

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: 37/21

Date to Members: 17/09/2021

Member's Deadline: 23/09/2021 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

1. Application reference number:

2. Site Location:

3. Reasons for referral:

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

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

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

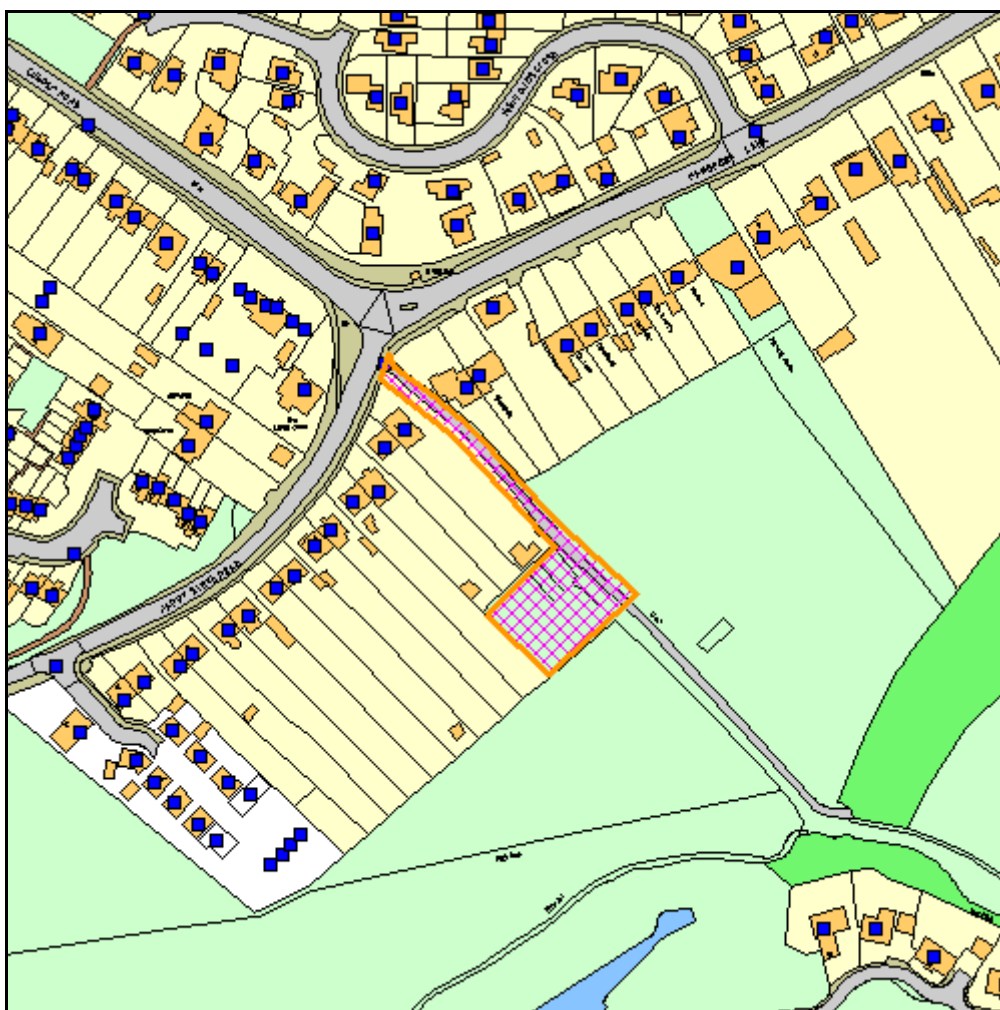
CIRCULATED SCHEDULE 17 September 2021

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/15008/F	Approve with Conditions	Land South Of 1 Harry Stoke Road Stoke Gifford South Gloucestershire BS34 8QQ	Stoke Gifford	Stoke Gifford Parish Council
2	P21/00389/RM	Approve with Conditions	114 Tower Road North Warmley South Gloucestershire BS30 8XN	Parkwall And Warmley	Siston Parish Council
3	P21/02570/RVC	Approve with Conditions	Colony Farm Hortham Lane Almondsbury South Gloucestershire BS32 4JW	Severn Vale	Almondsbury Parish Council
4	P21/05064/RVC	Approve with Conditions	B And Q Plc Station Road Yate South Gloucestershire BS37 5PQ	Yate North	Yate Town Council
5	P21/05261/F	Approve with Conditions	56A Cranmoor Green Pilning South Gloucestershire BS35 4QF	Pilning And Severn Beach	Pilning And Severn Beach Parish Council

CIRCULATED SCHEDULE NO. 37/21 -17th September 2021

App No.:	P20/15008/F	Applicant:	Mr Vince Hargreaves
Site:	Land South Of 1 Harry Stoke Road Stoke Gifford South Gloucestershire BS34 8QQ	Date Reg:	27th August 2020
Proposal:	Erection of 3 no. dwellings with highway/footpath alterations, parking, hard landscaping, soft landscaping and other associated works.	Parish:	Stoke Gifford Parish Council
Map Ref:	362558 179331	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	19th October 2020



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P20/15008/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 Parish Councils.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 3 dwellings on land to the rear of 1 Harry Stoke Road, Stoke Gifford. The three dwellings will each be detached and will be arranged in a horseshoe shape around a central point of access.
- 1.2 The authorised use of the site is unclear as there is no planning history. On the basis of the aerial photographs held by the Council the site appears to have been in some form of hardstanding/amenity grassland use for a number of years. The application has been submitted on the basis that the land use is vacant.
- 1.2 During the course of the application additional information in the form of arboricultural and ecological reports have been received as requested by officers.
- 1.4 The site is inside of the defined settlement boundary and is not within the Green Belt. The site was originally allocated for housing under Policy H1 of the (now superseded) 2006 Local Plan. The site now falls within the housing allocation (Site 28) at Harry Stoke identified through Policy PSP47. Residential development is underway on the land immediately the east and south of the application site PT17/5810/RM. Once the existing permission on the adjacent site is completely built out, the site will effectively be surrounded by residential buildings on all but its northernmost edge.

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
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
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP22	Unstable Land
PSP38	Development in Residential Curtilages
PSP43	Private Amenity Space Standards
PSP47	Site Allocations and Safeguarding

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Householder Design Guide SPD (Adopted) 2021
Householder Design Guide (Adopted)

3. RELEVANT PLANNING HISTORY

There is no relevant planning history on this specific site. There is relevant planning history on surrounding sites however:

- 3.1 PT11/2547/F Erection of 2 no. detached dwellings and associated works.
Approved October 2011
- 3.2 PT17/5810/RM Erection of 763 dwellings, community building, nursery and retail units with parking, landscaping and associated works. (Approval of reserved matters to be read in conjunction with outline planning permission PT06/1001/O).
Approved September 2019

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

Stoke Gifford Parish Council

Stoke Gifford Parish Council objects to this Planning Application on the grounds of inappropriate vehicular access, over an established public footpath which is also recognized as an Active Travel Route (ATR) for pedestrians (increasingly used by residents of new dwellings near the Ham Brook). The proposal would impact the viability of the footpath and compromise the safety of the footpath users and also change the dynamic / character of the local area.

Winterbourne Parish Council

Objection. The application proposes

vehicular access over an unmetalled, much-used "green" footpath, serving the whole Harry Stoke 1 development. This footpath is also a much used cycle route.

4.2 Tree Officer

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

4.3 Ecology Officer

Following the submission of the updated details, there are no objections to the development subject to the attachment of conditions.

4.4 Environmental Protection

Have no concerns

4.5 Highway Structures

Wish to make no comment

4.6 Archaeology Officer

No objection subject to a condition

4.7 Highway Officer

No objection subject to conditions

4.8 Public Right of Way Officer

No objection

4.9 Lead Local Flood Authority

No objection

4.10 Neighbouring Residents

Three letters of objection have been received. Below is a summary of the key points of concern raised:

- It is proposing to build a set of houses on a footpath
- Plans call the access a lane but it is actually an overgrown footpath
- Access via footpath is not acceptable
- Would result in higher emissions as people are forced to drive
- All around a terrible idea

5. ANALYSIS OF PROPOSAL

Principle of Development

5.1 The site is within the defined settlement boundary. Policy CS5 directs development to established urban areas and defined settlement boundaries. As such, based solely on the location of the site within the settlement boundary, the principle of the development is acceptable.

