adopted

Waste Collection: guidance for new developments (SPD) Adopted Jan. 2015

Affordable Housing and extra care SPD (Adopted) 2021  
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide.  
Green Infrastructure: Guidance for New Development SPD Adopted April 2021  
Trees and Development Sites: Guidance for New Development SPD (Adopted April 2021)

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

PT04/0815/R3O Development of land for Health Centre (Renewal of planning permission PT00/1510/R3O). Deemed consent

PT00/1510/R3O Development of land for Health Centre Renewal of Planning Permission P97/1762 Deemed consent

P97/1762 Erection of Health Centre on approximately 0.4 hectares of land (Renewal of Outline Consent P93/20/402 dated 19 January 1994)

P93/0020/402 Development of approximately 0.4 hectares (1 acre) of land for health centre (outline)

### **4. CONSULTATION RESPONSES**

#### **4.1 Bradley Stoke Town Council**

Bradley Stoke Town Council objects to this planning application on grounds of overdevelopment of the site and insufficient parking provision

#### **4.2 Other Consultees**

##### **Archaeology**

##### **Initial Comments**

No objection subject to a condition to secure a programme of archaeological evaluation prior to the commencement of work and appropriate mitigation and recording if remains are found.

The applicant has submitted a written scheme of investigation and it is considered that subject to a condition that works take place in accordance with the recommendations within there is no objection to the proposal.

##### **Community Infrastructure Officer**

No objection subject to the provision of contributions to off-site Informal Recreational Open Space, Outdoor Sports Facilities, provision for Children and Young People and Allotments and their maintenance. All to mitigate against the impact of the development upon existing provision (full details set out in the report below)

##### **Environmental Policy Team**



## Initial Comments

No objection subject to amendments to the submitted energy statement, to include a summary of energy reduction measures, final details of the solar pv, comment on the use of gas boilers which are being phased out, consideration of renewable heating and air or ground source heating particularly for the flats, details of the proposed EV charging points, more detailed consideration of “overheating” and the measures to mitigate against this.

Following the submission of further information there is no objection to the proposed development subject to a condition.

## Tree Officer

The Submitted Arboricultural report shows that all existing trees are to be retained and satisfactorily protected in accordance with BS:5837:2012.

## Avon and Somerset Police

Objection (summary) – the development will create a link to the Willow Brook Centre thereby “opening up” the cul-de-sac. Cul-de-sacs are safe environments and this would weaken this. Also the street cannot rely only on external lighting.

*For information a link through to the Willow Brook Centre from the cul-de-sac is not shown on the submitted plans only where there would be the potential to add one. This and the lighting issue are addressed in the report below.*

## Lead Local Flood Authority

No objection subject to either to a condition that requires the submission of a full sustainable urban drainage scheme, prior to the commencement of development or the submission (full details of the requirements on the website) of a scheme prior to determination to allow a compliance condition.

Following the submission of additional information and subject to a condition that all works are carried out in accordance with the approved details no objection to the proposal is raised.

## Housing Enabling

### Initial Comments

No objection to a scheme that offers 100% Affordable Housing (albeit the S106 in line with policy will require 35% ie 7 units with 3 units for Social Rent and 4 for Affordable Rent)

### *Social Rent*

- Unit 9 - 3 bed 6 person house - 112 sqm
- Units 2 & 3 – 2 bed 4 person house – 81 sqm

### *Affordable Rent*

- Units 10 & 11 – 1 bed 2 person flats (wheelchair) – 66 sqm
- Unit 12 – 1 bed 2 person flat – 54 sqm
- Unit 21 – 2 bed 3 person bungalow – 76 sqm

Clarification of a number of points (set out in full on the Website). These relate to the general design specifications and have been sent by the Housing Occupational Therapist. They relate to the disabled parking bays; communal garden, the design of Unit 21 (accessible dwelling); communal areas in Units 10,11,12. Following the submission of additional information, the Occupational Therapist is satisfied that the proposal is satisfactory.

### Landscape Officer

#### Initial Comments

No objection however clarification of a number points (full details are set out on the website) relating to the landscape strategy and future maintenance is required.

Following the submission of revised details no objection is raised subject to conditions to ensure that all works take place in accordance with the submitted tree protection plan, a condition requiring details of the detailed planting, the submission of a 10 year landscape management plan and boundary and hard landscaping details.

### Sustainable Transport

No objection, subject to Electric Vehicle Charging Points to be supplied to each dwelling (7kw/32amp). A condition requiring a Construction Management Plan will be needed.

An additional comment has been received that confirms that the development is in accord the Council Parking Standards

### Arts and Development Officer

No comment

## **Other Representations**

### 4.3 Local Residents

16 no. letters of objection have been received. The grounds of objection can be summarised as follows:

There are already parking issues in Hornbeam Close, a new development will make the existing problems worse  
Insufficient parking is provided

There are existing traffic problems in and around Hornmean Close  
There will be noise, pollution and disruption during building works  
This will affect attendance by emergency vehicles  
The access should not be from Hornbeam Close (should be from retail access road)  
More Social Housing is not needed in Bradley Stoke  
Another area should accommodate this development  
The area should be developed as a play area or allotment

2 no. comments have been received neither supporting or objecting the proposal and can be summarised as follows:

Consideration should be given to the position of the fence to avoid dumping of waste  
Happy with the design but more space needed between backs of plots 1 to 9 and the hedge

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

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

The South Gloucestershire Local Plan: Core Strategy was adopted by the Council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will be the Core Strategy, as it forms part of the adopted Development Plan and is compliant with the National Planning Policy Framework 2021 (NPPF). The Policies, Sites & Places Plan was adopted in Nov. 2017 and also now forms part of the Development Plan.

Paragraph 11 of the NPPF states for plans and decisions there should be a presumption in favour of sustainable development. For decision makers para 11c and 11d applies:

*c) approving development proposals that accord with an up-to-date development plan without delay;*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (Green Belt, AONB etc in footnote 6);*

*or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Footnote 7 to para 11 states that policies are out of date where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

The Council published its housing land supply figure in December 2020 as 5.28 years. The Office for National Statistics (ONS) published technical updates to the data that underpins the standard method calculation at the end of March.

This comprised updated median house price to workplace-based earnings ratios for 2020, alongside 'rolled forward' household projections for the new 10-year period 2021-2031.

Applying these to the Local Housing Need (LHN) Standard Methodology calculation for South Gloucestershire has resulted in our LHN figure changing from 1,412 dwellings pa to 1,353 dwellings pa.

Based on the housing supply available as identified in the December 2020 Housing Trajectory, the Council's Housing Land Supply Figure is revised from 5.28 years **to 5.52 years**.

In terms of the Housing Delivery Test (previous 3 years), the following applies:

2018 – 131%  
2019 – 134%  
2020 – 125%

In the light of the above, Paragraph 11d of the NPPF is not engaged and as a result, the Council's policies (alongside those in the framework) in answer to the question posed in the heading above have full weight. This is of particular importance when considering the principle of development, as those strategic policies that set out those areas in which development can be appropriately and sustainably sited (and those where there is a presumption against development) have that full weight.

The locational strategy for the District is set out in policy CS5. Under this policy, new residential development is directed to the strategic housing allocations, existing urban areas, and defined rural settlements as shown on the proposals maps, with most new development being on the North and East Fringes of Bristol. This application proposes development within the designated Urban Area on the North Fringe and as such is acceptable in principle. It is considered likely that the proposed development would begin to contribute towards housing supply in the district within a period of 5 years.

CS17 of the Core Strategy sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities. Policy CS18 supports the provision of affordable housing as part of the drive to provide mixed and

inclusive communities and as this scheme will provide 100% Affordable Housing to accord with the Council's full design and tenure requirements including wheelchair access the proposal is in accordance with policy.

Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services. The application site would accord with this policy.

In summary therefore it is considered that the development is acceptable in principle. The remainder of this report will consider all other material planning considerations applying national guidance and policies in the Development Plan to the proposed development.

## 5.2 **Archaeology**

CS9 of the Core Strategy and PSP17 in line with the National Planning Policy Framework require development proposals to serve to protect and where appropriate, enhance or better reveal the significance of heritage assets and their settings. Archaeology falls within the definition of a heritage asset.

The application is within an area of archaeology interest relating to Bronze Age, Roman and some Saxon and Medieval activity. It is noted by the Archaeologist that it would have been preferable for a desk based assessment to have been submitted with the application however within the Historic Environmental Record there is sufficient information.

The applicant has submitted a written scheme of investigation which sets out how an evaluation will take place prior to the commencement of works to ensure an understanding of archaeological potential and to inform the scope and nature of any further work and if required a mitigation strategy. Subject to a condition to ensure that all works take place fully in accordance with this document there is no objection.

## 5.3 **Environmental Policy**

Policy PSP6 of the Policies Sites and Places Plan sets out that development will be *"encouraged to minimise end-user energy requirements over and above those required by the current building regulations through energy reduction and efficiency measures"*.

A detailed sustainability statement has been submitted with the application. Negotiations have taken place to secure electric vehicle charging points for **all the dwellings** with amendments to the statement made. It is concluded that the conclusions as set out below in the submission are accurate.

Modelling of the proposed building fabric performance characteristics have concluded that energy efficiency measures, will deliver reductions in CO2

emissions, associate with energy use, of over 7%; when compared with an identical development constructed to the Notional Building parameters.

In addition this Sustainability Statement shows that the proposed development, at Hornbeam Close, can meet policy PSP6 by producing 20% of the total predicted energy demand from renewable and low carbon energy sources (solar pv on south-east facing roofs); through the use of solar photo-voltaic panels installed on the houses and bungalow. This will be of particular benefit given the “affordable” status of the buildings. A condition is recommended to ensure that all works take place in accordance with the submitted and agreed Energy Statement.

### 5.3 **Landscape/Trees**

Policy PSP2 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) Nov 2017 seeks to conserve and where appropriate, enhance the quality, amenity, and distinctiveness of the landscape. Policy CS9 of the South Gloucestershire Local Plan Core Strategy expects new development to conserve and enhance the character, quality, distinctiveness and amenity of the landscape.

The triangular shaped site extends to some 0.35ha and is currently laid to grass. A line of trees extends along its western boundary, with a TPO Ash lying within the western corner.

The applicant has submitted an Arboricultural Impact Assessment. There are nine trees on the site most of which are of low quality (Category C). In the corner to the north however there is a Category B Ash which is protected by a TPO. Category B is a tree of moderate quality. The applicant has indicated that all trees are to be retained. A tree protection plan was requested and submitted and a condition will ensure that works take place in accordance with the details submitted.

Details of landscaping has been submitted with an emphasis placed upon the boundaries of the site. Some limited planting is secured in principle for the parking areas. More planting has been secured by negotiation along the internal road frontage with nine trees shown, trellis planting is shown and a section of railings introduced.

A Landscape Management Plan has been submitted however to comply with the SPD adopted in 2021 this will need to be a 10 year document confirming who will be responsible for managing the retained belt of trees and associated habitat zone with details of seasonal and annual maintenance.

Subject to conditions to secure an updated planting plan incorporating appropriate maintenance access gate widths, 10 year Landscape Management/Management Plan and details of all proposed boundary and hard landscaping to include maintenance gates the proposal is considered acceptable in these terms.

## 5.4 Drainage

Policy CS9 of the Core Strategy and PSP20 of the Policies Sites and Places Plan require development to adopt a sustainable drainage approach ie an appropriate means of surface water management that retains water within the site rather than discharge to the drainage system. Sustainable urban drainage should be integral to the design of the development.

Officers consider that the location is suited to a sustainable urban drainage system and consider that an appropriate condition with advice on the information required to discharge the condition could be applied to the decision notice. As indicated above because drainage is integral to a development this condition would need to be discharged prior to the commencement of development. The applicant has indicated however that a pre-commencement condition is a matter they would wish to avoid and would prefer to negotiate to secure a compliance condition. After a protracted period of negotiation an appropriate scheme (in terms of detail submitted) has finally been agreed and subject to a condition to ensure that the development proceeds fully in accordance with this submission, the proposal is considered acceptable in drainage terms.

## 5.5 Design

Core Strategy Policy CS1 only permits new development where “the highest possible standards of site planning and design are achieved”. The Policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality; this policy is fully compliant with the design guidance in the NPPF.

