

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: 33/21

Date to Members: 20/08/2021

Member's Deadline: 26/08/2021 (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 20 August 2021

-

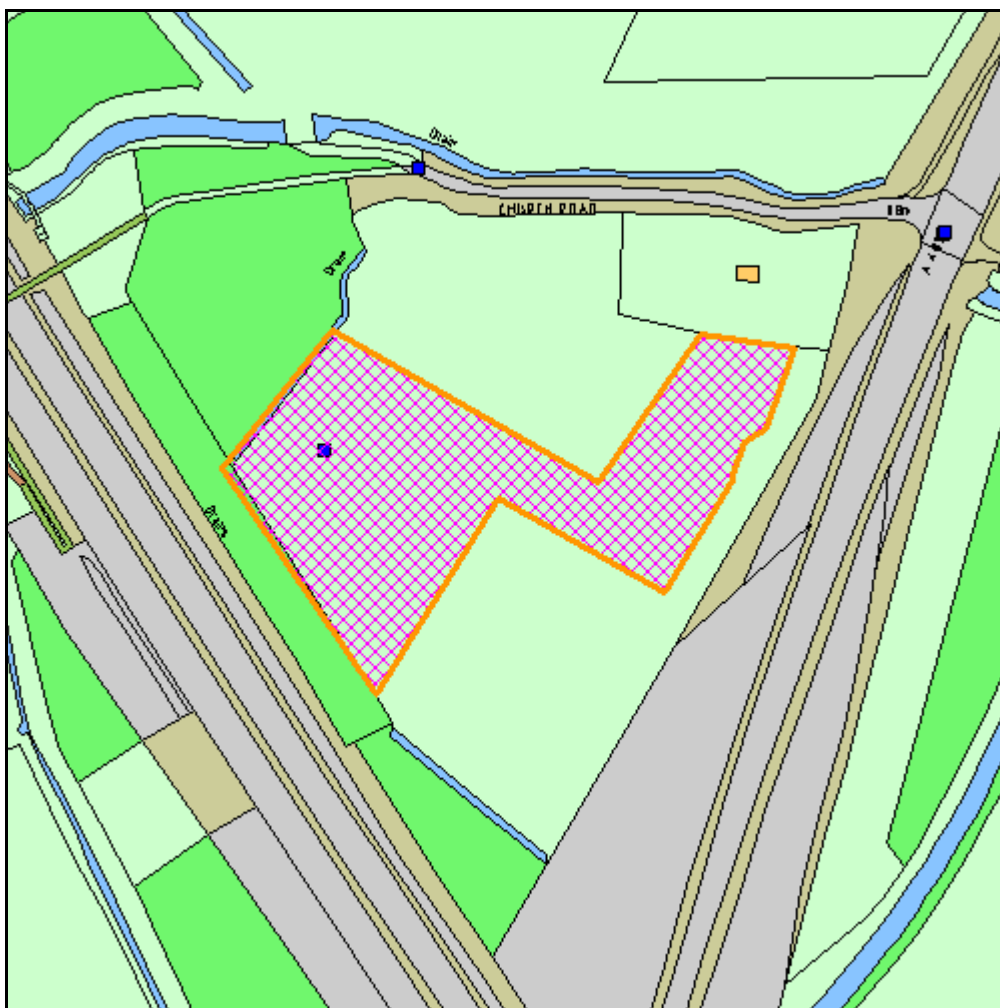
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/01529/F	Approve with Conditions	Land To The South Of Church Road Pilning South Gloucestershire BS35 4PW	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
2	P21/02852/F	Refusal	Land Between 14 And 32 Quarry Barton Hambrook South Gloucestershire BS16 1SG	Winterbourne	Winterbourne Parish Council

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
34	5pm 25 th August 2021	9am 26 th August 2021	5pm 2 nd September 2021	3 rd September 2021

[Dates and officer deadlines for Circulated Schedule August Bank Holidays 2021](#)

CIRCULATED SCHEDULE NO. 33/21 -20th August 2021

App No.:	P21/01529/F	Applicant:	PMG Services Ltd
Site:	Land To The South Of Church Road Pilning South Gloucestershire BS35 4PW	Date Reg:	6th April 2021
Proposal:	Erection of aggregate bays and installation of hardstanding to facilitate change of use of land from agriculture to a mixed use industrial and storage facility (class Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354811 184925	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	26th May 2021



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P21/01529/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of objections from Pilning and Severn Beach Parish Council and Transportation DC contrary to the officer recommendation made below.

1. THE PROPOSAL

- 1.1 This application is for the erection of aggregate storage bays and for the installation of hardstanding for HGV parking, to facilitate the change of use of land from agricultural to a mixed use industrial and storage facility.
- 1.2 The site is located between the villages of Pilning (300m to the north-east) and Severn Beach (to the south west). The Severn Beach industrial estate lies approximately 7KM to the south. The closest residential property lies around 100m to the east, on the opposite side of the A403. The site sits on land to the west of the A403, south of Church Road and to the east of the M49.
- 1.3 The application site is outside of any designated settlement boundary in open countryside, but is not within the Green Belt. The site is also within Flood Zone 3.