5.2 This site is not strictly within an existing residential curtilage (PSP38), neither is it a conversion (PSP39) or a new dwelling in the open countryside (PSP40). For the purposes of assessing this application the criteria within PSP38 will be

- used as a guide. PSP38 states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area, would not prejudice the amenities of neighbours, would not prejudice highway safety or provisions of an acceptable level of parking provision for any new and existing buildings, would not prejudice the provision of adequate private amenity space, and would not lead to the loss of gardens that form part of a settlement pattern that contributes to local character.
- 5.3 The principle of residential development on this site is acceptable, however regard is provided to the detailed matters which are discussed below.
- 5.4 Design and Visual Amenity
Policy CS1 only permits new development where the “highest standards” of site planning and design are achieved. In addition policy PSP5 states that development proposals within the defined settlement boundaries will only be acceptable where they do not adversely affect the quality, character and distinctiveness of the locality. 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.
- 5.5 The Design and Access Statement submitted with the application makes a fair assessment of the surrounding built form. The area is quite varied in character being a mix of post war semi-detached units, right through to modern construction to the east. Whilst the site may once have been considered ‘backland’ given the planning history of the surrounding land, upon completion to site will be almost surrounded by other housing development.
- 5.6 The proposed site layout is simple in nature. The three dwellings will be arranged in a horseshow fashion around a central access point. Parking space will be provided to the front of the units. Plots 1 and 3 will be mirror images of each other each having four bedrooms (although one is annotated as a study) and a forward projecting double garage. The central plot, plot 2, will have three bedrooms and no garage. All three properties are 2.5 storeys in height with accommodation in the loft space.
- 5.7 In terms of materials, all three units are to have the same appearance, giving uniformity to the little cluster of dwellings. The floor levels of the dwellings will follow the natural gradient of the site in that plot 1 would be set slightly higher than plot 2, and plot 2 slightly higher than plot 3. In light of the above, the proposed development, if built, would be representative of high quality design and would respect the character of the site and its context. The proposed development therefore complies with policies CS1, PSP1, and PSP38 of the Local Development Plan.
- 5.8 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. In order to be acceptable, any development proposal must be compatible with its immediate surroundings.
- 5.9 The proposed development would provide an acceptable degree of living standards for the future residents. Internally, the property would conform to the Nationally Described Space Standards, with each room being acceptable in size, and provided with adequate levels of outlook and natural light.
- 5.10 In terms of private external amenity space provision, PSP43 sets out standards based on the number of bedrooms at a property. Sufficient space would be retained for both the host and proposed property.
- 5.11 The rear gardens of the proposed units will face out towards the rear gardens of those dwellings along Harry Stoke Road. However, given the length of these neighbouring gardens, the impact on residential amenity is deemed to be acceptable.
- 5.12 Parking and Highway Safety
Officers are mindful that the issue of highway safety is probably the most important at this site. Policy PSP16 sets out that for a 3 or 4 bedroom property at least 2 no. off-street parking spaces should be provided – a total of 6 needed on this site. The submitted plans show a total of 10 spaces (4 in garages and 6 on the driveway). Given the size of the garages, they are not being included for the purposes of assessing against PSP16. Nonetheless, the 6 parking spaces within the parking court are acceptable and comply with PSP16.
- 5.13 Putting aside the fact that sufficient parking is being provided, it is necessary to determine whether the proposed access is safe. Access to the site is via the lane and PROW that links Harry Stoke Road to the new residential development to the east. The PROW links then expands to the wider open countryside. It is noted that both local residents and the two Parish Councils have queried whether this is safe. Both the Highway Officer and the Public Right of Way officer have been consulted on the application and raise no objection.
- 5.14 To clarify, it is not an offence to drive on a Public Right of Way providing you have the owner's permission to do so. The case officer has undertaken several site visits at various times of the day to view the lane in its context. It was observed that there are already vehicles parked on the site (of unknown use) and so therefore it is apparent that there is already a certain level of vehicle movements along the lane. Aerial photographs held by the Council show vehicles parked on the site back to at least 2017.
- 5.15 The Highway officer comments that access to the proposed development is proposed along a track to the side of the existing dwelling at 1 Harry Stoke Road. The track has a PROW path running along it. Between the access onto Harry Stoke Road and the access into the site the track is around 3.6m wide, there are two passing places and about half of the length of the track has adjacent grass verges where pedestrians can take refuge. The proposed three

dwellings would generate between 1 and 2 two way vehicle movements during the busiest am and pm peak hours. This level of vehicular traffic can be accommodated on the proposed access without adversely affecting the utility of the PROW path. Visibility at the point of access onto Harry Stoke Road is restricted to the right by a grass bank. There is a mini roundabout just to the right of the site access which has a calming effect on traffic approaching from the east along Hambrook Lane. Given the proximity of the mini roundabout and the limited forward visibility into Harry Stoke Road. The highway officer is satisfied that the available visibility is commensurate with the speed of approaching traffic. The double garages are below the standard size required to count as two parking spaces, however the two outside spaces meet the minimum parking standard for each dwelling.

- 5.16 The Councils PROW officer comments that there is no objection in principle to the application but the applicant will need to ensure that he has an appropriate vehicular right of access along the public right of way that can be passed on to the prospective owners of the proposed houses. This however is a separate civil matter than will need to be addressed outside of the planning application.
- 5.17 It is accepted that this public footpath will be increasingly heavily used by pedestrians and probably cyclists from the new developments taking place and these users will have priority over any vehicular use. Whilst not currently identified as a strategic ATR it is nonetheless a prime ATR, as identified in policy PSP10, linking to the Community Forest Path, local retail centres, Parkway railway station, UWE, the MOD and other local employment and its use must be safeguarded. The PROW officer therefore seeks that a requirement is made for appropriate signage because there is some potential for conflict between the vehicles of 3 households and the anticipated high number of users. This will form the basis of a suitable worded condition.
- 5.18 There do not appear to be any proposal for works to the lane itself other than the installation of passing places. Any changes to the surface of the lane must be approved and the public right of way must not be interfered with or compromised either during or after construction which includes surface damage. There must be no diminution in the width of the right of way available for use by the public, no building materials may be stored upon it and vehicle movements must not interfere with use by the public. No additional barriers may be placed on the right of way and the safety of the public must be taken into account at all times. Informatives will be attached to remind the applicant of their obligations with respect to the PROW.
- 5.19 Paragraph 111 of the NPPF advises that development should be refused where the impact on highway safety is severe. Whilst there will inevitably be situations where vehicles associated with the dwellings and pedestrians meet each other within the lane, given the passing places available, the generous verge area (especially close to the new dwellings) providing safe refuge, and the condition to secure safety signs, the impact on highway safety is deemed to be acceptable. A highway refusal reason could not be substantiated at appeal.

5.20 Ecology and Arboriculture

A Preliminary Ecological Appraisal (Chalkhill, June 2021) has been submitted with the application. An arboricultural report has also been submitted to show that all trees on site will be retained. Subject to conditions to ensure that the development takes place in accordance with both reports, there is not objection to the development.

5.21 Drainage

The Lead Local Flood Authority has no objection to the application subject to a condition to ensure the submission of details of a SuDS system.

5.22 Archaeology

The comments of the archaeology officer are noted. However, that there is no known archaeology on site and given the location of the development and the surrounding consented development, it is considered that it would be unreasonable to attach a condition requiring a programme of archaeological work.

5.23 Waste and Recycling

The access to the site is not to be adopted and no turning space is provided for a refuse lorry on site. As such, it is unlikely that Council refuse vehicles will enter the site. The applicant will need to negotiate with the refuse company outside of this planning application. In the event that Council refuse lorries will not enter, the applicant will need to source a private waste management company. In order to comply with the requirements of CS1, a condition will be attached to require details of the waste and recycling collection arrangements for the site.

5.23 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.

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

6. CONCLUSION

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

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

Reason

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

3. The development must be carried out in full accordance with the following plans:

Received by the Council on 27th August 2020:
119 - Proposed Bike Stores

Received by the Council on 18th August 2020:
01 - Site Location Plan
100 - Existing Block Plan
110 - Proposed Block Plan
111 - Proposed Block Plan
112 - Plot 1 Floor Plans
113 - Plot 1 Elevations
114 - Plot 2 Floor Plans
115 - Plot 2 Elevations
116 - Plot 3 Floor Plans
117 - Plot 3 elevations
118 - Street Scene and Section

Reason

To define the permission

4. 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

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy (E3/E6) of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the National Planning Policy Framework.

5. Prior to the commencement of the erection of any of the new buildings hereby permitted, details and samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

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

Reason

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

7. Prior to first occupation, each dwelling shall be provided with an Electric Vehicle Charging Point.

Reason

To encourage sustainable methods of transport, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

8. Prior to the first occupation of any of the dwellings hereby permitted, a scheme of waste collection shall be submitted to the Local Planning Authority for written approval. Development must take place in accordance with the details agreed.

Reason

The access road will not be adopted and therefore Council refuse vehicles are unlikely to enter the site. Details of an alternative method of waste disposal must therefore be agreed to comply with the requirements of CS1 of the Core Strategy (Adopted).

9. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Chalkhill, June 2021) and the Arboricultural Report (Sharples Tree Services, May 2021)

Reason

To protect and enhance the ecological value of the site and to comply with the requirements of Policy PSP19 of the Policies Sites and Places Plan.

10. Prior to the first occupation of any dwelling hereby approved, details of any external lighting, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To protect and enhance the ecological value of the site and to comply with the requirements of Policy PSP19 of the Policies Sites and Places Plan.

11. Prior to the first occupation of any dwelling hereby permitted, details of safety signage on the access lane shall be submitted to the Council for written approval. The details submitted shall be for the benefit of both vehicle drivers and pedestrians. The signage shall be erected prior to the first occupation of any dwelling and thereafter retained.

Reason

To remind drivers that pedestrians have priority and to alert pedestrians to the fact that they may encounter a vehicle. In order that highway safety is maintained in accordance with the requirements of Policy PSP11 of the Policies Sites and Places Plan (Adopted) and the NPPF.

12. A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of work. The CEMP as approved by the Council shall be fully complied with at all times. The CEMP shall address the following matters:
 - (i) Measures to control the tracking off mud off-site from vehicles.
 - (ii) Measures to control dust from the construction works approved.
 - (ii) Measure to ensure vehicles do not reverse along or across the PROW path without a banksman.
 - (iv) Measures to ensure the PROW Path is kept clear of obstruction at all times.
 - (v) Measure to keep local residents and users of the PROW informed of deliveries and other activities affecting the PROW.
 - (vi) Adequate provision for the delivery and storage of materials.
 - (vii) Contact details for the Site Manager.