The application site was originally intended to be used in association with a health centre as part of the original masterplan for the area however the need for this facility with the provision elsewhere fell away. So it was intended that the site was to be developed rather than form part of the wider landscaping for Bradley Stoke. Residential, Commercial and Retail Development has subsequently taken place providing the context for the site and any future development. The residential buildings in the vicinity are a mix of two and three storey properties. Three storey properties front the Willow Brook access road while on nearby Manor Farm Crescent there are two storey dwellings. A mix of materials are in evidence but predominantly red and buff bricks with the occasional render panel largely in light pastel shades, cream, yellow and white mostly. Timber cladding is also seen on some dormers and the ends of some gables (mock-tudor style). Roofing materials are brown, red and grey tiles.

The layout shows a terrace of 7 no. two storey houses with a three storey property at each end (forming a “bookend”), with on the east side a block of three storey block of flats. A single bungalow is then proposed at the south-eastern corner. The layout is considered to make the best use of the land, the terrace is a continuation of the existing street albeit with the three storey (or 2.5 storey in effect) properties at each end. The Case Officer considers this a good design solution in so far as it creates an individual identity for the scheme while

reflecting the original street scene. The flats to east are more in keeping with the larger properties along the existing access road and Shepherds Walk nearby. Car parking is broken up by some landscaping.

Plans show an access gate in the boundary with the Willow Brook access road. The plans indicate that there is the potential to create a public through route to the access road (and thereby all the facilities available in the Town Centre). At the present time the applicant indicates that they wish this to be used for maintenance only. From the Case Officer's perspective a through route would represent good site planning giving easy access to the facilities. It is noted that the Police object to such an access as they consider this would undermine the crime prevention benefits that result from cul-de-sacs where there is only one point of access. It should be noted that there is already a footpath access between the flats at 155/163 to 131/153 to the south which could be used as an alternative albeit this is not quite as direct a route. In the light of the concern raised however by the Police, it is considered appropriate for the present that the new gate be kept locked and an appropriate condition to this effect will be attached to the decision notice.

With respect to the detailed appearance, the use of contrasting brick and simple/traditional roof pitches are considered acceptable. Contrasting brick in particular will be provided on the projecting elements of the flats to provide interest. Porches will provide an additional feature ensuring that refuse and storage can be discreet. The bungalow will have elements of cladding reflecting its different dimension. Red Redland tiles are to be used. An attempt has been made to secure some additional variation in the palette of materials without success however on balance the scheme is considered acceptable in design terms. A condition requiring details of the exact specification of the main facing materials will be attached to the decision notice.

## 5.6 **Ecology**

Policy CS9 of the Core Strategy and PSP19 of the Policies Sites and Places Plan consider the impact of development upon the natural environment and see where possible to secure "biodiversity gain" through on-site enhancements. A preliminary Ecological Appraisal has been submitted.

The application is not covered by a Nature Conservation designation and in terms of habitat comprises semi-natural broadleaved woodland, scrub and rough grassland.

With respect to protected species (*Species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended) :-*

### *Bats*

The woodland and grassland provides good foraging habitat for bats and provide few opportunities for roosting bats. The woodland will be retained and sensitive lighting scheme will be required. An appropriate condition is therefore recommended to secure a suitable external lighting design.



### *Great Crested Newts*

Newts are not considered to be present on the site.

### *Birds*

There are suitable nesting bird habitats on site, suitable mitigation has been recommended as well as enhancements which are welcomed. A condition will secure these benefits which will secure biodiversity gain.

### *Reptiles*

The habitats on site are suitable for reptiles and there are remnants of old reptile fencing on site. Reptile surveys are recommended and will be supported by appropriate mitigation. A condition will secure these benefits which will secure biodiversity gain.

### *Badgers and Hedgehog*

No badgers have been found to be present at the site however there is suitable habitat for foraging and sett creation.. With respect to hedgehog the report identifies that the site is suitable for foraging and for sheltering. Hedgehog housing and holes in the bottom of fencing is recommended in the report and welcomed.

In summary the proposed development is considered acceptable subject conditions to require that the development proceeds in accordance with the mitigation measures set out in the report, a lighting design strategy for biodiversity to be submitted prior to commencement, a Construction Environmental Management Plan (pre-commencement) and Landscape ecological management plan (pre-occupation)

## 5.7 Transportation Issues

Concerns have been raised regarding the impact of the development upon the existing occupiers in Hornbeam Close. In particular it is indicated that the road has existing parking and manoeuvring issues and that this proposal would make that situation worse.

With regard to the specific impact of development upon the highway network regarding a development site the NPPF (para 32) indicates that:

*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*

Turning the Council's adopted policies, of most relevance when considering the location of development is Policy CS8 of the adopted Core Strategy. The policy indicates that "new development proposals which generate significant demand for travel will be more favourably considered the nearer they are located to existing and proposed transport infrastructure and existing facilities and services.

Developments which are car dependent or promote unsustainable travel behaviour will not be supported". Also of relevance, the policy promotes the provision of off-site local transport improvements as may be necessary and the provision and integration of walking, cycling and public transport infrastructure into the local network.

Policy PSP 11 looking more specifically at the impact of development upon the immediate highway network, indicates that new development should "make adequate, safe and appropriate provision for the transportation demands that it will create and minimise the adverse impact of motorised traffic. In addition PSP16 sets out the Council's minimum residential parking standards for off-street parking.

With respect to the access and geometry of the road, it is considered that this is acceptable both for future occupiers and service vehicles such as refuse collection and emergency services.

In terms of its location, the site is located within the urban boundary and thus is by definition in a sustainable location, however notwithstanding this the site is also situated close to the "town centre" and the facilities that has to offer.

### *Parking*

At the outset the applicant proposed the provision of 24 spaces across the site to include 5 spaces for visitors.

The Parking standards set out in PSP16 of the Policies Sites and Places Plan would require, 10 spaces for the 2 bed properties, 4 spaces for the 3 bed properties, 11 spaces for the flats and a space for the bungalow plus 4 visitor spaces (0.2 spaces per dwelling =4.2). It is therefore calculated that 29 spaces would meet the standard and there is therefore a shortfall of 5 spaces.

Following negotiations and mindful of the concerns that have been raised, the applicant has amended the scheme to incorporate 28 parking spaces to include 5 visitor spaces with the ability to include a further two spaces at a future date within the area provided for accessible parking at a future date if so required. This change is supported by the Sustainable Transport Team. While it is noted that the scheme falls short of the required parking provision by one space, it is also noted that the occupiers of the flatted element fall within the category of assisted living and are indicated as being unlikely to drive (although clearly that could change). It is also noted that the site is within an urban setting with public transport and other facilities close thus it can be considered a highly sustainable location.

Overall therefore there is no objection to the proposal on highways grounds.

## 5.8 Residential Amenity

The impact upon residential amenity is assessed in terms of the impact of new development upon the residential amenity of neighbouring occupiers in terms of

outlook and privacy (and vice versa) and whether or not sufficient external amenity space is provided for future occupiers.

Given the scale and location of the proposed development in relation to neighbouring properties it is not considered that any significant loss of outlook (the buildings would not appear oppressive or overbearing). With respect to any impact upon privacy the rear elevations of the terrace would exceed the window to window distance of 20 metres set out in the householder design guide. The flats are at such an angle that 165 to 169 Hornbeam are viewed at an angle and then sideways on. The front elevations of properties 64 to 76 are viewed at a distance greater than 20 metres. The relationship between the new properties is considered acceptable, while there is the potential for overlooking between the side of the flats and the new bungalow, given the difference in heights and the juxtaposition it is not considered that any direct overlooking (window to window) would accrue. The area to the side of the flats will be a communal space.

With respect to the view from the bungalow to the nearest properties to the south (155 to 163) as a single storey structure it is not considered that any loss of privacy would occur either to the neighbouring occupiers or future occupiers even more so as the narrow windows in the southern elevation are to a non-habitable room.

The external space allocated to all units will meet the standards set out in Policy PSP43 (as well as that required for affordable housing)

The proposed developed is acceptable in terms of impact upon existing and future occupiers. The proposal is therefore considered in accord with to accord with Policy CS1 of the Core Strategy (Adopted) December 2013, PSP8 and Policy PSP43 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov 2017 and the NPPF.

## 5.9 Environmental Protection

It has been noted that the application site is located in close proximity to a busy access road that leads into the Bradley Stoke designated Town Centre where the at least one of the units (Tesco) operates on a 24 hour basis.

A comprehensive noise report has been submitted with the application and this has been viewed by the Environmental Protection Team. It is considered that the submitted details address all the noise sources given the proximity of the busy access road. The internal layouts and external spaces are deemed appropriate. A condition will ensure that all works take place in accordance with the submitted report.

With respect to the impact of the proposal upon neighbouring occupiers, a condition will be applied requiring a small scale construction management plan and a condition to restrict construction hours.

## 5.10 Other Issues

Concern has been raised that the layout of the development might result in the new neighbours within the terrace housing tipping garden waste over their rear boundaries. This issue has been raised with the applicant but it is not considered that this is a planning issue such that the layout should be redrawn rather it relates to human behaviour and being a good neighbour.

A comment from the Police regarding lighting is noted, however the applicant has confirmed that the road will be put forward for adoption and as such all lighting would be required to meet the Council's standards.

## 5.11 PLANNING OBLIGATIONS

### 5.11.1 Affordable Housing

The proposal is for a 100% affordable housing scheme but the legal agreement can only secure the policy compliant position ie 35% at the appropriate tenure and design considerations. Notwithstanding the fact this is a 100% affordable housing scheme, the Council will secure 35% affordable housing as it triggers the affordable housing threshold. Affordable housing will be secured through a Section 106 agreement in line with the following requirements:-

#### Quantum

35% of 21 dwellings generates a requirement of 7 Affordable Homes without public subsidy. To be provided on-site and distributed throughout the development in clusters of no more than 6 units.

#### Tenure

The tables below reflect the SHMA (housing need) requirement and the Affordable Housing proposal within this application

#### Social Rent:

- Unit 9 - 3 bed 6 person house - 112 sqm
- Units 2 & 3 – 2 bed 4 person house – 81 sqm

Percentage	Type	Min Size m <sup>2</sup>
22%	1 bed 2 person flats	50
16%	2 bed 4 person flats	70
29%	2 bed 4 person houses	79
29%	3 bed 5 person houses 2 storey	93
4%	4 bed 6 person houses 2 storey	106

## Affordable Rent

- Units 10 & 11 – 1 bed 2 person flats (wheelchair) – 66 sqm
- Unit 12 – 1 bed 2 person flat – 54 sqm
- Unit 21 – 2 bed 3 person bungalow – 76 sqm

Percentage	Type	Min Size m <sup>2</sup>
0%	1 bed 2 person flats	50
20%	2 bed 4 person flats	70
35%	2 bed 4 person houses	79
45%	3 bed 5 person houses 2 storey	93
0%	4 bed 6 person houses 2 storey	106

### 5.11.2 Affordable Housing Design Standards

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

No more than 6 Affordable Homes should share an entrance and communal area. Registered Providers would generally expect flats within a single block to be of the same tenure.

#### Wheelchair Provision

8% of Affordable Homes to meet Part M of the Building Regulations accessibility standards M4(3)(2)(a).

**Units 10, 11 and 21** will be for wheelchair use and must meet the above standards.

#### Delivery and Phasing

The Council to refer potential occupants to all first lettings and 75% of subsequent lettings. Delivery is preferred through the Council's list of Approved Registered Providers. In the event of the developer choosing a Registered Provider from outside the partnership then the same development and management standards will need to be adhered to. Affordable Homes to be built out with the market housing on site in line with agreed triggers within the S.106 Agreement.

#### Rent Levels and Affordability

Social Rent homes to be let at Target Rent (Rent Standard Direction 2014).

Shared Ownership homes to be sold at no more than 40% of market value, and annual rent on the equity retained by the RP should be no more than 1.5%. Affordable Rent homes to be let up to 80% local market rents including service charges, but not exceeding LHA. Service charges will be capped at £650 per annum (base date to be date of resolution and linked to CPI) to ensure that all housing costs are affordable to future occupants.

### 5.11.3 **Public Open Space Provision**

Using current average occupancy data and the proposed number of dwellings, we estimate the proposed development of 21 dwellings (consisting of 9no. houses, 1no. two bed bungalow and 11no. one bed flats) would generate a population increase of 39.6 residents.