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
CS2	Green Infrastructure
CS4A	Presumption in favour of Sustainable Development
CS5	Location of Development
CS9	Managing the Environment & Heritage
CS11	Distribution of Economic Development Land
CS13	Non-Safeguarded Economic Development Sites
CS34	Rural Areas
CS35	Sevenside

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP26	Enterprise Areas
PSP27	B8 Storage and Distribution Uses

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/1422/F - Change of use from agriculture to allow continued use of land for storage of forestry products and logs (Class B8) as defined in the Town and Country Planning (Use Classes) Order 2005. – Refused 20.10.2006 – Appeal allowed 15.10.2007
- 3.2 PT09/0359/RVC - Variation of Condition A attached to planning permission PT06/1422/F to allow the land to be used for the storage of forestry products and machined timber including waste timber. – Approved 20.04.2009
- 3.3 PT10/1235/RVC - Variation of Condition 1 attached to planning permission PT09/0359/RVC to allow the site to be used for the storage of forestry products, machined timber including timber waste and processing. – Approved 27.10.2010
- 3.4 PT12/2928/RVC - Variation of condition 3 attached to planning permission PT10/1235/RVC to allow the storage of forestry and timber products and timber waste to a height not exceeding 5 metres – Refused 06.11.2012 – Appeal dismissed 13.03.2013
- 3.5 PT14/2213/F - Erection of a building (Use Class B2/B8) to accommodate the processing and storage of chipped timber, an office, a weighbridge, an internal access road, landscaping and ancillary parking. – Refused 31.10.2014 – Appeal allowed 11.11.2015
- 3.6 DOC16/0243 - Discharge of conditions 4 (materials), 5 (landscaping), 6 (ecology), 7 lighting),,8 (entrance) and 9 (drainage) attached to planning permission PT14/2213/F - Erection of a building for Use Class B2/B8 to accommodate the existing lawful processing and storage of chipped timber, together with an office, weighbridge, internal access road, landscaping and ancillary parking – Discharged 26.08.2016
- 3.7 PT16/4530/RVC - Removal of condition 11 attached to Appeal Decision for PT14/2213/F. – Approved 11.11.2016
- 3.8 P19/1049/RVC - Removal of conditions 12 and 13 attached to permission PT16/4530/RVC. – Approved 07.06.2019

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council:
Pilning & Severn Beach Parish Council strongly object to the application for the following reasons.

1. *Original planning was for the former wood yard only, the rest of the field is still agricultural.*
2. *The business claims that it needs more space giving the impression that it is already in operation at the site. This is at the time of writing not correct.*
3. *The Parish Council has great concern over*
 - a. *the number of vehicles to and from the site*
 - b. *the hours that the site will be permitted to operate.**Any use of the site must have strict hours of operation.*
4. *The applicant considers that their application is green and sustainable as they are consolidating two sites into one. However, moving the site to a green field out of Bristol is neither green nor sustainable. Has any consideration been given to the additional fuel needed to get to and from the site.*
5. *The business is dealing with processing road sweeping machines, road waste, muck, grit and dust. How are the effects of this going to be mitigated?*

- 4.2 Environmental Protection – No objection subject to condition to control potential offsite dust and debris.
- 4.3 Environment Agency – No objection subject to Sequential Test and condition requiring development or be carried out in accordance with the submitted FRA.
- 4.4 Highways England – No objection subject to maintenance strip and restriction on species to ensure no encroachment onto highway land, and no light spill or glare onto the M49 from external lighting.
- 4.5 Ecology – No objection subject to conditions relating to Mitigation Measures, Precautionary Method of working, restrictions to external lighting and evidence of ecological enhancements.
- 4.6 Tree Team – No objections in principal. The existing mature trees and hedges will require protection in accordance with BS:5837:2012 therefore the applicant will be required to submit an Arboricultural report in accordance with the British standard and prepared by a qualified person.
- 4.7 Crime Prevention Officer – No objection.
- 4.8 Transportation DC – *“We have recently reviewed this planning application seeking to change the use of land situated south of Church Road, Pilning to create an aggregate storage facility and other related facilities. As result of our review, although we had no in principal objections to this application, we were concerned about the lack of detail regarding the future impact of this site. To overcome this inadequacy we requested additional transportation information be provided by the applicant.*

Further information has now been made available by the applicant and we are pleased to note that it includes a broad estimate of the number of vehicles likely to visit this site. Nevertheless, we are disappointed to see that it does not address our most of concerns. Thus to reiterate and expand upon our previous request, we would wish to see the following matters addressed by the applicant:

a. In order to allow us to determine the extent of any changes from the consented use, we request that a comparison is undertaken of the number of vehicular movements associated with the site before and after the proposed change of use from the consented development is implemented.

b. We would also wish to see an assessment of any possible impact upon the local highway network i.e. how will this development effect the operation and safety of the nearby junction of Church Road and Severn Way. We believe that this is particularly important as it is necessary to ensure that safe access by all types of vehicle to this facility is provided, without jeopardising the operation of the existing highway network.

c. Likewise, we request details of any potential changes to the off-site highway required by these proposals.

d. Finally, we would wish to see a staff travel plan to discourage private car travel to the site is provided by the applicant.

As this information has not yet been submitted to support this application, we would request that it is made available as soon as possible so that we can reach a conclusion about the acceptability of this development. Without full clarification of these matters we are likely to object to this application.”

4.9 Drainage No objection.

4.10 Highway Structures – No objection

4.11 Landscape – No objection subject to condition requiring landscape works to be undertaken within the first planting season following the building works.