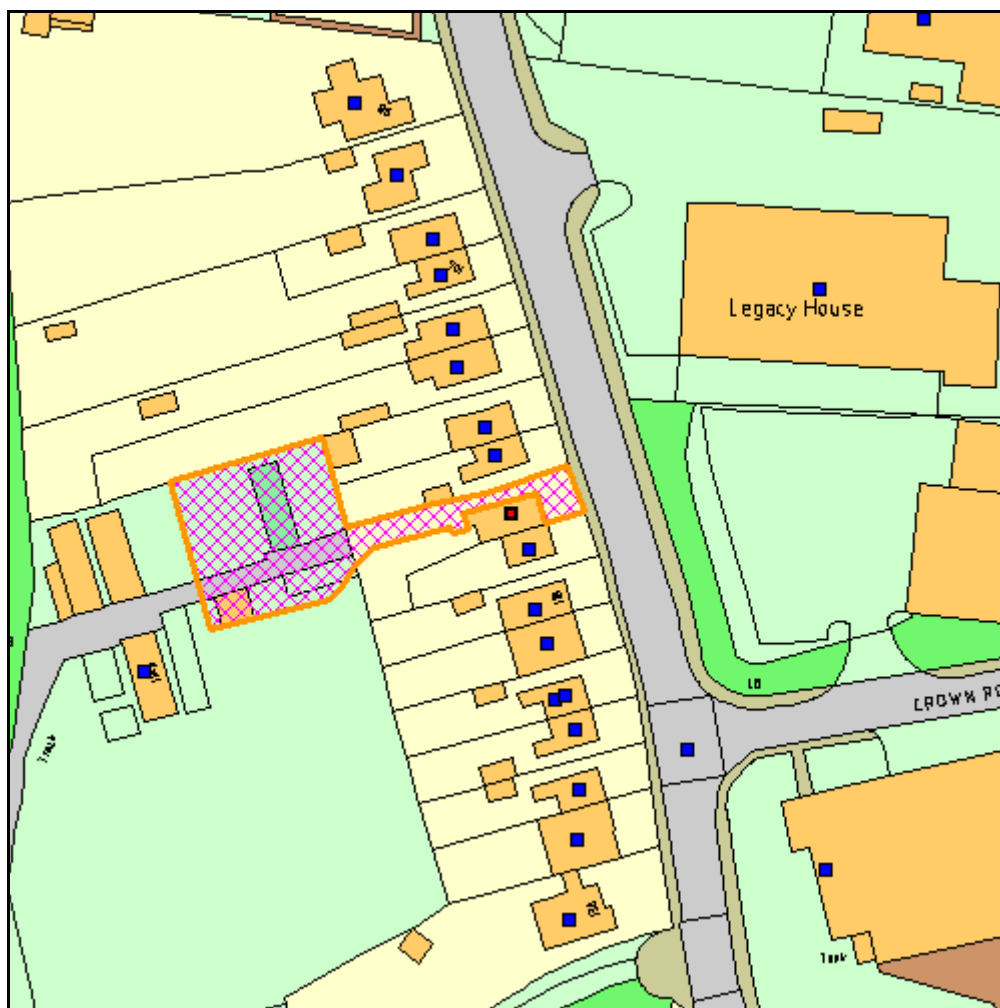
Reason

In the interests highway safety and to accord with Policy PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD

Case Officer: Marie Bath
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 37/21 -17th September 2021

App No.:	P21/00389/RM	Applicant:	Jean-felix ANIEL-QUIROGA
Site:	114 Tower Road North Warmley South Gloucestershire BS30 8XN	Date Reg:	28th January 2021
Proposal:	Erection of 1 no. dwelling approval of reserved matters to include appearance and scale (to be read in conjunction with P19/19026/O)	Parish:	Siston Parish Council
Map Ref:	367005 173008	Ward:	Parkwall And Warmley
Application Category:	Minor	Target Date:	23rd March 2021



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N.T.S.

P21/00389/RM

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from 5no. local residents which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks approval of reserved matters connected to outline planning permission P19/19026/O. The outline planning permission granted consent for the erection of 1 no. detached dwelling with access, landscaping and layout determined. All other matters were reserved (scale and appearance).
- 1.2 The application site relates to land to the rear of 114 Tower Road North, Warmley which is located within the defined East Fringe of Bristol Urban Area. The site also falls within a coal mining referral area, Warmley conservation area, the setting of Warmley House (Grade II listed), and the setting of the William Champions Brassworks (scheduled ancient monument).

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
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS29 Communities of the East Fringe of Bristol Urban Area

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

- PSP1 Local Distinctiveness
- PSP3 Trees and Woodland
- PSP8 Residential Amenity
- PSP11 Transport Impact Management
- PSP16 Parking Standards
- PSP17 Heritage Assets and the Historic Environment

PSP18	Statutory Wildlife Sites
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Adopted) 2007
 Residential Parking Standards SPD (Adopted) 2013
 Waste Collection SPD (Adopted) 2015 (Updated 2017)

3. **RELEVANT PLANNING HISTORY**

- 3.1 P19/19026/O
 Erection of 1 No. detached dwelling (Outline) with access, landscaping and layout to be determined all other matters reserved. (Resubmission of P19/19026/O).
 Approved with conditions: 07/04/2020
- 3.2 P19/10007/O
 (Outline) with access, landscaping and layout to be determined all other matters reserved.
 Refusal: 11/11/2019
- 3.3 PK18/0297/CLP
 Application for a Certificate of Lawfulness for a proposed erection of 2no. single storey outbuildings to form double garage and studio for uses incidental to the enjoyment of the existing dwellinghouse.
 Approved: 07/03/2018
- 3.4 PK16/2118/O
 Erection of 4no. dwellings (Outline) with access, landscaping, scale and layout to be determined. All other matters reserved.
 Refusal: 13/09/2016

4. **CONSULTATION RESPONSES**

- 4.1 Siston Parish Council
 No objection.
- Sustainable Transport
 No objection subject to conditions.
- Conservation Officer
 No objection to use of materials and modern design. Small design amendments suggested to enhance the overall appearance.

The Coal Authority

No objection. Noted conditions 9, 10 and 11 attached to P19/19026/O still to be discharged.

Highway Structures

Informative suggested.

Lead Local Flood Authority

No objection.

Other Representations

4.2 Local Residents

Objection comments received from 5no. local residents, summarised as follows;

Design/Heritage

- Footprint and scale has been increased, having greater spatial impact.
- Dark red cladding would stand out in isolation against neutral backdrop.
- Existing hedge would not provide sufficiently dense screening.
- Parking solution relies on the demolition of a listed front wall, which has been knocked down since the most recent purchase of no.114.
- Insufficient conservation reporting of current site and surrounding areas.
- Unnecessarily large scale and will be an imposing eyesore.
- If a dwelling is allowed then the conservation protection the site has would be obsolete and of no relevance

Landscape/Ecology

- Existing boundary hedge on site plan is a neglected privet hedge with 2m chainlink fence embedded.
- Mature gardens at rear currently provide dark forging area for wildlife at night, lighting will detract from this.
- Concern for the welfare of newts, frogs and abundance of other wildlife.
- Prior application passed with inaccuracies i.e pond behind is claimed to be dry.

Residential Amenity

- Overlooking from northern elevation windows.
- Will encroach on views and privacy.

Transport

- Is the access wide enough for necessary machinery or access for future occupants.
- Access too narrow, safety implications.
- Access would not comply with building regulations.
- Vehicles would navigate at slow speed causing a prolonged period of engine noise and exhaust fumes between 112 and 114.
- Inconvenient to navigate access, so occupants likely to park on the road.
- No provision for separate pedestrian access, would be in conflict with vehicles accessing the site.

Other

- Bristol Coalmining Archive mentions intention to put more houses on the site. Not mentioned in the submitted plans.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed development is acceptable in principle as outline planning permission for the proposed development has been granted under application P19/19026/O. This application seeks to approve the 'reserved matters'. In this instance the reserved matters are: scale and appearance.

5.2 Scale

A condition was attached to the approved outline application to state that the scale of development shall not exceed the height of the existing dwelling, no.114 Tower Road North. The proposal would consist of single detached, 4-bedroom dwelling; it would be two storeys in height with front dormer windows serving the fourth bedroom. The submitted elevation plans indicate that the overall height of the proposed dwelling would be no higher than the adjacent dwellings and as such, would be in compliance with the above condition. The footprint of the dwelling has been amended slightly from the outline application, replacing the two storey rear gable projection with a single storey element that would extend further from the rear elevation. This is not considered to result in any material harm to the character of the grade II listed Warmley House, nor the conservation area. Given the siting and context of the site, the scale of development is considered to be appropriate and therefore no objections are raised in this regard.

5.3 Appearance

The site is located within Warmly Conservation Area which covers the remains of the William Champion Brassworks and his 'industrial utopia' garden. The site is of exceptional national and international interest, being the largest single, commercial-scale producer of Zinc in Europe in the mid-18th Century. The proposed dwelling would consist of a simple dual pitched roof design with a modern approach; it seeks to respond positively to the historical context of the site, most visibly by including an external tower chimney on the south elevation and use of external zinc cladding to the roof and first floor. It does not attempt to reflect the design of the properties fronting Tower Road North, however this is considered acceptable as the proposed development would not be read in association with these buildings. Following comments from the council's conservation officer a number of minor amendments have been made to the external appearance, which include; ensuring the proportions and placement of all openings correspond precisely to the zinc panels; improved proportions of the dormer windows and use of a vertical casement; reduced number of solar panels on the principal elevation; increased use of zinc on the chimney stack and principal elevation to provide more visual weight and interest to the zinc section.

- 5.4 The submitted revisions are considered to have resulted in a proposal which is acceptable as a contemporary addition to the conservation area and draws appropriate references from the industrial heritage of the former brass and zinc

manufacturing site. That said, the detail is important in this design to ensure a high quality finish upon completion and as such, large scale details will be conditioned on any subsequent decision to ensure the expected quality is achieved.

5.5 Residential Amenity

The impact to surrounding occupiers has been considered, given the acceptable scale of development and the separation distances between the proposal and nearest properties it is not considered that the new dwelling would result in any substantially detrimental overbearing or significant loss of light impacts.