Policy CS24 requires provision to be delivered on site unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal. There is no on-site provision of space being made and therefore to meet the policy requirements the following is required, these will be secured through an appropriate legal agreement (see Section 7 below):

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount proposed on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space (IROS)	496.65	0	496.65	£14,122.54	£24,893.54
Natural and Semi-natural Open Space (NSN)	The audit shows an adequate existing supply of Natural & Semi-natural Open Space accessible from the proposed development.				
Outdoor Sports Facilities (OSF)	633.60	0	633.60	£35,830.21	£10,844.57
Provision for Children and Young People (PCYP)	57.75	0	57.75	£10,942.86	£11,506.50
Allotments	79.20	0	79.20	£821.32	£1,047.24

The justification for the provision is as follows:

#### *Necessary to make the development acceptable in planning terms*

Adopted planning policy requires sustainable development and provision of a range of good quality well connected open spaces where existing open spaces are not easily accessible or do not have the capacity to fully meet the needs arising from the proposed development. Without provision or enhancement of open spaces people living here won't have adequate access which will prevent them from developing as a healthy, socially sustainable community. Without sufficient open space to meet local need this development will lead to increased pressure on existing facilities elsewhere.

### *Directly related to the development*

Contributions towards off-site enhancements are only sought when there is evidence of a local shortfall in either quantity and/or quality/capacity to meet the additional demand arising from the new development and the policy requirements for open space are not being provided for on site.

Provision/enhancements will be made as close to the development as is feasible to serve the future residents of the proposed development and are likely to be at the following areas of open space or such other open spaces as may be appropriate:

Informal Recreational Open Space – Patchway Common East and/or wildflower meadow and tree planting in areas of Public Open Space within 600m of the development

Outdoor Sports Facilities - Little Stoke Park and/or Bradley Stoke Community School and/or Jubilee Green Playing Fields

Provision for Children & Young People – Jubilee Green Park and/or Bradley Stoke Leisure centre Skate Park

Allotments – Pretoria Road Allotments and/or Beacon Lane Allotments and/or Bush Avenue

### *Fairly and reasonably related in scale and kind to the development*

The capital contributions are based on a range of industry costs for the provision of open space facilities, and the maintenance costs are routinely tested through APSE (Association of Public Sector Excellence). They are therefore considered reasonable and fully justified in order to ensure standards of open space meet standards of appropriate national bodies e.g. Sport England, national sporting governing bodies, Fields in Trust, National Society of Allotment & Leisure Gardeners and material relating to the Green Flag quality award scheme.

### *Details of 2020/2021 provision/enhancement and maintenance costs for each category of open space per sq.m.*

	Informal recreational open space	Natural & semi-natural green space	Outdoor sports facilities	Provision for children & young people	Allotments
Average provision/enhancement cost per sq.m.	£28.4356	£15.7577	£56.5502	£189.4867	£10.3702
Average 15yrs maintenance cost per sq.m.	£50.1229	£26.1404	£17.1158	£199.2467	£13.2227

As set out in Section 7 below therefore there is a requirement for £61,716.93 towards off-site public open space provision/enhancement and a further £48,291.85 towards its maintenance for the first 15 years.

## 5.12 Community Infrastructure Levy (CIL)

The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. The introduction of CIL charging commenced on 1st August 2015. As a scheme for affordable housing this development would be exempt from the CIL regime.

## 5.13 Consideration of likely impact on Equalities

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

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

## 5.14 Planning Balance

Concern is noted that it is considered that the proposed development represents “over development” of the site. Your Officer notes this concern however it is considered that the concept of “over-development” in itself is a difficult one to articulate. In considering any application it is necessary to identify the harm that might occur as a result of the development and harm is clearly assessed in terms of whether a proposal is contrary to policy. As assessed above, the proposed development is considered appropriate in terms of impact upon existing and future residential amenity, is considered to provide external amenity space which accords with Council standards, provides good access to light/outlook for future residents, makes best use of the available land without appearing cramped and provides acceptable parking provision. The layout is considered acceptable. The development is not therefore considered to represent over-development.

The site is located in a sustainable location with access to facilities. Above all however the proposal will provide a scheme of 100% affordable housing thus meeting the significant objective of working towards more mixed and balanced communities.

The scheme is on balance considered to be sustainable development that is acceptable and should be approved.



## 6. CONCLUSION

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

## 7. RECOMMENDATION

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

a) On and Off-Site Public Open Space and Sports Facilities

As set out in detail in 5.10.3 above, the following shall be provided:

- A contribution of £14,122.54 towards off-site provision of 496.65 sq.m of Informal Recreational Open Space and a maintenance contribution of £24,893.54
- A contribution of £10,942.86 towards off-site provision of 57.75 sq.m of provision for children and young people (equipped children's play areas, including provision for young people) and a maintenance contribution of £11,506.50
- A contribution of £821.32 towards the off-site provision of 79.20 sq.m of allotments and a maintenance contribution of £1047.24.
- A contribution of £35,830.21 towards the off-site provision of Outdoor Sports Facilities and a maintenance contribution of £10,844.57

Reason:

To accord with Policy CS6 and CS24 of the South Gloucestershire Local Plan Core Strategy (Adopted)

b) Affordable Housing

This application generates an Affordable Housing requirement of 7 no units to be provided on site at nil public subsidy. The following mix of housing will be secured:

## Social Rent

- Unit 1 - 3 bed 6 person house - 112 sqm
- Units 2 & 3 – 2 bed 4 person house – 81 sqm

## Affordable Rent

- Units 10 & 11 – 1 bed 2 person flats (wheelchair) – 66 sqm
- Unit 12 – 1 bed 2 person flat – 54 sqm
- Unit 21 – 2 bed 3 person bungalow – 76 sqm

**The Affordable Housing shall be provided fully in accord with the design requirements set out in Paragraph 5.11.2 set out above.**

7.2 It is recommended that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.

7.3 It is recommended that should the Agreement not be completed within 6 months of the date of any consent being granted; that delegated authority be given to the Director or Environment and Community Services to refuse the application.

### Reason

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

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. Archaeology

The development shall be carried out fully in accordance with the submitted Written Scheme of Investigation (HPS Professional Archaeological Services June 2021) and Archaeological Evaluation Report received 18th August 2021. In the event that archaeological remains are found during the construction phase the details shall be submitted to the Local Planning Authority and be subject to appropriate mitigation, outreach and publication.

### Reason:

To protect the potential heritage assets and to accord with Policy CS9 of the South Gloucestershire Council Local Plan Core Strategy 2013 and PSP17 of the South Gloucestershire Council Local Plan Policies Sites and Places Plan 2017.

3. Ecological Mitigation

The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (RSK Biocensus, October 2020).

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

#### 4. Lighting Design (Ecology)

Prior to installation of external lighting, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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

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

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

#### 5. Construction Environmental Management Plan (Biodiversity)

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall be written in accordance with BS42020, including mitigation details on birds, great crested newt, reptiles, dormice and badger, as well as any pollution prevention measures. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

A pre-commencement condition is required in this instance as remedial action would not be possible post commencement of works.

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

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. This shall cover a 10 year period identifying the scope and frequency of annual and seasonal operations. The LEMP shall be written in accordance with BS42020. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

#### 7. Energy Statement

The development shall be carried out fully in accordance with the Sustainability Statement (BSC Building Services Consultants March 2021) and two addendum sheets Document No: 200801-BSC- 00-ZZ-FN-ME-0002 Revision: P01 and 0011 P01 Electric Vehicle Charging Pillars and Charging Station Details received 28th July 2021.

Reason:

To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions and in accordance with Policies CS1, CS2, CS4 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP6 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017

#### 8. Tree Protection

The development shall be carried out fully in accordance with the submitted Arboricultural Method Statement (Biocensus July 2021).

Reason:

In the interests of the health and amenity of the trees and to accord with Policy CS1, CS2 and CS9 of the South Gloucestershire Local Plan Core Strategy and PSP3 of the South Gloucestershire Policies Sites and Places Plan 2017.

#### 9. Boundary/Hard Landscaping

Prior to the commencement of that part of the works detailed plans shall be submitted to and approved in writing to specify all proposed boundary and hard surface treatments, incorporating appropriate maintenance access gate widths, including proposed levels and soil retention/retaining walls that may be required, together with supporting schedule of proposed manufacturer hard landscaping materials and site

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

Reason

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

A pre-commencement condition is required in this instance as remedial action would not be possible post commencement of works.

10. Construction Management Plan

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

The CMP shall address the following matters:

- (i) Measures to control the tracking of mud off-site from vehicles.
- (ii) Measures to control dust from the demolition and construction works approved.
- (iii) Adequate provision for the delivery and storage of materials.
- (iv) Adequate provision for contractor parking.
- (v) Access arrangements for construction and delivery vehicles ensuring the access road is not obstructed and reversing vehicles are guided by a Banksman.
- (vi) Contact details for the site manager.

Reason: In the interests of highway safety and residential amenity to accord with Policies PSP8 and PSP11 of the adopted South Gloucestershire Policies, Sites and Places Plan Nov 2017

A pre-commencement condition is required in this instance as remedial action would not be possible post commencement of works.

11. Construction Hours

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

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

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

No working shall take place on Sundays or Public Holidays.

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

Reason

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

12. Drainage

The development shall take place in accordance with the following details hereby approved:

DRAINAGE\_STRATEGY-6972675  
GA\_OF\_PROPOSED\_FOUL\_WATER\_DRAINAGE\_SYSTEM-6978662  
2062 Wessex Response - Confirmation of Connection Point (FW+SW)  
MicroDrainage Model - 200105 F&S 03 Model - Received 24/09/2021  
200105 101 C Drainage - Flood Exceedance Plan

Reason:

To avoid flooding and to comply with South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017 Policy PSP20.

13. Materials

Prior to the commencement of the above ground works full details of the proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Only such details as approved shall be used.

Reason

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

A pre-commencement condition is required in this instance as remedial action would not be possible post commencement of works.

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

Received 28th April 2021

0005 01 Site Location Plan  
2102 01 Proposed House Plots 2-10 Floor Plan  
2103 02 Proposed Flat Plots 10-20 Ground Floor Plan  
2104 01 Proposed Flat Plots 10-20 First Floor Plan  
2105 01 Proposed Flat Plots 10-20 Second Floor Plan  
2106 01 Proposed Bungalow Plot 21 Floor Plan  
2201 01 Plots 10-20 Front and Side Elevations

2203 01 Proposed Bungalow Plot 21 Elevations  
2204 01 Proposed Site Elevations

Received 25th June 2021

2202 02 Proposed Flats, Plots 10-20 - Rear & End Elevations

Received 11th August 2021

2100 02 Proposed Terrace Plots 1-9 Floor Plans

2200 03 Proposed Terrace, Plots 1-9 - Elevations  
2101 02 Proposed House Plots Floor Plans specific to Plot 1 and 9

Received 17th September 2021

2000 07 Proposed Site Plan

Received 24th September 2021

1465-01 B Soft Landscaping Proposals

Reason:

For the avoidance of doubt

15. Access Gate

The proposed gate on the north-east boundary of the site (onto the Willow Brook Centre access road) as shown on Drg 2000 07 Site Plan shall be kept locked and used for maintenance access only.

Reason:

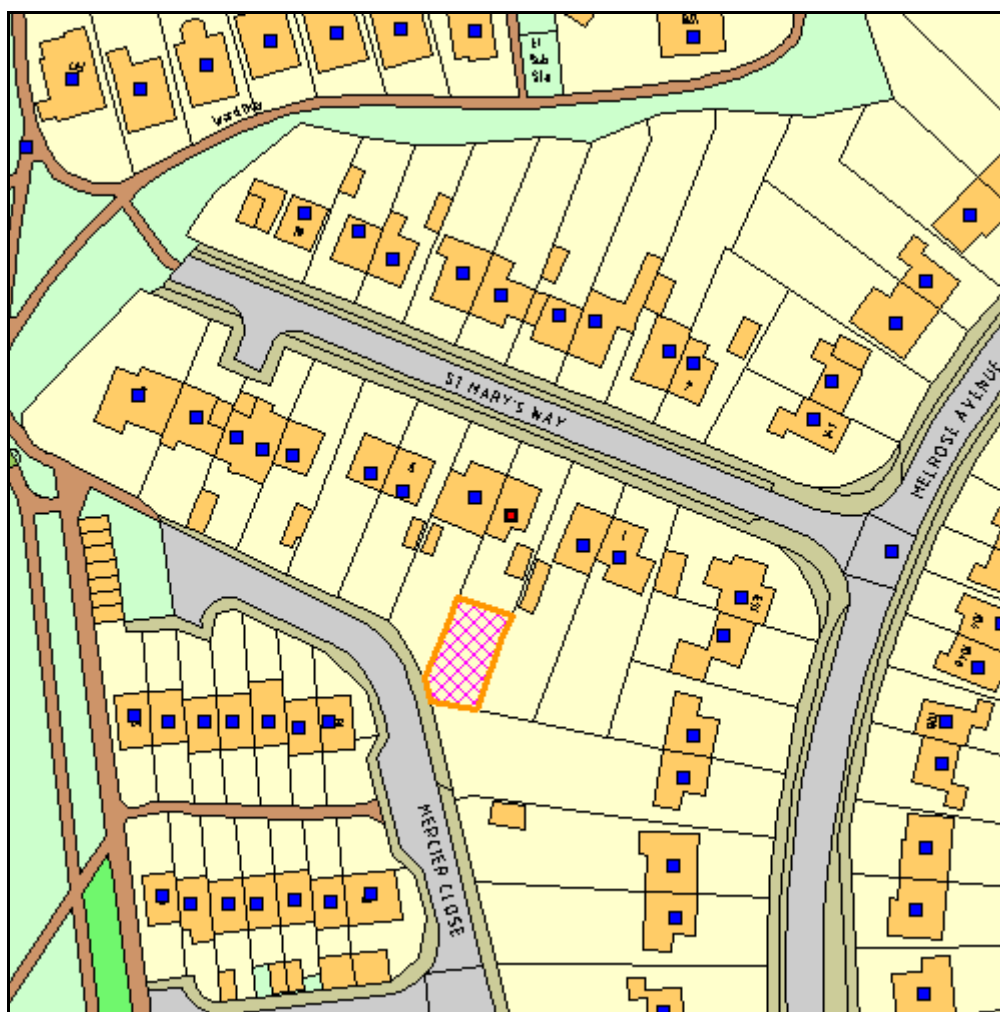
In the interest of site security and crime prevention and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013.