Other Representations

- 4.12 Local Residents One objection comment has been received, summarised as:
- “Existing business” not yet operational
 - If site is too small then business should look elsewhere
 - Development should be directed to allocated land or already developed areas
 - Proposal destroys further greenfield land
 - Location is a valuable contributor in the overall balance of habitat
 - Remaining field will not be viable for agricultural use
 - Area has no lack of jobs

5. ANALYSIS OF PROPOSAL

Overview of Planning History

- 5.1 The site has a complex history, which is relevant to the proposal under determination.
- 5.2 In 2007, planning permission was allowed at appeal for the change of use of agriculture to store forestry products and logs (B8) under ref **PT06/1422/F**. The application had been refused by the Council due to being located outside of a

- designated Settlement Boundary, and due to concerns that the existing access would result in large vehicles reversing onto a classified dual carriageway. The application was however allowed on appeal, on the basis that the activity was rural in nature and would not conflict with landscape policy, and that HGVs had sufficient turning space on site to exit in forward gear. The permission was conditioned to only be for the storage of forestry products, no direct sales, no products stacked exceeding 3m, and a scheme for the turning of vehicles to be submitted and implemented.
- 5.3 In 2009, a variation of condition application to allow storage of forestry products and machined timber was granted planning permission under ref: **PT09/0359/RVC**.
- 5.4 In 2010, a variation of condition application was granted to allow the storage of forestry products, machined timber including timber waste and processing, under ref: **PT10/1235/RVC**.
- 5.5 In 2012, a proposal to erect a building to house shredding machinery for the storage of chipped waste was dismissed at appeal due to concerns regarding the impact on landscape and character of the area, under ref: **PT12/2873/F**.
- 5.6 In 2015, planning permission was allowed at appeal for the erection of a building for a Class B2/ B8 use to accommodate the existing lawful processing and storage of chipped timber, together with an office, internal access road and weighbridge and ancillary parking, under ref **PT14/2213/F**. The application had been refused by the Council due to the proposal appearing as a utilitarian building, and the impact this would have upon the rural character and appearance of the area when viewed together with the associated yard, track, weighbridge and office; the impact on ecology, and limited information in regards to archaeological resources.
- 5.7 At the time application **PT14/2213/F** went to appeal, the reasons relating to ecology and archaeology were resolved due to the submission of additional information.
- 5.8 The application was allowed on appeal on the basis of the proposed building allowing the existing unsightly use of the land to be brought indoors, together with the relatively limited views into the site from public viewpoints.
- 5.9 The permission was conditioned for a scheme of enhancement for Church Road should be submitted, which has been done and carried out; for the building to be solely used for the storage and processing of forestry products and the storage of timber, no outside storage, no direct sales, no operation outside of 8am – 6pm M-F, 8am – 1pm Saturday and no operation on Sundays or Bank Holidays.
- 5.10 In 2016, a variation of condition application was granted to remove the condition restricting the site to forestry and timber products to an unfettered B2/B8 use, under reference **PT16/4530/RVC**.

- 5.11 In 2019, a variation of condition application was granted to remove the restriction of operating hours, under reference **P19/1049/RVC**. This application also granted a new time limit for the overall proposal, which expires on the 7th June 2022.

Current position

- 5.12 The current position for the site is that the physical proposals granted under application **PT14/2213/F** for the building, office, internal access road and weighbridge and ancillary parking remains extant, with all pre-commencement conditions discharged and the improvement works to Church Road already carried out.
- 5.13 The extant scheme does not allow outside storage of materials or direct sales, and permitted development rights have been restricted. There is no restriction on operating hours, or HGV movements to and from the site.

The proposal

- 5.14 The proposal under consideration is for the use of around 0.6ha of agricultural land for aggregate storage and for the parking of 60 vehicles (HGVs and cars). A turning area for larger HGVs is provided on site.
- 5.15 The proposal is intended to be used alongside the use and buildings already granted on site. No changes are proposed to the buildings or operations already consented. The intention is for the already approved site to be used as an aggregate processing facility.
- 5.16 The proposed parking and turning area will be finished in a permeable surface to enable vehicles to manoeuvre whilst also maintaining drainage. A landscaped bund is proposed around the site.
- 5.17 The proposed aggregate storage bays are to be sited adjacent to the building and enable to the processed materials to be stored.
- 5.18 The existing building is to be used as an aggregate processing facility, that collects material from road sweeping and gully emptying. 98% of the material passing through the facility is reused, for example in pipe bedding, road gritting and road building. Any organic material recovered is sent onwards to a different site for processing, and litter is sent to a biofuel company. The aggregate collected is to be cleaned within the permitted building. This can be carried out within the permitted building without the need for any further planning permission.

Principle of development

- 5.19 The proposal is located outside of any designated settlement boundary and within the open countryside, where Policy CS5 states new development should be strictly limited.

- 5.20 PSP28 does allow for the intensification and extension of existing businesses, however this is only within the curtilage of existing sites. The proposal is however immediately adjacent to the existing consented site, and have been justified within the application as being part of the operation of the consented use. The proposal will result in the amalgamation of two existing sites, however these are within the Bristol City Council administrative boundary and thus the amalgamation can only be afforded limited weight. No goods are proposed to be sold to the public, thus the proposal will not impact upon existing shopping facilities.
- 5.21 PSP28 also requires the proposal to be of a scale which is consistent with its rural location. The proposal is for the parking of vehicles and some material storage, with no buildings or other permanent structures proposed on the site.
- 5.22 Policy CS34 is intended to protect, conserve and enhance rural areas' distinctive character, beauty, wildlife, landscape, biodiversity and heritage; protect the best and most versatile agricultural land and opportunities for local food production and cultivation to provide for nearby urban areas and settlements; protect the unique and valuable setting provided by the rural areas to the urban areas and other settlements in South Gloucestershire, which contributes to the district's distinctive sense of place and identity, and protect rural employment sites, services and facilities and support farm diversification in order to provide local employment, sustain rural and village life and reduce the need to travel.
- 5.23 Also relevant is PSP27, which directs proposals for B8 uses to be directed towards strategic areas such as Severnside, Cribbs Causeway, and Emersons Green. The site is not within one of these, however the proposal for consideration is for parking and storage in association with an existing consented use.

A conclusion on the principle of development can be found under *Planning Balance* at the end of this report.