- 5.6 Some concern has been raised by neighbours in regard to a potential loss of privacy. The proposed dwelling is orientated at a 90 degree angle from the dwellings fronting Tower Road North and is set back from the rear elevations of no's 112-116 by approximately 30 metres. Given there are no windows proposed on the first floor east elevation of the dwelling, no material loss of privacy is considered to result. The garden of number 112 runs along the northern boundary of the site; it is acknowledged the rear elevation of the proposal would face the neighbouring garden and therefore requires careful consideration. No material loss of privacy is considered to result from the single storey element of the proposal due to its siting and modest height. The first floor windows on the north elevation would serve an en-suite (obscure glazed), stairwell and two smaller windows serving bedroom 2. These windows are approximately 10 metres from the shared boundary, the windows serving the bedroom are modest in size and are sited on the western side of the rear elevation, furthest away from the rear of the neighbouring house. Considering this, it is not thought the proposal would result in any loss of privacy to such a degree as to warrant refusal. The en-suite and stairwell are not considered to result in any material loss of privacy given they would be obscure glazed and would not serve primary rooms.

- 5.7 Some concern has been raised over engine noise and fumes from vehicles using the access between 122 and 114, Tower Road North. However, the expected number of journeys generated by a single 4-bedroom dwelling is not considered to be so substantial as to result in any unacceptable levels of noise or fumes.

5.8 Transportation

Concerns have been raised by a local residents regarding highway safety at the proposed access, however the proposed access arrangements were found to be acceptable and agreed at outline stage. In line with condition 5 attached to P19/19026/O details of the on-site car parking layout, turning area, electric vehicle charging facilities and secure cycle parking were required prior to commencement of the development. Details of the proposed parking layout, turning area and the location of cycle storage have been submitted with the reserved matters application; the proposed 2 off-street parking spaces are considered to be acceptable for a 4-bed property and the proposed turning area has been appropriately widened to allow for acceptable vehicle manoeuvrability within the site. Should the application be approved, a condition will be included for the provision of an 'electric vehicle charging point'.

5.9 Landscape

A scheme of landscaping was agreed at outline stage, which included the creation of a broken tree line and meadow which is considered to adequately soften the impact on the heritage assets. The soft landscaping details and planting schedule submitted with the reserved matters application are consistent with those agreed at outline stage. It is noted that the Landscape plan has been amended to accurately show the footprint of the proposed dwelling and include the widened turning area within the plot. A condition will be carried over from the outline decision for landscape works to be implemented in accordance with the agreed details.

5.10 Potential Contamination

The historic use of the site as a nursery may have caused contamination which could give rise to unacceptable risks to the proposed development. No desk study has been undertaken thus far. Therefore, a pre-commencement condition will be carried over from the outline decision to ensure appropriate investigations and, if necessary, remediation is undertaken.

5.11 Coal Mining

The conditions in relation to coal mining legacy attached to the outline decision will be carried over to ensure appropriate investigations take place, and if necessary, a remediation scheme is implemented.

5.12 Ecology

Matters of ecology were satisfied at outline stage and the suggested mitigation measures and ecological enhancements were appropriately conditioned.

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.

5.14 Other Matters

Concern has been raised in regards to the means of access for construction vehicles. This is not a material planning consideration and cannot therefore form a reason for refusal. It is expected that the applicants and contractors are considerate to neighbours during construction.

5.15 Reference has been made to a note from Bristol Coalmining Archive who stated an intention for more houses on the site. This application being determined is for a single dwelling and is therefore assessed as such. Any further development on the site would require the submission of a full planning application.

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. Prior to commencement of above ground works , the detailed design, including materials and finishes, of the following items shall be submitted to and approved in writing by the Council:
 - a. Eaves, verges and ridges
 - b. Dormers.
 - c. All windows, including reveals and cills.
 - d. Entrance canopy
 - e. Cladding including seam details and junctions
 - f. All external vents, flues, extracts and meter boxes.
 - g. Roof-integrated solar panels.

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason

In order to ensure a satisfactory standard of external appearance is achieved and that the works serve to preserve the architectural and historic interest of the heritage assets, in accordance with policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and national guidance set out at the NPPF.

2. Prior to commencement of above ground works, representative sample panels of the following items shall be submitted to and approved in writing by the Council. The work shall be carried out strictly in accordance with the sample panels approved.

- a. Cladding (showing colour and finish)
- b. Render (showing colour, texture and finish)

Reason

In order to ensure a satisfactory standard of external appearance is achieved and that the works serve to preserve the architectural and historic interest of the heritage assets, in accordance with policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and national guidance set out at the NPPF.

- 3. All hard and soft landscape works shall be carried out in accordance with the details submitted in the Proposed Site & Landscape Plan (drawing number: P2 Rev C) on 1st June 2021. The works shall be carried out in the first planting season following the first occupation of the development hereby approved and maintained thereafter.

Reason

To ensure a satisfactory standard of external appearance and to protect the setting of the nearby Grade II* listed building, in accordance with and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP1, PSP2 and PSP17 of the Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

- 4. There is information to suggest historic use of the site as a nursery and land within 250m of the site as unknown filled ground may have caused contamination which could give rise to unacceptable risks to the proposed development. In order to ensure that the site is suitable for its proposed use and in accordance with The National Planning Policy Framework, the following conditions are recommended for inclusion on any permission granted.

A) Desk Study - Previous historic uses of the site and land within 250m of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

B) Intrusive Investigation/Remediation Strategy - Where following the risk assessment referred to in (A), land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

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

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

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

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

Reason

This is prior to commencement of development to avoid any unnecessary remedial action in future and to ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

5. No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the local planning authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Reason

To ensure that the risk posed by the past coal mining activity in the area is adequately identified and where necessary mitigated and to accord with Policy PSP22 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. This is required prior to commencement to fully engage with the coal mining legacy.

6. Where findings of the intrusive site investigations (required by condition 5 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the local planning authority for consideration and approval in writing. Following approval, the

remedial works shall be implemented on site in complete accordance with the approved details.

Reason

To ensure that the risk posed by the past coal mining activity in the area is adequately identified and where necessary mitigated and to accord with Policy PSP22 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. This is required prior to commencement to fully engage with the coal mining legacy.

7. Following the implementation and completion of the approved remediation scheme (required by condition 6 above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the local planning authority to confirm completion of the remediation scheme in accordance with approved details.

Reason

To ensure that the risk posed by the past coal mining activity in the area is adequately identified and where necessary mitigated and to accord with Policy PSP22 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. This is required prior to commencement to fully engage with the coal mining legacy.

8. Prior to the first occupation of the dwelling hereby approved, details of the provision of a 7kw/32Amp Electric Vehicle Charging Point shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to first occupation and retained as such thereafter.

Reason

In order to reduce greenhouse gas emissions and to provide and promote the provision of sustainable travel options to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

9. Prior to the first occupation of the dwelling hereby approved, the proposed access and parking provision shall be implemented in accordance with the agreed plans and retained as such thereafter.

Reason

To ensure the satisfactory provision of parking facilities and in the interests of highway safety to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

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

Received by the Council on 26th January 2021;

The Location Plan

Received by the Council on 1st June 2021;
Proposed Site & Landscape Plan (P2 Rev C)
Proposed Plans & Elevations (P4 Rev A)

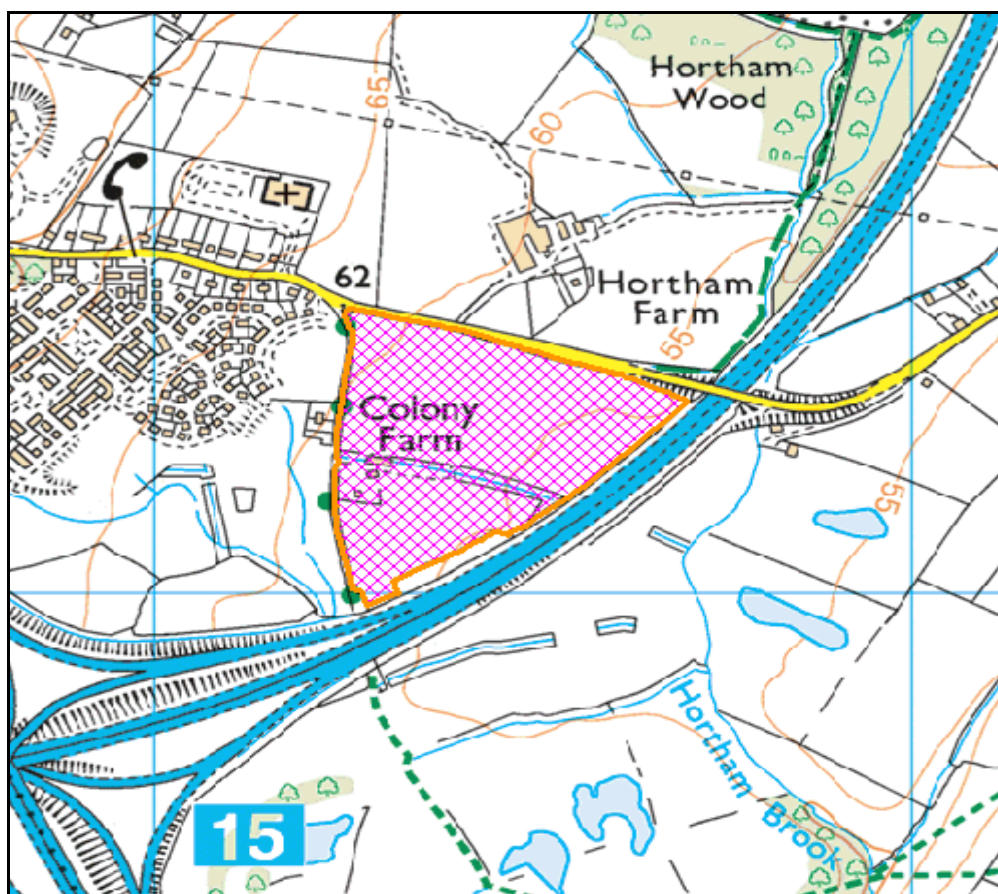
Reason

To define the terms and extent of the permission.