**Case Officer: David Stockdale**

**Authorising Officer: Helen Ainsley**

**CIRCULATED SCHEDULE NO. 41/21 -15th October 2021**

<b>App No.:</b>	P21/04019/F	<b>Applicant:</b>	Mr John Jones
<b>Site:</b>	Land To Rear Of 5 St Marys Way Yate South Gloucestershire BS37 7AR	<b>Date Reg:</b>	3rd June 2021
<b>Proposal:</b>	Erection of 1no. detached dwelling with access, parking, screening and associated works.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371811 182838	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th July 2021



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 100023410, 2008. N.T.S. P21/04019/F



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

### **REASON FOR REFERRAL TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule due to the receipt of letters of objection from the Town Council and neighbours.

## **1. THE PROPOSAL**

- 1.1 The application is for the erection of 1 no. detached dwelling with new access and associated works.
- 1.2 The application site is within the residential curtilage of 5 St Mary's Close. The site is within the existing urban area of the Yate, within the established residential area. The host property fronts onto St Mary's Drive, however the proposed dwelling, located at the southerly end of the rear curtilage would be accessed from Mercier Close.

## **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design  
CS4A Presumption on Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
CS15 Housing Distribution  
CS16 Housing Density  
CS17 Housing Diversity

South Gloucestershire Policy Sites and Places (Adopted) November 2017

PSP8 Residential Amenity  
PSP16 Parking Standards  
PSP43 Private Amenity Standards

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

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PRE16/0819 – Erection of 1 detached dormer bungalow. Enquiry Complete 11/11/16.

- 3.2 PK17/1642/F - Erection of 1no detached dwelling, access and associated works. Withdrawn 7/7/17
- 3.3 PK17/4915/F - Erection of 1no detached dwelling with access and associated works (re-submission of PK17/1642/F). Refused 13/12/2017

Refusal reason:

*The proposed new dwellinghouse by virtue of its siting, design, scale and massing is considered to result in a cramped and incongruous form of development which does not respect or enhance the character of the area, is out of keeping with the surrounding estate and as such does not achieve the sufficient highest possible standards of design and site planning required by Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013. The limited amenity space is a symptom of this cramped and crowded arrangement. The application is therefore contrary to the requirements of Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and PSP8 and PSP43 of the South Gloucestershire Policies Sites and Places Local Plan (Adopted) November 2017.'*

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

##### 4.1 Yate Town Council

Objection. Over development, as effectively two story, given dormers; and whilst the current plan does not include windows upstairs overlooking neighbouring gardens, any development needs a condition that any upstairs windows to the rear or side elevations must be obscure glazed to protect privacy.

##### 4.2 Other Consultees

###### Sustainable Transport

No objections. Conditions recommended to secure access details and car charging facilities.

###### Public Rights of Way

The proposed development is unlikely to affect the nearest public right of way LYA/82/40 which runs along the adopted footway of Mercier Close. Standard limitations and requirements regarding development adjacent to a PROW applies.

###### Lead Local Flood Authority

No objection in principle subject to an informative included in relation to proximity to a public foul water system. The applicants are recommended to discuss the details with Wessex Water and will need to be subject to their 'building over' or 'building in close proximity' restrictions.

###### Highways Structures

No comment

## **Other Representations**

### 4.3 Local Residents

Seven letters of objection have been received, summarised as follows:

- Materials are out of keeping with the area and oppressive
- The interior is small and out of keeping with other properties
- Outdoor area is restrictive
- Loss of amenity area on host property
- Will overlook properties on St Marys Way
- A window in the back will give rise to overlooking
- Overbearing impact
- The proposal is above a public sewer and may have implications
- Increased traffic problems
- Impacts upon highway safety in an already busy area
- Will impact the open amenity of the area
- Will devalue homes in the area
- Will set a bad precedent for the area
- There have been previous refusals on this site and adjacent (PK/08/3213/O), and these reasons are still valid
- No works will associated with any development will be permitted on neighbouring properties
- Impact upon local ecology

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The development plan policy supports residential development located within a defined settlement boundary – such as this. There is therefore no objection to the principle of development. The NPPF emphasis is on sustainable growth, including boosting housing supply and building including through windfall development, except where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policy framework. Accordingly, this application turns upon the acceptability of the impact of this development.

Policy CS1 seeks a high standard in design and site planning, including siting, form, scale, height, massing, detailing, density and layout that respects, enhances and integrates with the existing area. Policy CS5 allows for development within the existing urban area subject to conformity with other development plan policies. PSP38 establishes that new residential development on sites within the urban area and the curtilage of dwellings are acceptable in principle, subject to the proposal satisfying other material considerations, such as density, design, residential amenity, and highway safety.

Policy CS17 would also allow for development within existing residential gardens and curtilages subject to an assessment on the impact of the development on the character of the area, transportation, and residential amenity. Policies CS16 and CS17 of the Core Strategy seek to achieve an efficient use of land, maximise housing supplied at locations where there is

good pedestrian access to frequent public transport services, and provide a mix of housing types.

In principle the proposed erection of a new property would be acceptable because it is situated within an existing urban area and within a settlement boundary. The proposal is also required to satisfy specific development management criteria as set out above and the remainder of this report will assess such criteria. Of note is the previous refusal for a dwelling on this plot, in this respect a key consideration would be whether the current proposals satisfactorily address the previous reasons for refusal.

## 5.2 Design/Layout

The existing street scene at this location and on this side of the road (Mercier Close) is characterised by the rear of residential curtilages. On the opposite side of the road the nearest properties extend in a linear eastern direction, away from the application site. Reference is made to previous refusals for both this site and others. An earlier application for a dwelling on an adjacent plot, ref. PK08/3213/O is also cited. This application was refused, the reasons being, that the development would be out of character with the pattern of development in the area and appear incongruous in the street scene and the fact that the site of the proposed development was restricted in size, resulting in a cramped form of development with inadequate useable private amenity space.

5.3 Looking at the details of this outline application, the illustrative design, scale and proportions of the proposals were materially different from this application. The report stated that given the size and location of the plot a dwelling be out of keeping with the character of the area and immediately apparent as a new addition fitted into an existing plot which would not integrate successfully into the streetscene. It was also considered that the indicative private amenity space, with a depth of 2.4 metres, would have limited usability and amount to insufficient space. The plot the subject of this application is larger in size

5.4 In terms of the previous refusal on this plot (Ref PK17/4915/F) – of concern was the lack of useable private amenity space which was a tight and narrow strip. It is considered that the plot the subject of this application is slightly bigger and due to the size, shape and location of the proposed garden, a more useable square shape than the narrow strips of land previously submitted. At 50 metres square this meets the adopted policy requirements for a two bed property. In terms of the plot, it therefore contains sufficient off-street parking to meet adopted requirements and there would be sufficient and useable private amenity space to serve the size of the dwelling, again in accordance with adopted policy. In addition, whilst reduced, there would remain sufficient private amenity space in the host property, again in accordance with adopted policy requirements.

5.5 Other concerns of the previous refusal related to layout and the proposals being incongruous additions to the area. In this respect the proposed dwelling was of a linear nature, facing towards the side of the curtilage, and bore little resemblance of similarity to the general layout of the area. The design of the dwelling was as such contrived with blank elevations/no windows on three sides. The current proposals face the road. Of material consideration is the granting of permission for 2 dwellings on an adjacent plot. Planning ref.

PK18/2319/F was granted for the erection of 2 no. semi-detached dwellings with new access and associated works. This was on land in the rear garden of 149 Melrose Avenue. These dwellings will be two semi-detached two storey dwellings facing out on to Mercier Close.

- 5.6 Whilst it is considered that the layout of the current proposals is improved upon previous schemes, this approval on land adjacent provides further context and patterns of layout for the site to be considered against and would make an additional individual dwelling, as proposed, much less incongruous. Whilst therefore this does not establish a precedent, and each application must remain to be dealt with on its own individual merits and set of circumstances, it does provide for a pattern of development within the locality which sees housing frontages on this side of the streetscene. Whilst this side of the road is made up of the rear end of curtilages from properties fronting St Marys Way, the general streetscene, layout and orientation of properties and curtilage garages is rather mixed. On this basis and in this context it is not considered that the current proposals would create any demonstrable harm to any established or strong streetscene, layout or patterns of development.
- 5.7 It is not considered that the general predominance of semi-detached dwellings in the area automatically renders the consideration of a slightly smaller, detached dwelling unacceptable, and given the context and layout of the area no particular built rhythm or context is significantly disrupted by the proposal. The proposals would also increase the type and variety of housing stock available in the area, albeit by a small amount. In terms of detailed design and materials, the proposals appear to give some recognition to the context provided by the two approved dwellings on the adjacent plot, in this respect, grey concrete tiles, coloured boarding and grey painted render are proposed in similar style. Unlike previous designs, fenestration patterns appear more acceptable. On the basis of the above considerations it is considered that the proposals are, on balance, acceptable in design and layout terms and satisfactorily address previous refusal concerns in context with the site and surroundings.
- 5.8 Residential Amenity  
The comments above are noted. Policy PSP38 in particular seeks to protect the amenities of neighbouring properties and occupiers in terms of potential overbearing impacts, overlooking and loss of privacy. The site is at the end of an existing residential plot and is flanked on both sides by the bottom ends of other gardens. The proposals would be single storey to the eaves with small sloped dormers to the front elevation to utilise roof space for bedrooms within the pitched roof. The presence of this side wall elevations, to the scale and location proposed is not considered to give rise to significant overbearing impact upon the ends of the adjacent residential curtilages. The only first floor windows are to the front elevation in the sloped dormers towards the road. This would be approximately 20 metres from the side wall of the nearest property on the other side of Mercier Road, across public highway. The habitable rooms are considered to be acceptable in terms of size and light.
- 5.9 There is one rooflight to the rear elevation which is in the slope of the roof to provide light to the bathroom, a non-habitable room. All other windows are on

the ground floor. The curtilage of the property is illustrated as being bounded by close board fencing to 1.8 metre. This would separate the plots and provide sufficient screening at ground floor level. Notwithstanding this it would be possible for occupiers to install boundary treatments along curtilage boundaries without the requirement for planning permission. No side windows are proposed. Condition is recommended to prevent additional windows from being added.

5.10 Given therefore the location, size and scale of the proposals, the distance angles and relationship of the site and properties in the area it is not considered that they would give rise to material or significant residential amenity impact, such as to warrant and sustain a refusal of the application in this instance.

5.11 Transportation

The level of parking provision proposed meets and in fact exceeds the Council's current residential parking standards for a two bedroom dwelling. The principle of a proposed access on this side of the road is considered acceptable. There are no transportation objections to the proposed development. Conditions are recommended to ensure that crossovers are implemented acceptably and that vehicle charging points are provided

5.12 Drainage/Proximity to Sewer

The comments above are noted. Of note the previous proposals appeared to be designed, in part at least, on the basis of proximity to a public sewer, which again led to a somewhat contrived design. There is no objection in principle to the proposals from the Council's Drainage Officer, in drainage terms. This is therefore considered acceptable in planning terms for the purposes of the consideration of this planning application. It is however recommended that the developers discuss the proposals with Wessex Water as they may be required to adopt their advice regarding building over or building in proximity to public sewer measures, this would be a building control matter. If however this resulted in changes being required to any planning permission, this would need to be re-assessed.