Transportation

- 5.24 Concerns have been raised by Transportation DC in terms of safe access to the facility for all types of vehicle being provided. A Transport Statement was requested, to provide access to and from the site, a forecast of vehicular movements, an assessment of possible impact upon the highway network, detail of any changes to the highway required, and a staff travel plan to discourage private car travel.
- 5.25 A full Transport Statement has not been submitted, however a Movement Statement has been received.
- 5.26 The Statement clarifies that the applicant, who have full ownership of the consented site, currently operate from sites in Bristol at Cole Road and Albert Road. Their vehicles are currently parked at the Cole Road Site.

- 5.27 The Albert Road site is currently used for the maintenance, repair and cleaning of the vehicle fleet, as well as the handling of materials. Both sites are intended to be amalgamated to the Church Road Site.
- 5.28 The proposed activities carried out at the Albert Road site can all be carried out within the existing consented site. There is however limited onsite parking for the applicants existing fleet of vehicles.
- 5.29 Under the current situation, the Cole Road site in Bristol would need to be retained for vehicle parking. The traffic movements for the existing situation would therefore be as follows (emphasis by the applicant):
- 25-40 HGV's arriving from **Bristol Parking location (BS2 0UG)** and leaving in the morning (6am-8am) and arriving and **leaving in the evening to Bristol Parking location (BS2 0UG) (3:30-6:30pm)**.
 - 25-40 vans/cars arriving in the morning and leaving in the evening.
 - **At peak periods max 20 movements coming into to the yard and leaving in the evening to Bristol Parking location (BS2 0UG) between 5-6pm**
 - At peak periods max 5 movements **arriving to the yard from Bristol Parking location (BS2 0UG) and leaving between 8-9am.**
 - Site hours of operation 6am-6:30pm.
 - On site employees approx. 20.
- 5.30 Given the applicant owns the site and intends to move their business operations to the consented Church Road Site, the movements set out above are not considered to be speculative and are likely to occur. Critically for the determination of this application, no operational statement nor query of HGV movements was carried out under application PT16/4530/RVC, which allowed the consented site to be used as an unrestricted B2/B8 business. Traffic movements to and from the site are therefore currently unrestricted.
- 5.31 Should this application be granted, storage and parking of the fleet of vehicles would also be moved to Church Road, with no further need of the Cole Road site. This would therefore remove 25-40 HGV movements in the morning from the Cole Road site, and a further 25-40 HGV movements in the evening to the Cole Road site.
- 5.32 Should the permission under consideration be granted, the traffic movements would be as follows:
- 25-40 HGV's leaving in the morning (6-8am) and returning in the evening (3:30-6:30pm).
 - 25-40 vans/cars arriving in the morning and leaving in the evening.
 - At peak periods max 20 movements coming back to the yard between 5-6pm.
 - At peak periods max 5 movements arriving to the yard between 8-9am.
 - Site hours of operation 6am-6:30pm.
 - On site employees approx. 20.
- 5.33 The proposal as submitted is therefore not considered to increase overall vehicular movements to and from the site, and would act to remove overall HGV movements. An Operational Statement should however be required by condition, to ensure that any further traffic movements not anticipated do not occur, which could be detrimental to highway safety.

- 5.34 The applicant has confirmed that no changes are proposed to Church Road, and there is sufficient room for HGVs to turn within the site. A travel plan to reduce staff travel to and from the site will also be required by condition.
- 5.35 The Highways Agency have also commented on the scheme, and have raised no objections providing conditions are applied restricting the planting of certain species to reduce the risk of encroachment upon highways land, and no external lighting to impact upon the M49.
- 5.36 In summary, whilst the concerns raised by Transportation DC are noted, it is considered that the proposal would not result in vehicular movements over and above the consented site. There is therefore not considered to be significant harm caused to the highway network, or highway safety caused by the proposal.

Character and landscape impact

- 5.37 The proposal involves limited built development, being the proposed storage bays at 2.4m in height. The storage bays would be sited immediately adjacent to the approved building, which previous Inspectors have described as being “barely visible” itself.
- 5.37 The proposed finishing material for the parking area will be gravel, which is considered preferable to tarmac. The land is not high grade agricultural land, and the proposed bund and screening will result in a scheme that would have no noticeable change in the wider setting.
- 5.38 To further assist in the proposal blending in with its surroundings, the proposed gravel areas will be overseeded with a mixture of Wildflowers and hardwearing grass. The existing meadow will also be seeded with a wildflower mix.
- 5.38 The submitted landscaping plan also includes existing trees and their root protection areas, with a tree assessment to BS5837:2012. Appropriate tree protection measures have been proposed.
- 5.39 Overall, the proposal is limited in terms of overall development, and proposes some gains in terms of wildflower, native hedge and tree planting. The overall effect is considered to protect the rural nature of the area.

Flooding

- 5.40 The site is located within Flood Zone 3, with some protection from existing flood defences. As such, a Sequential Test is required to be carried out. The proposal is intended to be used only for parking and storage alongside the consented use on site. No other land within the wider site is within a lower Flood Zone, therefore there are no suitable alternative sites available for the proposed development with a lower risk of flooding. The Sequential Test is therefore passed.