Case Officer: James Reynolds
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 37/21 -17th September 2021

App No.:	P21/02570/RVC	Applicant:	Bristol Rovers Football Club
Site:	Colony Farm Hortham Lane Almondsbury South Gloucestershire BS32 4JW	Date Reg:	9th April 2021
Proposal:	Variation of condition 12 attached to planning permission PT16/4965/RVC (added by NMA P20/22225/NMA) to substitute plan numbers B92084 01-03 and B92084 01-04 with plan numbers 201092 - 1008 P02, 201092 1010 P03 and 201092 1009 P02. Erection of clubhouse, floodlights and store. Construction of vehicular and pedestrian access and car park. Removal of conditions 7 and 13 attached to planning permission PT01/2726/F dated 13.11.01, (which relate to building opening hours and the personal, non-professional and specific users of the site by Bristol Combination Trustees.)	Parish:	Almondsbury Parish Council
Map Ref:	362555 184471	Ward:	Severn Vale
Application Category:	Major	Target Date:	6th July 2021



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100023410, 2008.

N.T.S.

P21/02570/RVC

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of three objection comments contrary to the officer recommendation below.

1. THE PROPOSAL

- 1.1 This application seeks a variation of condition 12 attached to planning permission PT16/4965/RVC to extend the existing clubhouse.
- 1.2 Condition 12 was attached to planning permission PT16/4965/RVC under P20/22225/NMA.
- 1.3 Application PT16/4965/RVC was for the removal of conditions 7 and 13 attached to planning permission PT01/2726/F dated 13.11.01, (which relate to building opening hours and the personal, non-professional and specific users of the site by Bristol Combination Trustees.)
- 1.4 The original permission for the site was under P92/2483, which has subsequently been renewed and varied a number of times.
- 1.5 The site is currently used by Bristol Rovers as a training facility. The site is located within the Bristol/Bath Green Belt and is outside of any settlement boundary.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity
CS24	Green Infrastructure, Sport and Recreation
CS34	Rural Areas

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

PSP2	Landscape
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PSP7	Development in the Green Belt
PSP11	Transportation
PSP16	Parking Standards
PSP17	Heritage
PSP19	Wider Biodiversity
PSP20	Flood Risk
PSP44	Open Space, Sport and Recreation

3. RELEVANT PLANNING HISTORY

- 3.1 P92/2482 - Change of use of 11.3 hectares of land (27.92 acres) from agriculture to sports playing fields (in accordance with the amended plans received by the council on 12 February 1993) – Approved 28.04.1993
- 3.2 P92/2483 - Erection of clubhouse, store and floodlights. Construction of vehicular and pedestrian access and car park. (In accordance with the amended plans received by the council on 12 February 1993) – Approved 28.04.1993
- 3.3 P97/2404 - Change of use of 11.3 hectares of land (29.92 acres) from agriculture to sports playing fields (renewal of planning permission P92/2482 dated 11 May 1993) – Approved 14.01.1998
- 3.4 P97/2743 - Erection of clubhouse, store and floodlights. Construction of vehicular and pedestrian access, and car park. Renewal of planning permission P92/2483 dated 12.5.93) – Approved 09.04.1998
- 3.5 PT01/2726/F - Erection of clubhouse store and floodlights construction of vehicular and pedestrian access and car park. (renewal of planning permission P97/2743 dated 9th April 1998) – Approved 13.11.2001
- 3.6 PT03/3371/F - Change of use of agricultural building for use as sports clubhouse. – Withdrawn 03.12.2003
- 3.7 PT16/4965/RVC - Erection of clubhouse, floodlights and store. Construction of vehicular and pedestrian access and car park. Removal of conditions 7 and 13 attached to planning permission PT01/2726/F dated 13.11.01, (which relate to building opening hours and the personal, non-professional and specific users of the site by Bristol Combination Trustees.) – Approved 20.12.2016
- 3.8 DOC20/00244 - Discharge of condition 1 (materials) attached to planning permission PT16/4965/RVC – Discharged 06.10.2020
- 3.9 P20/22225/NMA - Non-material amendment to planning permission PT16/4965/RVC to list the plans as a condition. – Approved 03.12.2020
- 3.10 P21/04132/RVC - Variation of condition 12 attached to planning permission PT16/4965/RVC (added by NMA P20/22225/NMA) to amend the approved plans. Erection of clubhouse, floodlights and store. Construction of vehicular and pedestrian access and car park. Removal of conditions 7 and 13 attached to planning permission PT01/2726/F dated 13.11.01, (which relate to building

opening hours and the personal, non-professional and specific users of the site by Bristol Combination Trustees.) – Pending Consideration

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council – No response received.

4.2 Other Consultees – No responses received.

Other Representations

4.3 Local Residents

Three objection comments have been received, summarised as:

- Conditions 7 and 13 should not be removed
- Increased noise and disturbance from extended opening hours
- Issues relating to footballs coming onto residential property and positioning of water sprayers
- Existing noise issues from mowing and player noise
- Floodlights would introduce light pollution
- Allowance of more pitches would intensify the noise
- Extended clubhouse would be used to provide an income
- Pedestrian path would result in and influx of traffic
- Overlooking would reduce property values
- Disabled residents live nearby, impact upon human rights
- Plans are a back door route to development
- Access from Hortham Lane would increase traffic near residential properties
- Covid restrictions not justifiable reason to extend clubhouse
- Plans would increase size of clubhouse from around 530sqm to around 800sqm, a 50% increase
- Proposal should not be considered as a minor material amendment and a new planning application should be submitted

Three support comments have been received, summarised as:

- Great facility and amendments should be supported
- Adds to local community
- Benefits to youth team

5. ANALYSIS OF PROPOSAL

Extent of the application

5.1 Due to the nature of the application, i.e. a variation of an application that has already been varied and extended a number of times, the description is lengthy and includes references to other applications that have already received permission.

5.2 For clarity, this application relates to the replacement of the plans given consent under ref PT16/4965/RVC (attached by P20/22225/NMA).

5.3 The original plans are:

3000 13 01 Proposed landscaping Layout
B92 0101-Proposed Club and Changing Facilities
B92084 01 03- Proposed Elevations and Section
B92084 01 04- Proposed General Arrangement
B92084 01 06- Proposed groundsman Store and Compound

5.4 To be replaced with:

201092-1002 P01 SITE LOCATION PLAN
201092-1008 P02 CLUBHOUSE GROUND FLOOR PLAN
201092-1009 P02 CLUBHOUSE ROOF PLAN
201092-1010 P03 CLUBHOUSE ELEVATIONS

5.5 These plans propose alterations to the size of the clubhouse only, and do not alter any other part of the approved permission.

5.6 References made by residents to conditions 7 and 13, increased opening hours etc relate to permission PT16/4965/RVC which has already received consent.

Procedural matters

5.7 Concerns have been raised that the permission does not constitute a minor material amendment, and as such should not be applied for through a variation of condition application (Section 73).

5.8 The NPPG makes it clear that where a modification is “*fundamental or substantial*”, a new planning application will be required.

5.9 There is no statutory definition of a ‘minor material amendment’ but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved

5.10 The original permission gave consent for the erection of a clubhouse, store and floodlights, vehicular and pedestrian access, and a car park. This proposal does not alter the red line of that consent, and does not alter the description.

5.11 The proposal relates to a small part of the wider site, and although does increase the size of the building, does not change the location, nor any other details of the proposal.

5.12 The Officer is therefore content that the proposal can be applied for under a variation of condition (Section 73). Whether the proposal is acceptable in terms of the Development Plan will be considered below.

Principle of Development

5.13 With regard to development within the Green Belt, there is a presumption against inappropriate development. Para 149 of the NPPF states that new buildings within the Green Belt should be considered inappropriate. There are several exceptions to this, including:

Provision of appropriate facilities for outdoor sport... as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

- 5.14 The positioning of the amended clubhouse is over the footprint of the existing building, and as such the location will not be reconsidered here.
- 5.15 The clubhouse that has been built originally gained consent in 1993, at the time for the use of Bristol Rugby club. The consented floorspace is around 395m². The current occupiers of the site have found that the floorspace does not meet the current needs of the club, and it was apparent to the office following a site visit that the facilities are fairly cramped.
- 5.16 The intentions of the proposals are to provide more player changing space to support both the senior squad and junior academy programme, which has been designed around FA guidelines. The additional space would also provide a larger seating area for coaching feedback and video analysis, and coaching team support. These are considered to be appropriate facilities for outdoor sport.
- 5.17 The original proposal was for a T-shaped building. The proposals now under consideration are essentially infill, and would result in a square building measuring around 680m². The original ridge height will not be exceeded.
- 5.18 Overall, the proposal is considered to provide appropriate facilities for outdoor sport, is considered to preserve the openness of the Green Belt and does not conflict with the purposes of including land within it. The application is therefore considered to constitute appropriate development and is acceptable in principle.

Character and appearance

- 5.19 The proposal involves the addition of two extensions to the rear of the existing clubhouse, replicating the hipped roof to avoid any increase to the ridge height.
- 5.20 The proposed materials are to be brickwork in Brunswick Farmhouse Mixture and tiles in Redland Mini Stonewold tile in slate grey to match the existing.
- 5.21 In terms of character and appearance, the proposal is considered to be acceptable in terms of layout, scale and form, and is in accordance with policy CS1.