5.13 Equalities

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

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 planning permission has been taken having regard to the policies and proposals in the Development Plan and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 That planning permission is granted, subject to the conditions recommended.

### **CONDITIONS**

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:  
Location Plan, Block Plan and Existing and Proposed Plans and Elevations (Refs LOC01, PL01, SL01 and HT01), received by the Council on the 1st June 2021.

Reason:

To define the terms and extent of the permission.

3. The development shall not commence until a vehicle crossover to Mercier Close has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interest of highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policy, Sites and Places Plan.

4. The development shall not be occupied until a 7 KW 32 Amp Electric Vehicle Charging Point has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To promote sustainable travel and to accord with Policy CS8 of the South Gloucestershire Local Plan: Policy, Sites and Places Plan and the South Gloucestershire Residential Car Parking SPD.

5. The development shall not be occupied until the car and cycle parking facilities have been provided in accordance with the submitted details. The provision shall thereafter be retained.

Reason:

In the interests of highway safety and to accord with Policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policy, Sites and Places Plan.

6. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy PSP38 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan, and the National Planning Policy Framework.

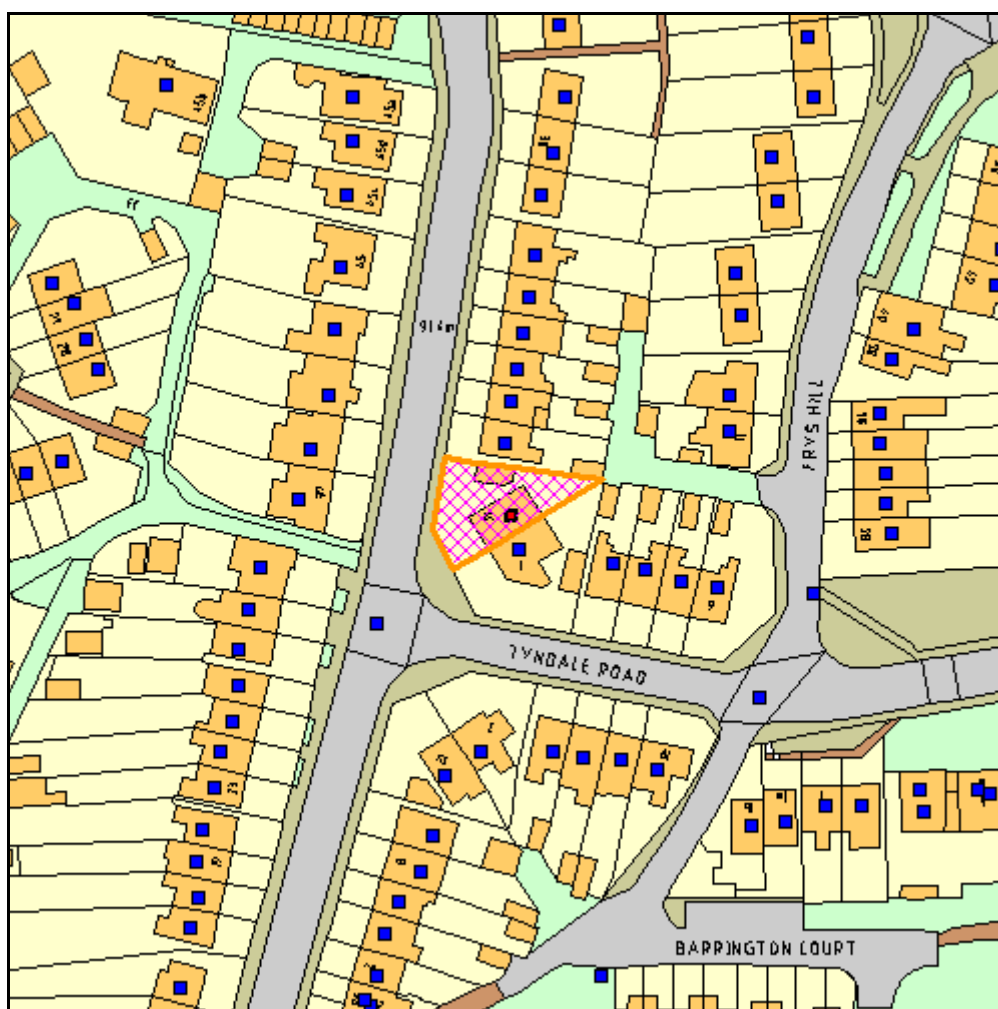
**Case Officer: Simon Ford**

**Authorising Officer: Marie Bath**



**CIRCULATED SCHEDULE NO. 41/21 -15th October 2021**

<b>App No.:</b>	P21/04882/F	<b>Applicant:</b>	16 Plus Care Support Solutions
<b>Site:</b>	14 Lees Hill Kingswood South Gloucestershire BS15 4TN	<b>Date Reg:</b>	3rd August 2021
<b>Proposal:</b>	Change of use from dwellinghouse (Class C3) to supported living accommodation for children and young persons aged between 10 and 17 years (Class C2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (Retrospective).	<b>Parish:</b>	
<b>Map Ref:</b>	365434 174551	<b>Ward:</b>	New Cheltenham
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th September 2021



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P21/04882/F

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

### **Reason for Referring to the Circulated Schedule**

This application has been referred to the Circulated Schedule following the receipt of objections from more than 3no. Local residents.

## **1. THE PROPOSAL**

- 1.1 The applicant seeks retrospective planning permission for the Change of use from a dwellinghouse (Class C3) to supported living accommodation for children and young persons aged between 10 and 17 years (Class C2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application site relates to a two-storey, 4-bedroom, semi-detached extended dwelling house, 14 Lees Hill, within a residential area in the established settlement boundary of Kingswood.
- 1.3 The property is owned and run by 16 Plus Care Support Solutions Ltd. and provides supported care for up to 3 children.
- 1.4 It is noted that the attached semi, no. 1 Tyndale Rd., was recently the subject of a similar retrospective change of use application P21/04885/F, which was approved. However, each application must be assessed on its individual merits against relevant current planning policies.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework 2021  
National Planning Guidance

- 2.2 Development Plans

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS20	Extra Care Housing
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance  
 South Gloucestershire Household Design (Adopted) 2021  
 South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013  
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide  
 SPD – (Adopted) March 2015  
 South Gloucestershire Council Waste Collection: guidance for new  
 developments SPD (Adopted) Jan 2015

### 3. RELEVANT PLANNING HISTORY

- 3.1 K3007 - Erection of side and rear dormer windows.  
 Refused 12<sup>th</sup> December 1979
- 3.2 K3007/1 - Erection of rear dormer window.  
 Approved 27<sup>th</sup> Feb. 1980
- 3.3 P21/04198/CLP - Change of use from dwelling (Class C3) to supported living  
 accommodation for children and young persons aged between 10 and 17 years  
 (Class C2).  
 Withdrawn 14<sup>th</sup> July 2021
- Related Application at 1 Tyndale Road
- 3.4 P21/04885/F - Change of use from dwellinghouse (Class C3) to supported  
 living accommodation for children and young persons aged between 10 and 17  
 years (Class C2) as defined in the Town and Country Planning (Use Classes)  
 Order 1987 (as amended) (Retrospective).  
 Approved 7<sup>th</sup> Oct. 2021

### 4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council  
 Not a parished area
- 4.2 Other Consultees
- Economic Development  
 No response
- Transportation D.M.  
 No objection
- Children and Young People  
 No response

### Police Crime Prevention by Design Officer

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

## **Other Representations**

### 4.3 Local Residents

Objections have been received from a total of 18no. Local residents. The concerns raised are summarised as follows:

- Too many similar C2 properties in the area.
- The back garden is not big enough.
- Increased anti-social behaviour.
- Adverse impact on house prices.
- Insufficient parking provision.
- Inadequate facilities nearby.
- Increased noise.
- The homes are not managed properly.
- Adverse impact on residential amenity.
- No.1 Tyndale Rd. is owned and run by the same company.
- Objections (30) for previously withdrawn application P21/04454/CLP should be taken into account.
- Accommodation does not comply with standards set by Dept of Education's guide to the Children's Homes Regulations as there is limited indoor and outdoor space.
- Adverse impact on health and wellbeing of neighbourhood many of whom are elderly or very young children.
- Existing children's homes should be used instead of residential properties.
- Police have been called on numerous occasions due to disturbances.
- 16 Plus Care is a business not a charity – government is being called upon to stop councils placing under 18s in unregulated accommodation.
- Paragraph 130 of NPPF among other things states places should be safe and should not undermine the quality of life or community cohesion. My family do not feel safe here.
- Not a good idea to have two such properties next door to one another should be spaced out to help integrate residents into community.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. There is no single policy that covers the conversion of a residential dwelling to a care home. Policy PSP39 Residential Conversions, Sub-divisions and Houses in Multiple Occupation has useful policy areas that can be used as headings by which to assess this scheme. These are discussed below in more detail but the principle of a development of this kind can be acceptable given its location within a settlement boundary. The acceptance of such a change of use in this location has already been established with the approval of P21/04885/F.

- 5.2 Justification/Background information for Change of use:  
Details included in the submission state the retrospective change of use of the property would provide supported care for up to 3 children. It is understood that this use has been operational since August 2020. It is stated that 16 Plus Care Support Solutions Ltd is a health and social care company which provides 24 hour care and support for children and young people in care, as well as leavers from that system. The company broadly operates throughout the Gloucester and Bristol areas.
- 5.3 It is confirmed by the applicant that the premises operate as a Children's Care Home in accordance with the Regulatory Guidance and Inspection of Ofsted-England and it is stated that since the company's launch in 2017 it has provided employment for more than 40 people and care and residency for over 30 people.
- 5.4 The aim of the company is to provide a stable, safe and secure living environment for children and young people to provide them with a home and encourage them and help them to develop and fulfil their full potential. The premises operate as a Children's Care Home in accordance with the Regulatory Guidance and Inspection of Ofsted-England.
- 5.5 With regards to the operation of the premises, the company must prove there is adequate and proper supervision. The applicant states that the premises has trained, experienced and competent staff in place 24 hours per day – sometimes there will be more than 2 staff on the premises. Curfews are in place requiring residents to be at the placement by 23:00 hours. Should a resident not be in place there may be a requirement to report the matter to the Police. All police attendances to the site are logged, the premises has CCTV and all visitors are vetted by staff and social workers.
- 5.6 Visual character of the area:  
This is a change of use application only, there would be no physical alterations to the property. The area is acknowledged as being residential in character and the property is currently classed as a residential house. The change to a Class C2 property for the purposes of caring for young people would still mean the property would be in residential use, albeit slightly different to a family home.
- 5.7 Residential amenity for the residents and impact on neighbours:  
Comments have been received regarding the amount of outside space. The number of residents would be up to 3 people with generally 1 carer staying overnight. The property has 4 bedrooms. It is acknowledged that its corner position means the rear garden is relatively small at some 50 sq.m, but the property could be occupied by a family of this size, or even larger, and the garden is no smaller than those in the immediate vicinity. It would therefore not be reasonable to refuse the change of use on the basis of the size of the existing garden to which no changes are being made.
- 5.8 Other comments state that amenities are some distance from the site. It is however noted that there are a number of parks/playing fields in close proximity

for example Lees Hill Playing Field is around 260 metres from the property, which could be used for leisure activities by residents.

- 5.9 A number of comments have raised the matter of anti-social behaviour, noise and disturbance and the Police having to be called out on several occasions. This is acknowledged, as are the comments on the resulting impact on local residents.
- 5.10 The Designing-Out Crime Officer is part of the Neighbouring Policing Support Team and was asked to comment on the proposal. He has assessed the application under the appropriate paragraphs of the NPPF and concludes that the proposal complies with crime prevention through environmental design principles.
- 5.11 It is acknowledged that the proposal does not neatly fit into the remit of designing out crime in new development, as this is an existing neighbourhood and the proposal is for the change of use from a family home to a care home. However, the same advice would apply for both in that any anti-social behaviour should be reported to the correct authority which in this case would be the Police.
- 5.12 In terms of any cumulative impact, it is noted that the attached property No.1 Tyndale Rd. is in the same ownership as No. 14 Lees Hill and has recently been granted consent for a similar use as that proposed at no.14 Lees Hill. Both properties are to be operated by the same company i.e. 16 Plus Care Support Solutions Ltd. and there may well be some advantages in this.
- 5.13 The two properties together make up the corner plot at the junction of Lees Hill and Tyndale Rd. The individual properties are 4-bed semi's and as such are relatively small. Given that each property would only house 3 children and a carer; the combined use is not considered to be of a scale that would cause harm to the character or amenity of the area, having considered the nature of the use.
- 5.14 Parking and highway matters:  
There is no proposal to extend the existing property - the scheme simply seeks to change the use in order to provide a child support unit. With regards to staffing provision, it is understood that the premises would have staff in place 24 hours per day and sometimes there would be more than 2 staff on the premises.
- 5.15 Off street parking is available at this property and up to 3 cars can be accommodated within the site boundary. It is understood that there would be no change to the existing parking arrangements for the property.
- 5.16 Comments from local residents are noted but in traffic terms and with regard to the small scale of the development, it is not considered that the proposal will result in any significant change in traffic movements to and from the premises when compared to the extant residential use, nor would it result in significantly more on-street parking. Any inconsiderate parking should be referred to the Police Authority.