- 5.41 The proposal is classed as a “Less vulnerable use”, and therefore the exception test is not required in this instance.
- 5.42 A site specific Flood Risk Assessment has also been submitted. A detailed assessment of flood risk has identified that the risk of tidal flooding poses the dominant and ‘worst case’ source of flood risk posed to the site, with the site concluded to be at high risk of tidal flooding in the present-day situation and in the future in the event of ‘residual’ flood risk scenarios, but at a low risk of flooding in the future 1 in 200 year design flood event once the new flood defence scheme is complete (i.e. 2024).
- 5.43 The risk of fluvial flooding posed to the site (when considered in isolation) is concluded to be no greater than that posed from tidal flooding, whilst the risk posed to the site from surface water, groundwater and infrastructure failure sources has been assessed as low.
- 5.44 Noting the relatively low sensitivity of the proposed open storage area to flood water, and accepting that level access will be required due to the nature of the approved site operations, it is recommended to construct the proposed open storage area at existing ground level, though graded so as to ensure that any overland flows across the area are preferentially directed away from the approved building.
- 5.45 It has been demonstrated that an appropriate means of flood warning and evacuation is possible during the construction and operation of the proposed scheme, and that the proposed development is not considered to increase flood risk within the catchment through a demonstrable loss of floodplain storage.
- 5.46 The proposed scheme layout also provides an appropriate stand-off from the surrounding existing IDB drains, in accordance with the IDB’s Byelaws.
- 5.47 The proposed open storage area is to be surfaced with permeable gravel to allow existing natural rates of infiltration to continue. The approved adjacent proposed development in the northern portion of the site remains unchanged from the previously approved scheme and so surface water run-off from this area will be managed as described in the previously approved Drainage Strategy for that scheme. The southern portion of the site is proposed to be managed by a closed-circuit drainage system designed for washing plant and so the previously approved outfall and pond will not be required for this area.
- 5.48 In summary, the proposed is considered to be suitable for the location proposed, will be adequately flood resistant and resilient, will not place additional persons at risk of flooding and will offer a means of flood warning and evacuation, will not increase flood risk elsewhere, and will put in place measures to ensure surface water is appropriately managed. There is therefore no objection on flooding grounds.

Ecology

- 5.49 An updated Preliminary Ecological Appraisal (Abricon, March 2021) has been submitted. The site is not covered by any designated sites. Habitats include ditch, improved grassland, scrub, tall ruderal vegetation, and offsite woodland.
- 5.50 The boundary features provide suitable foraging and commuting habitat. A mature oak in the southern corner supported multiple bat roosting features. This suitable habitat will be retained and enhancements have been recommended.
- 5.51 There is one pond and various rhines and ditches within 250m of the site. The wet ditch on the north-western boundary is considered to be unsuitable for great crested newts due to heavy shading and no marginal vegetation. The habitats on site provide suitable terrestrial habitat for GCN, including hibernacula features. It is considered unlikely that GCN are present due to the unsuitable breeding habitats, however a precautionary method statement has been recommended.
- 5.52 Suitable habitats for dormice are present however they are limited to the scrub and trees, though the connectivity is limited due to numerous gaps. Optimal dormouse habitat will be retained, and it is not anticipated that dormice are a constraint to the proposal.
- 5.53 No evidence of otters were recorded however the site may be used by otters to move between waterbodies.
- 5.54 No evidence of nesting birds in any of the onsite habitats, the site does provide suitable habitat for nesting birds with optimal habitat occurring in the offsite woodland. The site was under significant disturbance due to it being used for motorsports until 2020 and under current disturbance from the ongoing works to the adjacent approved scheme. This will likely significantly deter ground nesting birds from using the site, specifically those associated with the Severn Estuary (Ramsar/SAC/SPA).
- 5.55 The habitats on site are suitable for reptiles this also includes sheltering and hibernacula opportunities. It is possible that reptiles are present, though areas of suitable habitat will be retained and the area impacted is small in scale. A precautionary working method has been recommended.
- 5.56 No evidence of water vole was recorded and the waterbody adjacent to the site was considered as sub-optimal habitat. The works will also occur 50m from the ditch at the nearest point, therefore water voles are not considered a constraint.
- 5.57 No conclusive evidence of badgers were recorded during the survey.
- 5.58 No evidence was recorded for hedgehog, however optimal habitat was recorded. Mitigation has been proposed.
- 5.59 The proposal will result in the loss of improved grassland, all other habitats will be retained and enhancements will be implemented. The site has historic and

current disturbance reducing the likelihood of ground nesting birds using the site. There is therefore no objection to the scheme, subject to conditions relating to mitigation, precautionary working, additional lighting and evidence of ecological enhancements.

Environmental Protection

- 5.60 No detailed noise, dust or highways reports have been submitted, however there is a history of commercial uses on site and the nearest residential property is a significant distance away.
- 5.61 The applicant has confirmed processes are for screening only, with no crushing onsite and majority of activities carried out within the building.
- 5.62 A condition will be required to ensure offsite dust and debris is minimised, including details of a wheel wash facility.

Residential amenity

- 5.63 Given the distance to the nearest residential property, (100m), there are not considered to be any significant impacts caused due to noise or traffic movements.

Consideration of likely impact on Equalities

- 5.64 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.

Planning balance

- 5.65 Although the proposal is not strictly in accordance with all policies, i.e. the application involves the extension of an existing site outside of the curtilage within a rural area; the proposal otherwise respects the rural character of the location and will overall improve the operation of the consented rural business.
- 5.66 Concerns raised by Transportation DC are noted, however the existing consented use would attract similar traffic movements. Any harm caused by traffic movements is not considered to be significant.
- 5.67 The proposal is therefore recommended for approval.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is GRANTED.

CONDITIONS

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

Reason

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

2. The development hereby approved shall not be used other than for parking and storage purposes ancillary to the site operating under ref P19/1049/RVC or any subsequent application.

Reason:

Any other use would require further consideration under the Development Plan.

3. The development as approved shall not be brought into use until an Operational Statement including, but not limited to:

- Likely traffic movements
- Hours of operation
- Methods to control dust and debris (including a wheel wash facility)
- Staff travel plan

has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter act in accordance with the approved details.

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. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 18331-HYD-XX-XX-RP-FR-0001 dated 26/02/2021) and the following mitigation measures it details:

Section 4.2.1 Mitigation measure to construct the open storage area to ensure material is not displaced and likely to cause blockage or increase flood risk. Section 4.2.2 Contractor and site operator to register with the Environment Agency to receive Flood Warnings and the site is evacuated.