Transport and highways

- 5.22 Whilst the proposal includes the extension of the clubhouse, the proposed new facilities are intended to serve existing users, and will be unlikely to increase visitor numbers. There is therefore no significant impact upon the highway network nor highway safety.

Residential amenity

- 5.23 It is noted that concerns regarding residential amenity have been raised, however these largely concern the existing use of the site. The proposal to extend the clubhouse makes no alteration to the use, nor would the larger building cause a significant impact to residential amenity.

Consideration of likely impact on Equalities

- 5.24 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application it is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is GRANTED

CONDITIONS

1. All external walling and roofing materials to be used shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

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.

2. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out during the first planting and seeding seasons following the first use of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased

within 5 years of planting shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason:

To ensure the provision of an appropriate landscape setting to the development in accordance with PSP2 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

3. None of the buildings shall be used until the associated car parking areas have been drained and surfaced and the parking facilities provided in accordance with the Council's standards, and the facilities so provided shall not be used thereafter for any purpose other than the parking of vehicles. No materials shall be imported into the site for use in the construction of the parking and access facilities without the prior written agreement of the Council.

Reason:

In the interests of highway safety, in accordance with PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

4. No external lighting shall be installed within the car park without the prior written consent of the Local Planning Authority.

Reason:

In the interests of highway safety and the visual appearance of the area, in accordance with PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 and CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

5. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting those Orders with or without modification) the premises shall not be used for any purpose other than that hereby authorised.

Reason:

The use of the premises for any other purpose will require further consideration to assess the impact on highway safety and residential amenity; to comply with Policies PSP8 and PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 and Policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy.

6. The Clubhouse building hereby approved shall be used solely in conjunction with the surrounding land as sports fields and shall not be severed or sold off to form a separate unit.

Reason:

Any such changes will need to be assessed in terms of the impact on the openness of the Green Belt, highway safety and residential amenity, to accord with Policies PSP8 and PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD

(Adopted) November 2017 and Policies CS1 and CS5 of the adopted South Gloucestershire Local Plan: Core Strategy.

7. The pitch floodlights shall be implemented only in accordance with the details that have previously been approved under application P97/2404 by the Local Planning Authority.

Reason:

In the interests of visual and residential amenity and to accord with Policy PSP8 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 and Policies CS1 and CS5 of the adopted South Gloucestershire Local Plan: Core Strategy.

8. Cycle parking facilities shall be implemented prior to the first use of the clubhouse hereby approved in accordance with the details that have been previously approved by the Local Planning Authority.

Reason:

In the interests of sustainable travel, in accordance with PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

9. The opening hours of the clubhouse bar facilities hereby approved shall be restricted to 6pm to 12pm midnight on Mondays to Fridays, and 8pm to midnight at weekends only.

Reason:

In the interests of residential amenity and to accord with Policy PSP8 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 Policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy.

10. Prior to the first use of the clubhouse hereby approved, a 2 metre wide footway on Hortham Lane linking from the existing footpath network on the west side of the Woodlands Lane junction, continuing along the site frontage to the main entrance, shall be implemented in accordance with a scheme to be first submitted to and agreed in writing by the Local Planning Authority.

Reason:

To ensure the satisfactory provision of pedestrian facilities to the site, in accordance with PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

11. The site the subject of this application (within the red line) shall not be used for first team professional league or cup matches nor shall it be used for games/matches for which there is ticketed/paid admission.

Reason:

Any such changes will need to be assessed in terms of the impact on the openness of the Green Belt, highway safety and residential amenity, to accord with Policies PSP8 and PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 and Policies CS1 and CS5 of the adopted South Gloucestershire Local Plan: Core Strategy.

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

3000 13 01 - PROPOSED LANDSCAPING LAYOUT

B92084 01-06 - PROPOSED GROUNDSMAN STORE AND COMPOUND

201092-1002 P01 SITE LOCATION PLAN

201092-1008 P02 CLUBHOUSE GROUND FLOOR PLAN

201092-1009 P02 CLUBHOUSE ROOF PLAN

201092-1010 P03 CLUBHOUSE ELEVATIONS

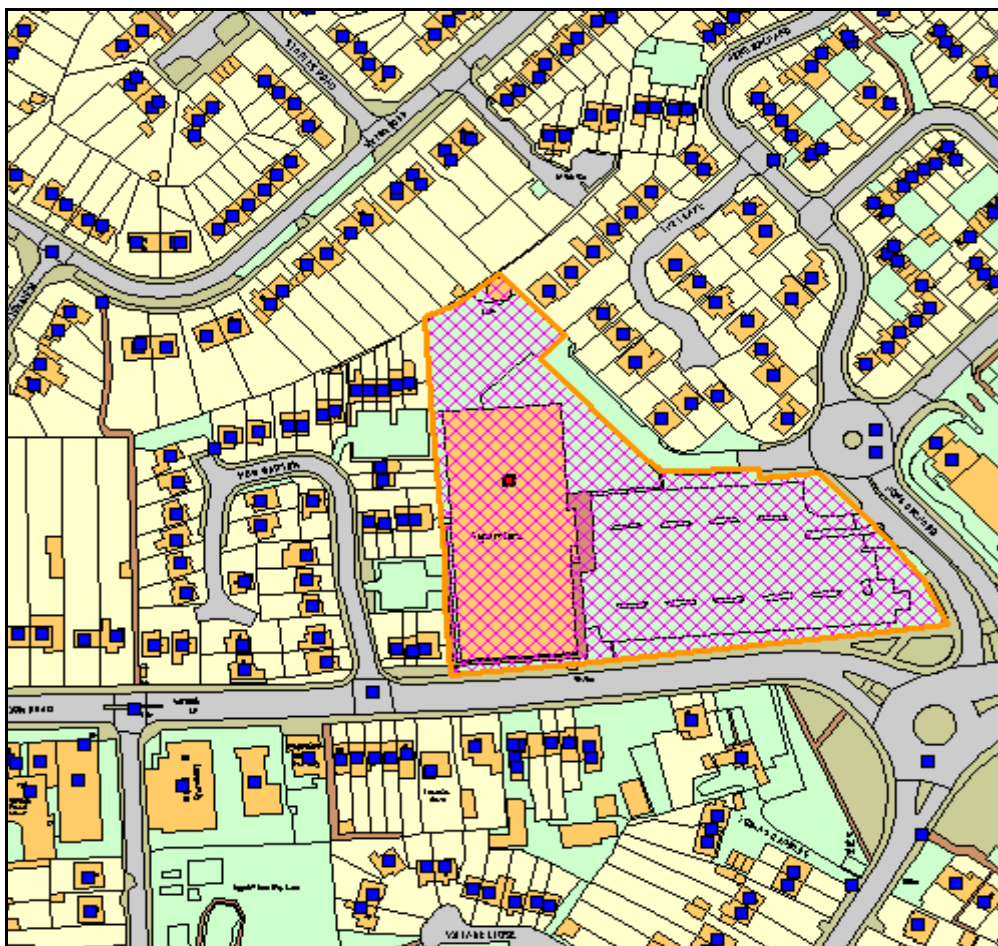
Reason: To define the terms and extent of the permission

Case Officer: Rae Mepham

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 37/21 -17th September 2021

App No.:	P21/05064/RVC	Applicant:	Harmsworth Pension Funds Trustees Limited
Site:	B And Q Plc Station Road Yate South Gloucestershire BS37 5PQ	Date Reg:	27th July 2021
Proposal:	Variation of condition 4 attached to planning permission P20/07452/F to amend the condition to state "No deliveries shall be taken or despatched from the site outside the hours of 07:00-21:30 hours Mon-Sat and 8:00-20:00 hours Sun." - Use of part of building (Unit A) as Food and non-food store (Class A1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Unit B to be retained as DIY and garden centre (Class A1).	Parish:	Yate Town Council
Map Ref:	370892 182587	Ward:	Yate North
Application Category:	Minor	Target Date:	15th September 2021



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N.T.S.

P21/05064/RVC

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection by Yate Town Council and the receipt of more than 3no. objections from local residents, contrary to the officer recommendation below.

1. THE PROPOSAL

- 1.1 This application seeks a variation of condition 4 attached to planning permission P20/07452/F to amend the delivery hours.
- 1.2 Application P20/07452/F was for Use of part of building (Unit A) as Food and non-food store (Class A1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Unit B to be retained as DIY and garden centre (Class A1).
- 1.3 The application site is within the Settlement Boundary and Town Centre of Yate, but is not within the Primary Retail Area, and is not within a designated frontage. The building is around 300m from the primary shopping area, and for retail purposes is therefore classed as Edge of Centre.
- 1.4 This application was originally submitted with proposed delivery hours of 07:00 – 23:00 hours Mon – Sun. These hours were considered to be unacceptable to officers due to impact upon residential amenity. The proposed delivery hours have now been amended to 07:00-21:30 hours Mon-Sat and 8:00-20:00 hours Sun.