- 5.17 Given the above, the proposed change of use would not adversely affect road safety and as such there is no transportation objection to this application.
- 5.18 Refuse store:  
The use of the house as a care home would not interfere with or add to, the existing refuse collection arrangement for a residential property.
- 5.19 Conclusion  
The above assessment has shown that the retrospective proposal for the change of use of a 4 bed residential house in Kingswood to a care home for up to 3 young people plus carer(s) would not be contrary to policy and can therefore be supported.
- 5.20 Impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.21 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.
- 5.22 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.
- 5.23 Other Matters  
A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.24 Value of property  
This is not a planning matter and so does not fall under the remit of a planning assessment.
- 5.25 Unregulated  
This is outside the remit of a planning application, however it has been confirmed that the company operate as a Children's Care Home in accordance with the Regulatory Guidance and Inspection of Ofsted-England.

## **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 planning permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

7.1 That planning permission be GRANTED subject to the condition listed on the Decision Notice.

### **CONDITIONS**

1. The development hereby approved shall only be in accordance with the submitted plans:

Site Location Plan Drawing No. CAJ/2021/182(B):01 received 12th July 2021  
Existing and Proposed Internal Layout Plan Drawing No. CAJ/2021/182(B):02 received 02nd August 2021

Reason:

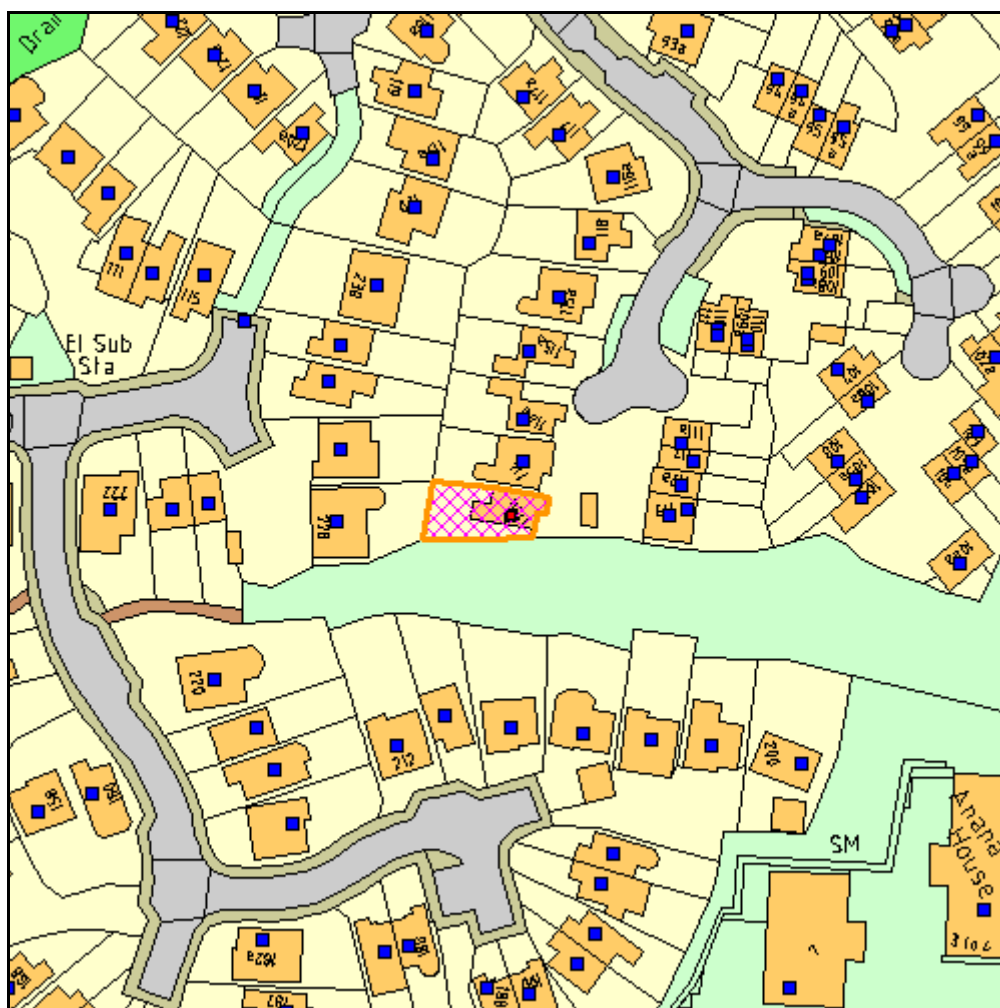
To define the terms of the consent and for the avoidance of doubt.

**Case Officer: Roger Hemming**  
**Authorising Officer: Helen Ainsley**



**CIRCULATED SCHEDULE NO. 41/21 -15th October 2021**

<b>App No.:</b>	P21/05390/F	<b>Applicant:</b>	Ms Andrea Rosa
<b>Site:</b>	113A Palmers Leaze Bradley Stoke South Gloucestershire BS32 0HH	<b>Date Reg:</b>	16th August 2021
<b>Proposal:</b>	Demolition of existing conservatory and erection of a single storey rear and side extension to form additional living accommodation.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	363344 180793	<b>Ward:</b>	Bradley Stoke South
<b>Application Category:</b>	Householder	<b>Target Date:</b>	8th October 2021



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P21/05390/F

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

## **INTRODUCTION**

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

### **1. THE PROPOSAL**

- 1.1 The application is for the demolition of an existing conservatory and erection of a single storey rear and side extension to form additional living accommodation.
- 1.2 The property is a detached dwelling within the residential area of Bradley Stoke.

### **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  
CS8 Access/Transport

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

PSP1 Parking Standards  
PSP8 Residential Amenity  
PSP38 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007.  
South Gloucestershire Parking Standards SPD  
South Gloucestershire Householder Design Guidance SPD (Adopted 2021)

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

None relevant

### **4. CONSULTATION RESPONSES**

- 4.1 Bradley Stoke Town Council  
No objection in principle to this planning application on condition that the roof is checked by the planning officer to ensure it conforms with, and is compatible with, the street scene. A pitched or cat slide roof is more appropriate.

### Environmental Protection

No objection in principle. Informative recommended with regards to proximity of site to a former landfill.

### Other Representations

#### 4.2 Local Residents

One letter has been received raising no objection and supporting the application.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Extensions to dwellings within residential curtilages are acceptable in principle subject to detailed development control considerations in respect of local amenity, design and transportation; as set out in policy PSP38. The issues for consideration in this respect therefore are whether the proposals have an adverse impact on the amenities of nearby occupiers and whether the design of the proposal is sufficiently in keeping with the site and surroundings.

### 5.2 Design

The scheme proposes a flat roof design of the side and rear extension. The property itself is at an end of cul-de sac location. The curtilage extends slightly to the side of the property to the south, and is abutted thereafter by green verge area. This gives the property curtilage a narrow shape that does not run parallel with the house. The side element of the proposal essentially seeks a single storey side extension in this area to maximise ground floor living space through provision of a utility room and bathroom. The angled curtilage boundary would likely mean that a pitched roof design may appear slightly awkward and bulkier. Given therefore the somewhat hidden location of the side extension, that is also set well back from the main front building line, in this instance the side extension is considered to be an acceptable design solution. The rear element of the extension is around 2.5 metres deep, this is considered acceptable for the design proposed and integrates adequately with the site at the rear of the dwelling.

5.3 The proposals are therefore, in this instance, considered to be of an acceptable standard in design and would be an acceptable addition, taking into account the main dwelling house and surrounding area. Materials would be acceptable, matching the existing dwelling.

### 5.4 Residential Amenity

The length, size, location and orientation of the proposals and the relationship with other properties in the area, are not considered to give rise to any additional significant or material overbearing or overlooking impacts on adjacent properties in this instance.

### 5.5 Transportation.

The proposed development would not impact upon parking requirements or

access.

## 5.5 Equalities

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

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

## 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:

Location Plan, Block Plan and Existing and Proposed Plans and Elevations (Refs 001, 002, 003, 004, 005, 006, 007, 008, 009, 010 and 011), received by the Council on the 6th August 2021.

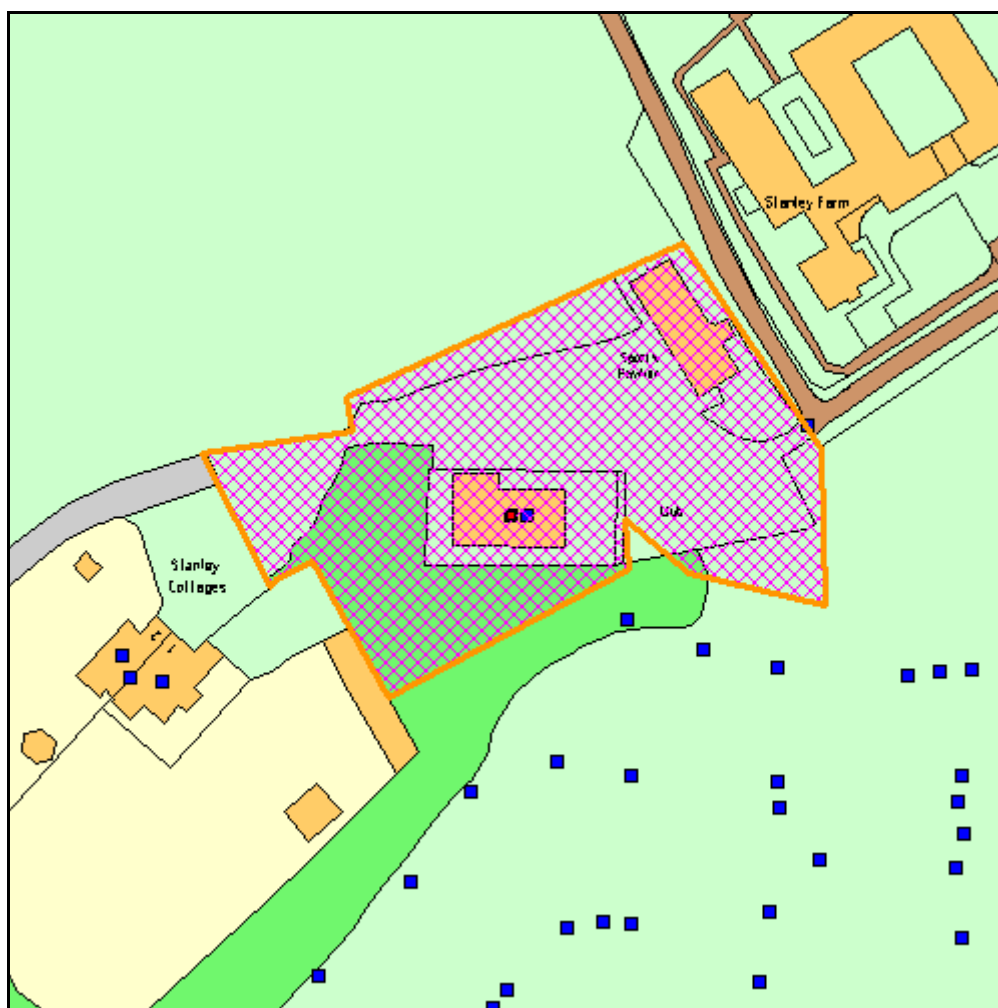
Reason:

To define the terms and extent of the permission.