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

4. Reason:
To reduce the risk of flooding to the proposed development and future occupants in accordance with PSP20 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 and the National Planning Policy Framework.
5. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Abricon, March 2021) and the Ecological Management Plan (Oecologic, 2016) attached to P19/1047/RVC with the exception of the removal of spoil piles along the northern boundary which are to be retained as hibernacula.

Reason:

To protect against harm to protected species and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

6. All works are to strictly adhere to the Precautionary Method of Working (appendix E, Preliminary Ecological Appraisal Abricon, March 2021).

Reason:

To protect against harm to protected species and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

7. If any external lighting is required a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All lighting should also be placed to avoid light spill towards the motorway.

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

Reason:

To protect against harm to protected species and in the interests of highway safety, to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP11 and PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

8. Prior to occupation, details of ecological enhancements are to be submitted to the Local Planning Authority for written approval. These include, but are not limited to, bat boxes, bird boxes and hedgehog houses. All such details as approved shall be implemented prior to occupation.

Reason:

To protect against harm to protected species and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

9. Prior to the commencement of development the Tree Protection shall be installed as shown on Landscape Proposals 953/PA/02C, and retained for the duration of the construction works.

Reason:

To ensure that trees and vegetation to be retained are not adversely affected by the development proposals in accordance with PSP3 and PSP19 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

10. All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out within the first planting season following the completion of construction works. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Any landscape screening provided along the boundary with the strategic road network shall be located wholly within the development site and with allowance for a suitable maintenance strip to ensure there will be no encroachment onto highway land.

The following species must not be planted within 10m of the Highways England estate:

Blackthorn (*Prunus spinosa*)
Goat willow (*Salix caprea*)
Crack willow (*Salix fragilis*)
Dogwood (*Cornus sanguinea*)

Italian alder (*Alnus cordata*)
Bird cherry (*Prunus avium*)
Quaking Aspen (*Populus tremulans*)
Wild Privet (*Ligustrum vulgare*)

The following trees must not be planted in a position where at maturity they would be within falling distance of the SRN carriageway or any significant Highways England asset:

Silver Birch (*Betula pendula*)
Austrian Pine (*Pinus nigra*)
Poplar (*Populus alba*, *Populus hybrid*, *Populus Lombardii*)
English Oak (*Quercus robur*).

Reason:

To ensure the provision of an appropriate landscape setting to the development, and in the interests of highway safety, in accordance with PSP2 and PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

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

11 Mar 2021	CH_LN_005	D	SITE LOCATION PLAN
22 Mar 2021	CH_LN_011	B	PROPOSED BLOCK PLAN SHEET 2 OF 2
22 Mar 2021	CH_LN_012	B	PROPOSED BLOCK PLAN SHEET 1 OF 2
01 Apr 2021	CH_LN_001	F	PROPOSED SITE LAYOUT AND AGGREGATE STORAGE
21 May 2021	953/PA/02	C	LANDSCAPE PROPOSALS

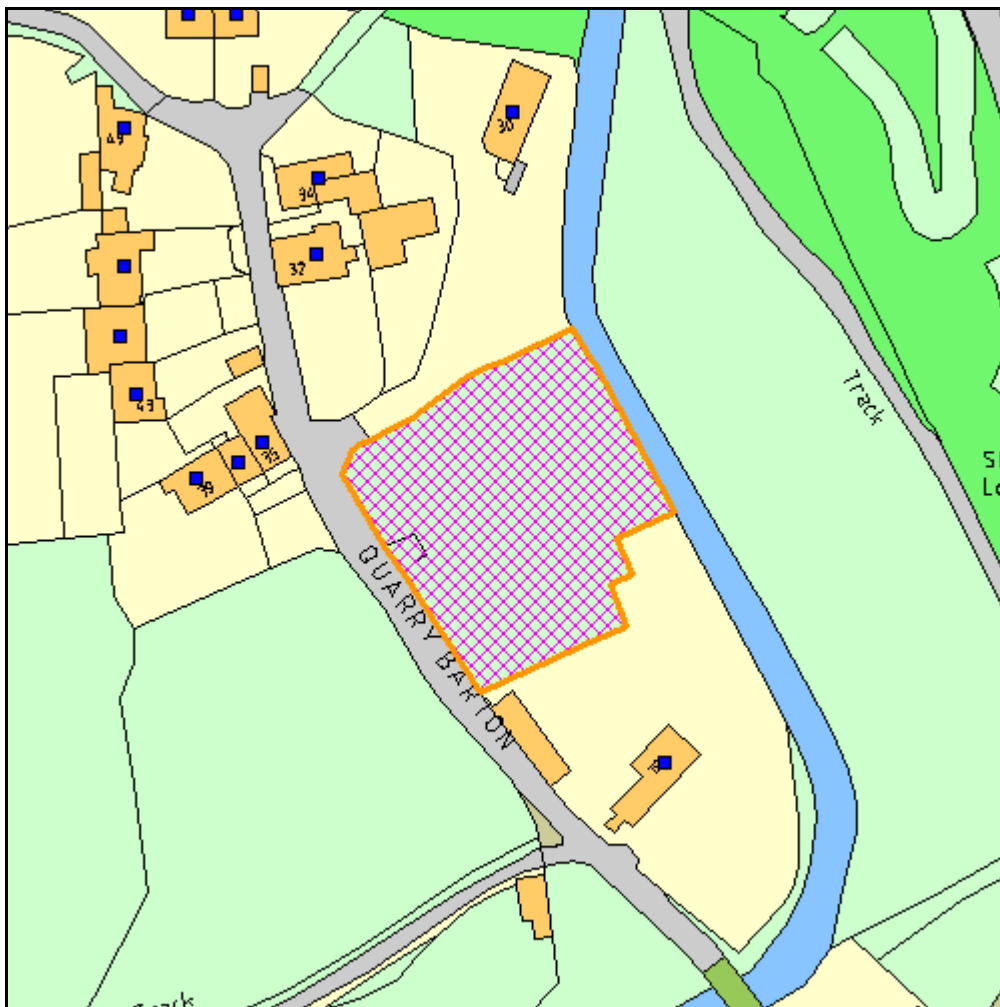
Reason:

To define the terms and extent of the permission.