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
CS14	Town Centres and Retail
CS30	Yate and Chipping Sodbury

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

PSP8	Residential Amenity
PSP11	Transport Impact Management

3. **RELEVANT PLANNING HISTORY**

- 3.1 P85/1777, Decision: APP, Date of Decision: 24-JUL-85, Proposal: Erection of D.I.Y.Store and garden centre totalling 3681sq.Ms.(39,580 sq.Ft.Approx.) Gross floor area; construction of associated car park, access road and roundabout. Erection of 3m.High brick wall around service yard.
- 3.2 P96/2501, Decision: DEF, Date of Decision: 01-JAN-00, Proposal: Modification of condition to permit unrestricted Class A1 retailing (Planning permission P84/2534/3 condition (k) dated 05/07/1985).
- 3.3 P97/1353, Decision: HISAPP, Date of Decision: 01-JAN-00, Proposal: Modification of condition to permit unrestricted Class A1 retailing (Planning Permission P84/2534 condition K).
- 3.4 P20/07452/F, Decision: COND, Date of Decision: 05-FEB-21, Proposal: Use of part of building (Unit A) as Food and non-food store (Class A1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Unit B to be retained as DIY and garden centre (Class A1).
- 3.5 P21/02733/F, Decision: COND, Date of Decision: 02-JUL-21, Proposal: Erection of 2 no. entrance lobbies, installation of new plant, alterations to existing door and window fenestrations, enlargement of existing carpark, landscaping, and other associated works.
- 3.6 P21/00002/MOD, Pending Consideration, Proposal: Modification to S52 agreement attached to planning permission P85/1777 to enable foodstore retailer 'Aldi' to trade from this location.
- 3.7 P21/06112/ADV, Pending Consideration, Proposal: Display of 2 no. internally illuminated hanging signs, 1 no. internally illuminated fascia sign, and 2 no. window vinyls.

4. **CONSULTATION RESPONSES**

4.1 Yate Town Council:

Objection

The delivery area physically adjoins neighbouring houses, and will mean there are only a couple of meters between the side door and window of the nearest properties and the articulated, refrigerated delivery vehicles. The different types of delivery vehicle will significantly affect the noise associated with deliveries.

The existing significant noise issue from deliveries to B and Q will be a lot worse when it is refrigerated food lorries, and it is unacceptable to extend the hours during which residents will have this noise, within feet of their bedroom windows. They will be woken at 7am be disturbed by noise until 11pm. That is not acceptable.

Within 2 meters of windows, for the closest residents along the rear section between the back of B and Q and Mow Barton and within a few meters of the bedrooms in The Leaze, the residents will face:

Delivery vehicle engines and manoeuvring

Reversing sound warnings on HGVs and forklift trucks loading and unloading and then reversing out. The delivery area is along a long thin strip between the back of the B and Q and the garden fence of the neighbours. All deliveries will involve a long stretch of reversing with reversing warnings going

Refrigerated vehicles with their refrigeration running noisily

The loud banging of the trolley containers things are delivered in, as they are unloaded and empties loaded.

Loud staff voices as they shout over the refrigeration and other noises and associated equipment noise.

All of those are unacceptable that close to bedroom windows at 7am or 11pm.

We think the current hours should be kept and are reasonable for business use, whilst protecting the residents whose bedroom windows are so close.

If South Glos is going to consent, then it should impose strict conditions that:

1. No refrigeration is to be operating whilst delivery vehicles are on site delivering or waiting to deliver. All refrigeration is to be off before reaching the site. We are told that Sainsbury delivery lorries who are delivering close to residential properties have an agreement that the lorry drivers stop 10minutes away, turn off the refrigeration, and then go to site with this off. This reduces noise.

2. No reversion with any noise indicators at night

3. Acoustic screens to block sound from the neighbouring properties.

4. All vehicles must leave in forward gear and not reverse onto the mini roundabout.

5. All trolleys to have soft wheel tyres

6. Resurfacing of the delivery yard to reduce the tyre noise that is coming from the unevenness and poor quality of the current delivery area.

4.2 Environmental Protection - Informal comments – No objection to submitted noise report. Delivery hours should be in line with other local businesses.

4.3 Transportation DC – No objection

4.4 PROW – No objection

Other Representations

4.5 Local Residents – Six objection comments have been received, summarised as:

- B&Q do not comply with existing delivery hours
- Existing complaints ignored by store manager

- Failure to comply with delivery hours has resulted in stress, anxiety and long term conditions
- Need to keep windows closed causes poor ventilation and unacceptable in summer months
- Noise levels more than 65dB measures within bedroom and bathroom
- Legal representation will be sought if application is successful
- Aldi store will increase traffic
- Road layout is not adequate for an increase in delivery lorries and cars
- Plenty of supermarkets in Yate and Sodbury
- Store has sufficient hours to allow for goods
- Justification for increased hours are irrelevant to planning
- Deliveries must not be allowed via the car park
- Nothing has changed since previous permission
- New noise survey should be undertaken
- Delivery bay is right beside dwellings and windows
- Refrigeration and ventilation plan not included in reports
- Quality of life will be diminished
- 7am – 7pm would be in line with the current B&Q store

5. **ANALYSIS OF PROPOSAL**

Principle of Development

5.1 This application is a variation of condition 4 (delivery hours) for application P20/07452/F. The variations applied for do not significantly alter the overall scheme, and the policy position has not changed since the original permission was granted. As such, the principle of development is accepted and this application will only consider the proposed variation.

5.2 The existing condition 4 states:

No deliveries shall be taken at or despatched from the site outside the hours of 8:00-20:00.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 and the provisions of the National Planning Policy Framework.

5.3 This application proposes this to be replaced with the following:

No deliveries shall be taken or despatched from the site outside the hours of 07:00-21:30 hours Mon-Sat and 8:00-20:00 hours Sun.

Residential amenity

5.4 The original condition was imposed due to the proximity of residential properties to the site, and specifically the delivery area. 14 The Leaze in particular has the delivery yard on their side boundary approximately 2m from the side of the property. 30 Mow Barton has a similar relationship, with approximately 4.5m from the side of the property. Other residential properties

- are sited at a larger distance, with the delivery yard to the rear of their gardens, or they are sited along the access road.
- 5.5 The existing situation forms a material consideration for this application. The B&Q store has unrestricted delivery hours, as the restrictions imposed under P20/07452/F are not triggered until the dual use of the site has commenced. The imposition of a condition for delivery hours is not considered to be unreasonable, given the building would host two stores and would be unlikely to share delivery vehicles, and the nature of the goods.
- 5.6 A noise impact assessment has been submitted, which Environmental Protection have not objected to. The assessment has found that daytime noise levels are predicted to be within the BS8233/WHO noise intrusion criterion at all existing receptors with windows open and closed, and as such no mitigation has been proposed. The absolute noise level at the closest receptors is predicted to rise by no more than +1 dB during the daytime period, which is considered to be an imperceptible impact.
- 5.7 This application originally proposed delivery hours of 07:00 – 23:00 Mon – Sun. However, as daily activities lessen the average background noise will also drop off. Disturbance created from deliveries would be more perceptible to residents, and after 10pm it is reasonable to assume that households would be sleeping.
- 5.8 The proposed delivery hours are also similar to other local stores, with Morrisons restricted to 06:30 – 21:30 Mon – Sat and 09:00 – 16:00 Sun, and Lidl's restricted to 06:30 – 22:00 Mon – Sat and 07:30 – 21:00 Sundays. Morrisons has a similar relationship with residential properties, whereas Lidl is set a little further away.
- 5.9 Hours of 07:00 – 21:30 Mon - Sat, with Sundays remaining as 08:00 – 20:00, are considered to be reasonable, with no significant harm to residential amenity caused. The proposal is therefore considered to be in accordance with PSP8 of the South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017.

Consideration of likely impact on Equalities

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is GRANTED.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date permission P20/07452/F was granted.

Reason

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

2. The use of Unit A shall be restricted to a net sales area of 1,310 square metres for the sale of convenience goods, with up to a maximum of 262 square metres being for the sale of comparison goods.

Reason:

To define the extent of the permission. Further use of floorspace would require the consideration of the Local Planning Authority.

3. The use of Unit B shall be restricted to non-food retail, only comprising the sale of building materials, timber, joinery and sheet metal, decorating, plumbing and other associated bulky products for DIY, maintenance and improvement; garden related products; furniture, soft furnishings and homewares, carpets and floor coverings; pets, pet food and related products; electrical goods; and motor goods, cycles, cycle products and accessories.

Reason:

To define the extent of the permission. Further use of floorspace would require the consideration of the Local Planning Authority.

4. No deliveries shall be taken at or despatched from the site outside the hours of 07:00-21:30 hours Mon-Sat and 8:00-20:00 hours Sun.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 and the provisions of the National Planning Policy Framework.

5. The use hereby permitted shall not be open to customers outside the hours of 07:00-22:00.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 and the provisions of the National Planning Policy Framework.

6. The car/cycle parking arrangements, including EVCP points, shall be laid out in accordance with the details submitted under application P21/02733/F.

Reason:

To ensure the satisfactory provision of parking facilities and in the interest of highway safety, to promote sustainable transport and to accord with Policies PSP16 and PSP39 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

7. No building or use hereby permitted shall be occupied until a 'Travel Plan' comprising immediate, continuing and long-term measures to promote and encourage alternatives to car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The Travel Plan should also include monitoring for future demand of electric vehicle charging points and plans for any increase as required. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the Council.

Reason:

To ensure the satisfactory provision of parking facilities and in the interest of highway safety, to promote sustainable transport and to accord with Policies PSP16 and PSP39 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

8. The development hereby approved shall not be occupied until a disabled ramp access is constructed in accordance with the details submitted under P21/02733/F.

Reason:

To approve access to the site for all users in accordance with Policy CS8.

9. The use hereby permitted shall not commence until a detailed scheme for ventilation and extraction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the precise details of the flue extraction equipment to be used, including: the stack height; the design and position of all ductwork and filters; the noise/power levels of the fan(s); the number, type and attenuation characteristics of any silencers; details of anti-vibration mounts and jointing arrangements in the ductwork; the number of air changes per hour, and the efflux velocity. The scheme shall be installed in accordance with the approved details prior to the commencement of the use and thereafter maintained as such.

Reason:

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 and the provisions of the National Planning Policy Framework.