**Case Officer: Simon Ford**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 41/21 -15th October 2021**

<b>App No.:</b>	P21/05423/F	<b>Applicant:</b>	Ashley Down Old Boys RFC Ltd
<b>Site:</b>	Ashley Down Old Boys Rfc Bonnington Walk Stoke Gifford South Gloucestershire BS7 9YU	<b>Date Reg:</b>	13th August 2021
<b>Proposal:</b>	Erection of timber frame and polycarbonate canopy	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	360888 177933	<b>Ward:</b>	Stoke Park And Cheswick
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th October 2021



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P21/05423/F

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

### **Reason for Referral to the Circulated Schedule**

This application appears on the Circulated Schedule due to the receipt of 9 objection comments from the public, contrary to the officer recommendation.

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of timber frame and polycarbonate canopy at Ashley Down Old Boys Rfc, Stoke Gifford.
- 1.2 The applicant site comprises a large plot with the host property itself forming a detached single-storey club house that is finished in cream render with brown pointed brick. Lastly, it is recognised on-site development is not limited by any local development plan policies.

## **2. POLICY CONTEXT**

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

- 2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS23	Community Infrastructure and Cultural Activity

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards

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

## **3. RELEVANT PLANNING HISTORY**

- 3.1 Ref: DOC15/0147. To be determined  
**Proposal:** *Discharge of conditions 2 (Archaeological works) 3 (Surface water drainage) 4 (Ecology Management) 6 (Tree Protection Plan) 7 (CMP) 9 (Construction compound) 10 (Sample panels of stone walls) 11 (Materials samples) 13 (Tree planting phasing) 14 (Coping stone detailing) 15 (Interpretation board) 16 (way marking signs) 17 (Temporary fencing) 18*

(Noise) 19 (Prohibition of through access) 21 (Tree Protection plan) 22 (Surface material samples) 23 (Safe routes to school) and 25 (Amendment to landscaping scheme) of Planning permission PT14/2849/F - Demolition of existing changing rooms and clubhouse and proposed development of 95no. dwellings, provision of sports centre, all weather pitches, grass pitches, multi-use games area, car parking, new informal and formal public open space, car parking and other ancillary development - site falls within South Gloucestershire and Bristol City Council areas. (Major application) The development to be considered by South Gloucestershire Council comprises 95 dwellings multi games arena, formal and informal open space and car parking.

3.2 Ref: PT14/2849/F. Approve with conditions, 23.03.2015

**Proposal:** Demolition of existing changing rooms and clubhouse and proposed development of 95no. dwellings, provision of sports centre, all weather pitches, grass pitches, multi-use games area, car parking, new informal and formal public open space, car parking and other ancillary development - site falls within South Gloucestershire and Bristol City Council areas. (Major application). The development to be considered by South Gloucestershire Council comprises 95 dwellings multi games arena, formal and informal open space and car parking.

3.3 Ref: PT01/0588/F. Approve with conditions, 11.01.2002

**Proposal:** Erection of rugby clubhouse.

#### 4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council  
No objections.

4.2 Sustainable Transport Officer  
No objections.

4.3 Highway Structures Officer  
No comments received.

4.4 Flood and Water Management Officer  
No objections.

4.5 Environmental Protection Officer:  
No objections.

4.6 Local Residents  
Nine letters of objection have been received from neighbours. Key points are as follows:

- Proposed plans encroach onto land owned by Staley Park Management Company (Bristol) Limited and should be amended.
- The owners of No.1 & No.2 Stanley Cottage have a right of way across the rugby club track with plans not detailing how access is granted past vehicle bollards.



- There are 2 no. listed buildings within 50m of the applicant site (Historic England Listing No: 1312855 & No: 1128835) meaning appropriate assessment should be conducted.
- The scheme should address finishing times at the clubhouse to limit noise disturbance and anti-social behaviour to local residential properties.
- Proposed development likely to encourage additional use of the outdoor area of the club meaning adequate noise mitigation by means of planning conditions should be enforced.

4.7 [Officer Comment] The above concerns have been noted with further analysis conducted in section 5 of this report.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy CS23 permits alterations to existing recreational facilities provided its quality, role and viability is enhanced and is within an easily accessible location for pedestrians and cyclists. The development is acceptable in principle but will be determined against the analysis set out below.

### 5.2 Design and Visual Amenity

Policy CS1 states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. It states that proposals are required to demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; and, have an appropriate density with an overall layout that is well integrated with existing development.

5.3 The proposed canopy would project to the front of the existing building by approximately 5 meters, have a width of 17.2 meters and a maximum height of 2.6 meters. The development would function to provide an outdoor covered area of approximately 86sqm.

5.4 Overall, it is considered that the proposed alterations are sympathetic from a design perspective. This is due to the host building not considered to be of particular architectural merit with the proposed canopy replacing an existing temporary structure in terms of form and design. This suggests the development would not act to dominate or degrade the aesthetic qualities of the existing building nor result in unreasonable harm to the character or appearance of the wider area, and as such, is judged to comply with policy CS1.

### 5.5 Residential Amenity

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

- 5.6 When considering the potential amenity impact of this proposal the case officer does raise some concern for the extent to which noise would be encouraged by means of the canopy and the potential disturbance this could have on residential properties within the immediate vicinity of the site.
- 5.7 Here, reference is made to the submitted site location plan which demonstrates 8no. properties (situated on Bonnington Walk, Barton Walk and Great Clover Leaze) are located within 50 meters of the club house, thus suggesting any noise emitted from the club house would likely have a detrimental impact on occupants. At this juncture, the objection comments of local residents are referred to, who unanimously expressed the desire to reduce the club's licencing hours in attempt to limit nocturnal noise. Whilst the case officer has taken these comments into consideration, they generally fall outside the scope of planning 'merit'. Notwithstanding this and to reduce the likelihood of unacceptable impacts from the development, it would not be unreasonable to set an 'hours of use' condition on the canopy, thus ensuring the residential amenity of occupants within the club's vicinity is maintained. Subject to compliance with the above condition, it is judged the scheme would comply with policy PSP8

#### Transport

- 5.8 Policy PSP11 states development proposals should not: contribute to serve congestion; impact on the amenities of communities surrounding access routes; have an unacceptable effect on highway and road safety; and, should not harm environmentally sensitive areas.
- 5.9 The proposed works seek to install a canopy to an established leisure facility and as such, it is not considered that travel demand to and from the site would be excessive increased as to cause disruption to existing travel patterns. Due to this, the case officer raises no concerns with the proposal from a transportation perspective.

#### Other Matters

- 5.10 Due to the volume and nature of comments received on this application (as identified in section 4), the case officer considers it best practice to analyse local concerns beyond the scope of those that have thus far been discussed.

#### ***Access from Stanley Cottages***

- 5.11 Concern has been raised by a local resident with regard to access issues of the existing track at Ashley Down Old Boys Rfc. This is understood to relate to a civil dispute in which the case officer can take no action.

#### ***Site Boundary***

- 5.12 Residents have expressed a concern that the site boundary does not reflect the extent of the existing plot and encroaches onto land owned by Redrow Homes Ltd. Here, the case officer refers to the completed Certificate B document which serves notice of the owner(s) they know of land not owned by the applicant involved in the scheme. Due to this, such concerns are seen to be addressed.

### ***Listed buildings***

5.13 Whilst it is acknowledged that 2no. listed buildings are situated approximately 50 meters to the Southwest of the clubhouse, the proposed canopy would extend to the North, suggesting the setting of such structures would unlikely experience harm as to refuse the application. Likewise, the recently approved scheme for 95no. dwellings (some of which are in closer proximity to the listed buildings than the club house) suggests the works of the proposed canopy would be negligible in terms of impact on the wider setting.

### 5.14 Consideration of likely impact on Equalities

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

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

## 6. **CONCLUSION**

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

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

## 7. **RECOMMENDATION**

7.1 That the application be **APPROVED** subject to conditions.

### **CONDITIONS**

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

#### Reason

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

2. The use of the canopy hereby permitted shall only be open to customers during the following times:

Sunday (08:30 - 22:30)  
Monday (08:30 - 22:30)  
Tuesday (08:30 - 22:30)  
Wednesday (08:30 - 22:30)  
Thursday (08:30 - 23:00)  
Friday (08:30 - 23:00)  
Saturday (08:30 - 23:00)

Reason:

To protect the amenities of local residents and accord with the South Gloucestershire Local Plan: Policies, Sites and Place Plans (Adopted November 2017).

3. The development/works hereby permitted are only in accordance with the plans as set out in the list below (received 9th August 2021):

Combined Plans (180-101-A)

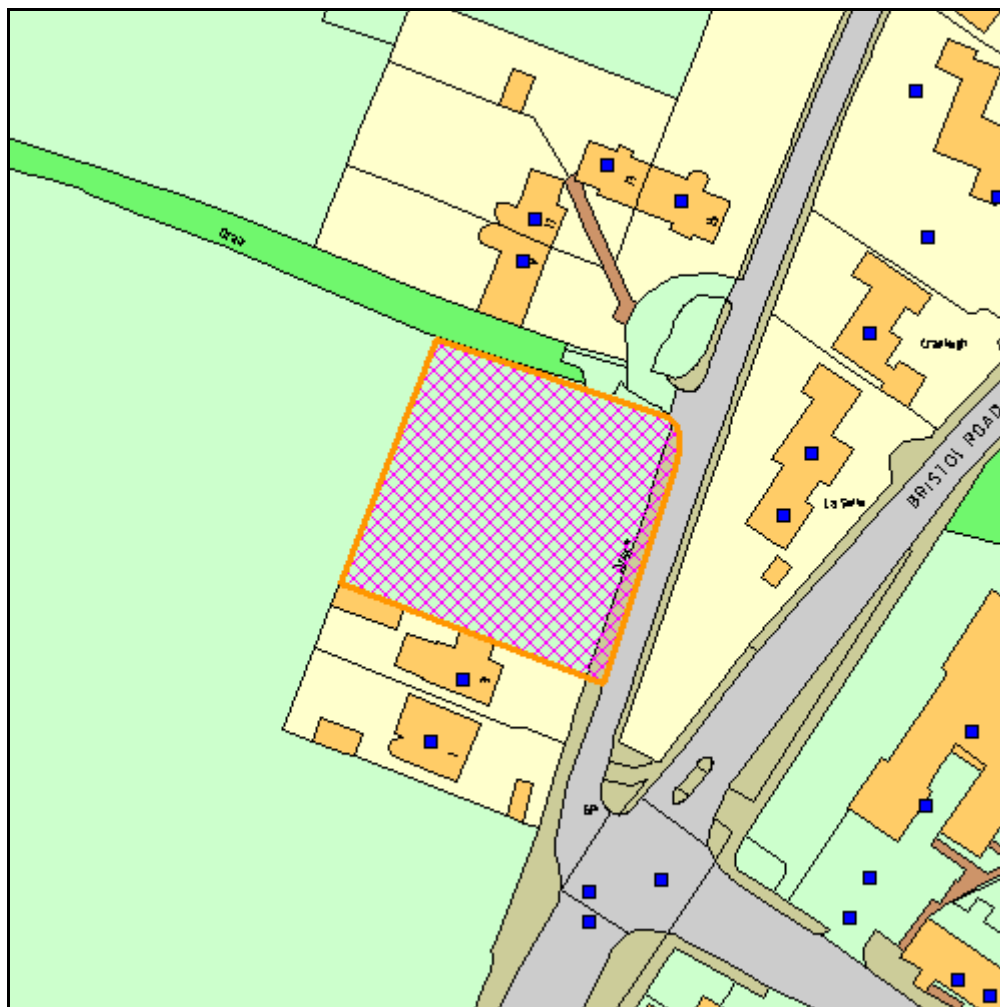
Reason:

To define the terms and extent of the permission.

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

**CIRCULATED SCHEDULE NO. 41/21 -15th October 2021**

<b>App No.:</b>	P21/05612/O	<b>Applicant:</b>	Mr Ross Ashford RJA Homes
<b>Site:</b>	Land Between 3 And 9 Old Gloucester Road Frenchay South Gloucestershire BS16 1QR	<b>Date Reg:</b>	21st August 2021
<b>Proposal:</b>	Erection of 3 no. dwellings with access, layout and scale to be determined and all other matters reserved.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	363456 177920	<b>Ward:</b>	Frenchay And Downend
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th October 2021



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P21/05612/O

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

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

The application appears on the Council's Circulated Schedule procedure following the receipt of more than 3no. support comments which are contrary to the officer recommendation within the report.

### **1. THE PROPOSAL**

- 1.1 This application seeks outline consent for the erection of 3no. dwellings with access, layout and scale to be determined and all other matters reserved.
- 1.2 The application site sits adjacent to the defined settlement boundary, and is within the Bristol/Bath Green Belt.