Case Officer: Rae Mepham
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 33/21 -20th August 2021

App No.:	P21/02852/F	Applicant:	Mr and Mrs Browne-Cole
Site:	Land Between 14 And 32 Quarry Barton Hambrook South Gloucestershire BS16 1SG	Date Reg:	30th April 2021
Proposal:	Erection of 1no. eco dwelling with associated access and landscape works.	Parish:	Winterbourne Parish Council
Map Ref:	364454 179637	Ward:	Winterbourne
Application Category:	Minor	Target Date:	22nd June 2021



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P21/02852/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 REPORTING TO THE CIRCULATED SCHEDULE

Three comments from local residents have been received for the application that are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of 1no. eco dwelling with associated access and landscape works on land between 14 and 32 Quarry Barton, Hambrook.
- 1.2 The application site comprises an existing paddock area. The site is situated to the south of a clutch of properties along Quarry Barton. The site is located outside of any defined settlement boundary, and therefore within the open countryside. The site is also located within the Bristol and Bath Green Belt. The site slopes away from the highway down towards Bradley Brook, and is bounded on its western and northern sides by stone boundary walls.
- 1.3 The proposed development is largely similar in design to the previous planning application for the site (ref. P19/6295/F), which was dismissed at appeal. The only notable changes to the development are that it is now proposed as carbon-neutral and would use a combination of sustainable and renewable energy measures including being a Passivhaus. The red line of the site is also considerably larger as it includes areas of photovoltaics. The development would also allow the opportunity to trial Microbial Fuel Cell/Pee Power technology in a residential setting for the first time.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plan

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Development in the Green Belt (Adopted) June 2007

Residential Parking Standard SPD (Adopted) December 2013

Assessing Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

3.1 P19/6295/F

Erection of 1no. dwelling and associated access and landscape works.
Refusal (03/12/2019)

Appeal Dismissed (18/08/2020)

3.2 PT12/1220/F

Erection of extensions to existing structure to form 1no. three bedroom dwelling
with associated works.

Refusal (31/05/2012)

3.3 P85/2679

Erection of a detached bungalow. Alteration to existing pedestrian and
vehicular access. (Outline)

Refusal of Outline Permission (29/01/1986)

Appeal Dismissed (15/08/1986)

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

No objection

4.2 Ecology Officer

No objection subject to the inclusion of conditions.

4.3 Environmental Protection

No objection subject to the inclusion of conditions.

4.4 Flood and Water Management Team

No objection

4.5 Landscape Officer

No objection subject to the inclusion of conditions. However, note there will be a spatial impact on the openness of the Green Belt.

4.6 Sustainable Transport Team

No objection subject to the inclusion of conditions.

4.7 Local Residents

3 objection comments from local residents have been received making the following points:

Design and Visual Amenity

- Impact on the existing landscape.

Residential Amenity

- Noise and dust would be created impacting neighbouring properties.
- Worried about the long term constant noise from the proposed plant room.
- Impact on the view from neighbouring properties.
- The proposed development would cause excessive noise.

Highway Safety and Transport

- The proposed development would cause traffic.

Other Issues

- Any development of this piece of land would impact not only the species that dwell here but would cause damage to habitat. Slow worms and newts are known to have been found in this area and certain species of bats.

1 general comment from local residents has been received making the following points:

Residential Amenity

- Clarification needed on the future of the existing boundary fence as a major change in the structure of this fence could be overbearing.
- Concern about potential overlooking of neighbouring property. Clarity on proposed boundary treatments needed.

Other Issues

- The proposed site boundary is not well defined. Should permission be granted it would be prudent to have the land registry recognise the exact boundary line.
- The existing timber fence is rather dilapidated and there is concern that development of the proposed site would see a potential land grab.

5 support comments from local residents have been received making the following points:

Design and Visual Amenity

- The proposed development blends into its surroundings.

Other Issues

- The proposed development would allow the opportunity to trial Microbial Fuel Cell/Pee Power technology in a residential setting for the first time. This would allow evaluation of the technology's long term performance. Hambrook is a short distance from the labs, allowing close monitoring of the systems performance and maintenance of the system when needed.
- The proposed development represents an opportunity for a sustainable, carbon neutral family home.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning permission is sought for the erection of 1no. eco dwelling on land at Quarry Barton, Hambrook. The site is located outside of any defined settlement boundary and is therefore in the open countryside. The site is also located within the Bristol and Bath Green Belt.

5.2 Policy CS5 of the Core Strategy establishes the spatial strategy for development in the district. Under this policy, new development is directed to the existing urban areas, market towns, and defined rural settlements. Residential development outside of these locations is strictly controlled. Furthermore, Policy CS34 of the Core Strategy seeks to protect the character of the rural areas, with residential development outside of a defined settlement generally resisted.

5.3 Under the spatial strategy set out above, development of this nature should therefore be permitted only in the urban areas or defined settlements. The site is not within a defined settlement and nor does the built form in this location represent a village. These conclusions are supported by the Inspectors comments in the Appeal Decision for the previous application on the site (appeal ref. APP/P0119/W/20/3247956), which is a significant material consideration.