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

28 Apr 2020 Q01 SITE LOCATION PLAN
08 Dec 2020 2463 P00 GROUND FLOOR PLAN AS PROPOSED

Reason:

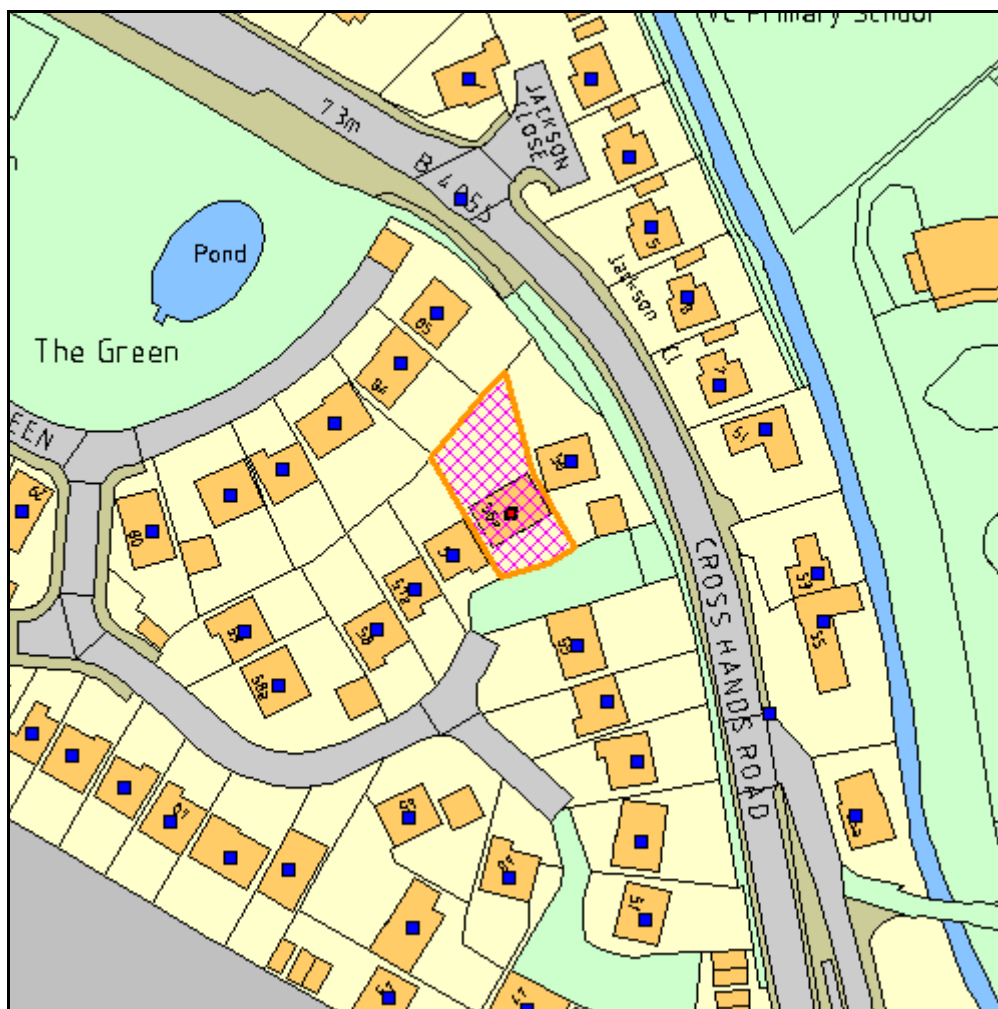
To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 37/21 -17th September 2021

App No.:	P21/05261/F	Applicant:	Mr. S Singh
Site:	56A Cranmoor Green Pilning South Gloucestershire BS35 4QF	Date Reg:	9th August 2021
Proposal:	Erection of rear conservatory. Conversion of garage to form additional living accommodation. Erection of single storey outbuilding to rear garden.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	355804 184954	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	28th September 2021



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P21/05261/F

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

This planning application will be added to the Circulated Schedule because the proposal has received 5No objections from Local Residents, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a rear conservatory and the conversion of the existing garage to form additional living accommodation. Also included is the erection of single storey outbuilding to rear garden, and these elements are all detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 56A Cranmoor Green. It is a two storey detached dwelling, located in an area of predominantly residential development and it can be found within the established village of Pilning.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Severn Estuary Coastal Zone/Managing the environment and heritage

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Developments within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted 2013)
Household Design Guide SPD (Adopted March 2021)

3. **RELEVANT PLANNING HISTORY**

- 3.1 P21/05630/CLP. Alteration to roofline, installation of rear dormer to form loft conversion. Pending decision.

4. **CONSULTATION RESPONSES**

4.1 **Pilning and Seven Beach Parish Council**

No Objections - *however the case officer must require a car-parking layout from of the applicant to show how the number of vehicles generated by 5/6/7 bedrooms will be provided without relying upon parking in the public road.*

4.2 **Other Consultees**

Sustainable Transport – Transportation DC
Comments received

Lead Local Flood Authority
No Comments received.

Environment Agency (South West)
No Comments received.

Other Representations

4.3 **Local Residents**

5No letters of Objection comments received.

- *Concerns over proposed outbuilding and its proposed use;*
- *Concerns over excess and increased on-street parking;*
- *Concerns over potential access issues due to the property being located off a shared private drive; and*
- *Concerns over noise and access during the potential build process.*

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

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

- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

- 5.3 The proposal is for planning permission to the existing dwelling for the erection of a rear conservatory and the conversion of the existing garage to form additional living accommodation. Also included is the erection of single storey outbuilding to rear garden. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.
- 5.4 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. The proposal accords with the principle of development subject to the consideration below.
- 5.5 The rear conservatory will enhance the existing property and through its proposed size, it will extend the host dwelling appropriately. The single storey rear conservatory will be of a width of 7.746 metres, extend to a depth of 3.0 metres, with a proposed flat roof, which will extend to 2.3 metres in height to the eaves from the existing ground level.
- 5.6 The proposed garage conversion, also includes internal alteration of other rooms of the host dwellinghouse, to create a large open plan kitchen/dining room. The existing internal rooms to be included are the office; W/C; kitchen and utility. Together with the existing garage, they will create a combined space of an internal width of 5.455 meters by 7.046 meters in depth. It will feature 2No new windows to the front façade, and an open access to the proposed rear conservatory.
- 5.7 The proposed outbuilding to the rear garden, will have a maximum width of 7.037 meters, which will shorten to 5.0 meters (given the shape of rear garden) and will be to a depth of 3.0 meters. It will feature 2No windows and 1No patio doors to the rear façade of the host dwellinghouse which will overlook the existing private amenity space. The outbuilding will be located to the rear of the host dwellinghouse, within the curtilage, to the rear of the private amenity space. Whilst the design of the outbuilding is somewhat unusual, the flat roof any angular footprint is not of sufficient concern to warrant refusal of the application.
- 5.8 The proposed rear conservatory, garage conversion and outbuilding have all been proposed through their design to complement the existing dwelling in the choice of materials and components, ensuring that the aesthetical appearance of the dwelling continues to compliment neighbouring properties, matching materials and components to the existing dwelling where possible.
- 5.9 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential

- amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.10 It has been noted at this stage that the outbuilding has a physical reliance on the main dwellinghouse and officers are therefore satisfied that that the outbuilding would be used ancillary to the main house. However, if officers are minded to approve the application, a condition will be attached to the decision notice to ensure that the outbuilding can never be used as a unit separate to the host dwellinghouse.
- 5.11 The impact on residential amenity of the proposed rear conservatory and the conversion of the existing garage has been assessed in terms of the surrounding neighbouring properties given the proposed scale, built form and location. The outbuilding proposal is located to the rear of the application site within the private amenity space. Overall officers have concluded that given the form, siting and proposed aesthetic appearance of the proposal, that they would not cause any overbearing or dominant impacts.
- 5.12 As with all building projects, there may be some minor disturbance for neighbours during the construction period. There is no reason however for officer to believe that this would be in excess of the usual situation. As policy PSP8 outlines the types of issues that could result in an unacceptable impact, officers have concluded that there will not be any significant or detrimental impact on the street scene or character of the area from the proposal, and therefore it is considered that the proposals have been carefully assessed and have been found to be in compliance with these policies.
- 5.13 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. Although the proposal does not include any additional bedrooms, the proposal includes the conversion of the existing garage and therefore 3No parking spaces are required. Information/plans to demonstrate compliance with the Councils Parking Standards was requested. Officers note that appropriate off-street parking has now been demonstrated via a revised block plan, and therefore the proposal complies with the South Gloucestershire Council parking standards.
- 5.14 Private Amenity Space
The dwelling benefits from a good amount of existing private amenity space to the property. PSP43 sets out standards which are based on the number of bedrooms at a property. The proposal does not include any changes to the number of bedrooms and therefore no concern is raised on the level of amenity space being proposed.

5.15 Consideration of likely impact on Equalities

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

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

5. CONCLUSION

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

5.2 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.

6. RECOMMENDATION

6.1 That the application be **APPROVED**.

CONDITIONS

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

Reason

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

2. The outbuilding hereby permitted shall not be occupied at any other time other than for ancillary purposes as part of the main residential use of the dwelling known as 56A Cranmoor Green, Pilning, BS35 4QF.

Reason

To protect the residential amenity of the host dwelling to accord with policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

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

Location and Block Plan (Date received 31/08/21)
Existing Ground and First Floor Plans (Date received 03/08/21)
Proposed Floor Plans (Date received 03/08/21)
Existing and Proposed Front and Side Elevations (Date received 31/08/21)
Existing and Proposed Side and Rear Elevations (Date received 31/08/21)
Proposed Outbuilding (Date received 03/08/21)
Flood Risk Assessment (Date received 08/08/21)

Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: Marie Bath