### **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
CS2	Green Infrastructure
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP19	Wider Biodiversity
PSP40	Residential Development in the Countryside
PSP41	Rural Workers Dwellings

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007  
Technical Advice Note: Assessing Residential Amenity (June 2016)

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

#### Willis House

- 3.1 PT18/2416/F - Erection of 1no. dwelling and associated works.- Refused 07.09.2018 – Allowed at appeal 26.03.2019.

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council - *The comments of the Parish Council are No Objection. As with all new builds the Parish Council would encourage developers to consider sustainability, biodiversity and the environmental impact and stress the importance of designing a sustainable building.*
- 4.2 Transportation DC – No objection subject to further details submitted at reserved matters or condition stage.
- 4.3 Ecology – No objection subject to conditions relating to mitigation, lighting design strategy and a landscape and ecological management plan.
- 4.4 Drainage – No objection subject to condition relating to detailed drainage design.
- 4.5 Arboriculture – No objection

#### **Other Representations**

4.6 Local Residents

4no. support comments have been received, summarised as:

- Good use of dead space
- Tidier and more in-keeping with the road
- New houses already permitted in road
- Site not in use for a long time
- Site bounded by properties and sports ground, not suitable for many uses
- Proposal is infill
- Proposal will provide much needed housing
- Will not impact neighbouring properties
- Site not overlooked

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

#### Principle of Development

- 5.1 The site is located within the Bristol/Bath Green Belt where the fundamental aim is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. As per para 134 of the NPPF, the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

- 5.2 Whilst development in the Green Belt is strictly controlled, the NPPF provides a number of exceptions where new buildings in the Green Belt may not be inappropriate. These are listed under paras 149 and 150. One such exception is limited infilling in villages.
- 5.3 The Core Strategy defines “infill” as being “The development of a relatively small gap between existing buildings, normally within a built up area.”
- 5.4 The development site sits between numbers 3 and 9 Gloucester Road. Whilst evidence from the applicant indicates that a sizeable building was present on site up until at least the 1950’s, this is no longer present. It is likely that the site formed part of an agricultural holding. The proposal for 3 dwellings can be considered to be “limited”. It is accepted that the proposal could be considered as infill.
- 5.5 The NPPF does however require limited infilling to be within a village. The defined settlement boundary ends on the eastern side of Old Gloucester Road, and is drawn tightly around the clearly developed urban area of Frenchay.
- 5.6 Recent case law and appeal decisions have determined that whilst a settlement boundary as defined within a Local Plan was a relevant consideration, it would not necessarily be determinative, particularly where the boundary as defined did not accord with the assessment of the extent of the village on the ground.
- 5.7 The Officer acknowledges that the proposal is considered to be in a sustainable location, as is often the case with sites immediately adjacent to the settlement boundary.
- 5.8 The applicant’s position for this proposal is that there are clear visual links between the properties on the west side of Old Gloucester Road, and those on the east, and that the site does not appear disconnected from the village and would not constitute sporadic rural development.
- 5.9 Following a site visit however, the Officer disagrees with this interpretation. Starting at the Bristol Road, the surrounding area has a particularly urban feel, perpetuated by the main road and the newly developed Frenchay Hospital Site. The Old Gloucester Road is a single track road accessed from this area.
- 5.10 Almost immediately upon turning down this lane, the feel of the area becomes more rural. The west side of the road has two dwellings to the entrance, with the west side bordered by hedgerows. As you continue down Old Gloucester Road, this rural feel continues as you reach the proposal site. The road here is bordered on both sides by mature hedgerows, with the site to the west and open sports fields beyond.



- 5.11 Beyond the site are numbers 9-15 Gloucester Road, a cluster of dwellings located around an open area which have an unmistakably rural feel. There is little connection between these and the more developed area on the opposite side of Gloucester Road.
- 5.12 Continuing further, although past the application site, the road opens up on the east side with more suburban boundary treatments and vehicular access treatments. The west remains undeveloped.
- 5.13 To the Officer, it is clear that the Old Gloucester Road clearly demarks the developed village area of Frenchay versus the rural character to the west, and in this situation this also follows the Settlement Boundary.
- 5.14 The applicant considers that the character of the area is typical of “edge of village” character, and has supplied evidence of other developments within the district that have been considered to be within a village despite their rural character. The officer does not dispute that villages can have a rural feel, and indeed this is quite typical within some settlements.
- 5.15 In this particular case however, the disparity between the character within the settlement boundary, and that of the application site, combined with the open fields that surround 3 and 9 Old Gloucester Road, results in the conclusion that the proposal is not within the village.
- 5.16 The proposal is therefore considered to be outside of the village, and does not meet any of the exceptions within paragraphs 145 and 146. The proposal is therefore considered to be inappropriate development within the Green Belt, and by definition, harmful. The proposal is also contrary to policies CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP7 of the Policies Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

#### Transportation DC

- 5.17 Whilst the Transport Officer has noted that the site is within a “built up area”, this is a statement made solely based on the sustainability of the site from a transport perspective, and should not be considered to be acceptance that the site is considered to be “within the village” as already explored.
- 5.18 As stated, the site is adjacent to the settlement boundary and therefore a sustainable location, and broadly complies with the locational requirements of PSP11.
- 5.19 Each new dwelling is likely to produce around 7 vehicular movements per 24 hour day, and the trip generation cannot be considered to be severe or unacceptable. The site is not classified as either A or B class, and visibility is likely to be acceptable. There is no objection in principle.
- 5.20 Limited details of the access or parking arrangements have been provided. Nevertheless, it appears that access to the adjacent public highway network

can be obtained. The site also appears large enough for appropriate on-site parking provision to be made within its curtilage in accordance with PSP16. It will, however, be necessary to clarify these details and those of the on-site turning arrangements at the reserved matters stage.

- 5.21 The sites parking areas should be surfaced in a bound material so as to prevent it being dragged onto the public highway by vehicle tyres, and electric vehicle charging facilities should be provided. Details of these should be submitted to the Council before use.
- 5.22 The site should also be future proofed by making provision for a footway across its frontage.
- 5.23 All works on or immediately adjacent to the public highway, must be approved by this Council before, during and after completion as appropriate.
- 5.24 Overall, there are no severe or unacceptable highways concerns, subject to further detail being submitted at reserved matters stage.

#### Design and visual amenity

- 5.25 As the proposal is at outline stage, detailed design considerations will be dealt with at reserved matters stage.
- 5.26 Indicative plans show that the proposal is broadly in line with the existing properties at 3 and 9, and broadly in scale with neighbouring properties. The development is not considered to be cramped, nor constitute overdevelopment of the site.
- 5.27 A detailed planting plan and details of all proposed boundary and hard landscaping treatments will be required at reserved matters stage.

#### Residential amenity

- 5.28 As detailed designs are yet to be submitted, some elements of residential amenity cannot yet be assessed. The applicant should ensure that windows, particularly in the side elevations, do not cause unacceptable harm by overlooking.
- 5.29 The location of the proposal is not considered to have an unacceptably overbearing impact upon the existing dwelling, nor to other neighbouring properties.
- 5.30 The proposed properties would benefit from outside amenity space in excess of that required under PSP43.

#### Ecology

- 5.31 A Preliminary Ecological Appraisal (Smart Ecology, May 2021) and a Reptile Survey Report (Smart Ecology, June 2021) has been submitted. The site is not

- covered by any designated sites. Habitats include scrub, hedgerows, poor semi-improved grassland and tall ruderal.
- 5.32 The site was assessed as being of low foraging potential for bats due to the small area of suitable habitat and nearby floodlights. No trees on site were identified as supporting potential bat roost features.
- 5.33 There are suitable terrestrial habitats for GCN on site. There are three waterbodies located over 250m from the site, two of which are situated on the other side of the M32. Reasonable Avoidance Measures have been proposed for reptiles which will also apply to GCN.
- 5.34 There is suitable habitat for nesting birds, mitigation has been recommended.
- 5.35 There is suitable habitat for reptiles and subsequent surveys were undertaken. Two slow worms were recorded on one of the visits. Due to the low population recorded a translocation was not recommended and Reasonable Avoidance Measures were proposed.
- 5.36 There is suitable habitat to support foraging and commuting badgers, mitigation has been recommended.
- 5.37 There are suitable habitats for hedgehogs, mitigation has been recommended.
- 5.38 The site provides some habitat which could be used by common invertebrate species.
- 5.39 Sufficient survey effort has been undertaken and appropriate mitigation and enhancements have been recommended. There is no objection to the scheme, subject to conditions relating to mitigation, a lighting design strategy, and a landscape and ecological mitigation plan.

#### Drainage

- 5.40 There is no objection in principle, subject to full details of both foul sewage and surface water disposal being submitted to the LPA. For the avoidance of doubt the preferred method for foul sewage disposal is to connect to a public foul sewer. If this is not economically viable by gravity or pumping, a Package Sewage Treatment Plant is required.

#### Consideration of likely impact on Equalities

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

requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

### Planning Balance

- 5.42 As the development does not fall within one of the categories of appropriate development within the Green Belt, the development is not acceptable in principle. The harm to the openness of the Green Belt is given substantial weight outweighs the slight contribution of one unit to the housing land supply. It is not considered that a case of very special circumstances has been made.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 That planning permission is REFUSED for the reason on the decision notice.
1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP7 of the Policies Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

**Case Officer: Rae Mepham**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 41/21 -15th October 2021**

<b>App No.:</b>	P21/06233/TRE	<b>Applicant:</b>	Mr David Trigwell
<b>Site:</b>	The New House 11 Barn End Marshfield South Gloucestershire SN14 8PE	<b>Date Reg:</b>	20th September 2021
<b>Proposal:</b>	Works to fell 1 no. horse chestnut, as covered by tree preservation order SGTPO 42/18 dated 18th March 2018.	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	378349 173735	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>		<b>Target Date:</b>	15th November 2021



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P21/06233/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.

## **1. INTRODUCTION**

This application appears on the circulated schedule due to the number of objections from both the Parish and local residents, contrary to the officer recommendation.

## **2. THE PROPOSAL**

1.1 Works to fell 1 no. horse chestnut

1.2 The New House, 11 Barn End, Marshfield, South Gloucestershire, SN14 8PE

## **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 PK01/0787/TCA, Proposal: Fell 2 no. Horse Chestnuts and thin crown by 15% to 1 no. Beech, Decision: No objection 07-JUN-2001

## **4. CONSULTATION RESPONSES**

### **4.1 Marshfield Parish Council**

Objection received: Marshfield Parish Council strongly object to this planning application as a tree survey has shown that the tree has at least 10 years of life remaining, has a TPO and is situated alongside other trees with an integrated root system.

However, if the tree is found to be unsafe then the PC would request that a replacement native tree be planted in the same site.

## **Other Representations**

### **4.2 Local Residents**

Eight objections have been received relating to:

- loss of amenity value.
- effects on wildlife habitat.
- the tree's expectant life span exceeding 10 years.
- concerns about the applicant removing the tree to expand their garden.
- concerns that the removal of this tree will instigate the removal of the whole woodland.

## **5. ANALYSIS OF PROPOSAL**

### **5.1 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.

## 5.2 Consideration of Proposal

The horse chestnut tree is situated at the forefront of a group of trees, predominately Beech. The tree has an asymmetrical crown due to being suppressed by surrounding trees. The Officer acknowledges the arboricultural report submitted from May 2019 and the observations relating to the major decay cavity at 3 metres height. This was evident during the site visit.

Due to the location of the tree and its close proximity to the property, it is necessary for the tree's removal to reduce risk of damage. Whilst the Officer appreciates that the neighbouring residents object to the tree's removal, the Officer cannot justify refusing this application due to the condition of the tree -major decay cavity at 3 metres height- nor leave the Council liable should the tree fail. Replacement planting will be conditioned as described within the application form. The replacement will be planted in line with, or to the east side of, the existing tree. The location and size of the replacement will be approved in writing by the LPA prior to the removal of the existing tree.

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

3. 1 replacement tree shall be planted in the first planting season following the felling of the existing tree. The replacement species is Beech, at a size of heavy standard measuring 12 - 14 cm girth at an overall height of no less than 350cm. The replacement tree will be planted to the East side of the exiting tree, it's location to be agreed in writing by the Local Planning Authority prior to the removal of the existing tree.

The replacement tree shall be properly maintained for a period of 10 years. If the trees is removed or becomes damaged or diseased within this period it shall be replaced in the next planting season with the same species. If a variation in species is

required due to disease, agreement must be sought in writing from the Local Planning Authority before the replacement is planted.

**Reason**

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

**Case Officer: Kate Tate**

**Authorising Officer: Helen Ainsley**