5.4 It therefore follows that there is an in principle objection to the proposed development as it does not accord with the spatial strategy as expressed in the Development Plan.

5.5 Notwithstanding this, and whilst the majority of applications for new residential development outside of settlement boundaries should be resisted in accordance with the Council's spatial strategy, the Local Planning Authority do consider that it may be suitable, in a few circumstances, to recommend approval of dwellings outside of the settlement boundary.

5.6 This will only apply when the site lies close to the edge of the defined settlement boundary and has a direct relationship with it (for example, may be

linked to the settlement boundary by other buildings, or have good footpath links to the settlement boundary). Essentially, it should read as a natural extension to the settlement boundary. However in the interests of the Council's overall spatial strategy for new housing, this should only apply to very small development proposals of 1-2 dwellings.

Relationship with Nearest Defined Settlement

- 5.7 The site is situated along Quarry Barton, which comprises a small hamlet made up of approximately 15-20 dwellinghouses. The majority of units are situated to the north of the site, with only a single residential unit situated on the land between the application site and the clutch of properties positioned along Bristol Road to the south. Whilst the presence of other residential units in the vicinity is noted, the immediate area is considered to be predominantly rural in character. The residential units are not supported by any dedicated facilities or services, and the clutch of properties is not, in itself, considered to represent a village or established settlement.
- 5.8 In terms of the relationship between the site and any defined settlement boundaries, the nearest defined settlement is in fact the defined east fringe of the Bristol Urban Area; with the boundary situated approximately 350m to the west of the site. The defined settlement boundary of Winterbourne is situated approximately 450m to the east of the site, with the defined settlement boundary of Hambrook some 550m to the south of the site.
- 5.9 On the basis of the above, whilst the presence of other residential units in the immediate vicinity is noted, the clutch of properties is not considered to represent an established settlement in its own right. Furthermore, the site is located a significant distance from any defined settlement boundaries, and therefore cannot be considered as a natural extension to the defined settlement.
- 5.10 As such, the proposal is not considered to comprise one of the limited forms of residential development outside of a settlement boundary, which would be permissible under Policy CS5 and would therefore significantly conflict with the Council's overall spatial strategy.

Other Forms of Allowable Residential Development in the Countryside

- 5.11 The proposal conflicts with the Council's locational strategy for development, as set out in Policy CS5. However Policy PSP40 of the Policies, Sites and Places Plan does allow for certain forms of residential development in the open countryside. These comprise rural housing exception initiatives, rural workers dwellings, the replacement of existing dwellings, and the conversion and re-use of existing buildings. The proposal comprises the erection of a new build dwelling, and does therefore not fall in to any of the categories set out above.

Summary

- 5.12 To conclude, when viewed in the context of the Council's locational strategy, the site is not an appropriate location for residential development. Given the

Council's current 5 year housing land supply position, policies that restrict the supply of housing are considered up to date, and can be afforded full weight. The failure of the proposal to accord with the Council's locational strategy attracts significant weight, when balancing the harm of the development against the benefits. These conclusions are supported by the Inspectors comments in the Appeal Decision for the previous application on the site (appeal ref. APP/P0119/W/20/3247956).

5.13 Green Belt

The site is situated within the Bristol and Bath Green Belt. Policy CS5 and CS34 of the Core Strategy and Policy PSP7 of the Policies, Sites and Places Plan support the protection of the Green Belt from inappropriate development. The NPPF attaches great importance to the Green Belt – with the fundamental aim of preventing urban sprawl and keeping the land open in nature. In order to achieve this, there is a general presumption against inappropriate development in the Green Belt. Any type of development in the Green Belt is considered inappropriate, unless it falls into a predefined exception category or very special circumstances override the presumption against inappropriate development. Very special circumstances will not be found unless the harm to Green Belt and any other harm is clearly outweighed by the benefits of the proposal.

5.14 The Officer's report for the previous planning application at the site (ref. P19/6295/F) and the Inspector's comments in the subsequent Appeal Decision (appeal ref. APP/P0119/W/20/3247956) both confirm that the proposed development would not constitute 'limited infilling in villages' or 'the redevelopment of previously developed land' and would therefore not fall into any of the predefined exception categories set out in Paragraph 149 of the NPPF. As per the provisions of Paragraph 147 of the NPPF, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. A case for very special circumstances has been presented with this application and will be assessed below.

5.15 The development is now proposed as carbon-neutral and would use a combination of sustainable and renewable energy measures including being a Passivhaus. The development would also allow the opportunity to trial Microbial Fuel Cell/Pee Power technology in a residential setting for the first time. The development involves a relationship with the University of the West of England to provide a research and teaching opportunity which has not been available to them before and would help them to significantly advance the technology. The application site is situated in close proximity to the University (approximately 2 miles) to assist the research and means that the research team would no longer need to travel abroad to conduct their research.

5.16 As set out above, very special circumstances will not be found unless the harm to Green Belt and any other harm is clearly outweighed by the benefits of the proposal. Whilst it is accepted that the opportunity to trial Microbial Fuel Cell/Pee Power technology in a residential setting for the first time would provide some benefit, and is supported by the Council, it is not considered that this would clearly outweigh the significant harm to the Green Belt that a new

- dwelling in this location would cause. There is no clear justification as to why the first trial of this technology in a residential setting needs to be at such a sensitive location within the Green Belt. There are also concerns as to how the proposed dwelling could be linked to this emerging, untested technology.
- 5.17 The development being carbon-neutral and using a combination of sustainable and renewable energy measures, including being a Passivhaus, is supported by the Council but this is not considered to constitute very special circumstances that outweigh the significant harm to the Green Belt that a new dwelling in this location would cause. Sustainable and renewable energy measures are more becoming the norm in new developments and the adoption of Passivhaus standards is becoming more common.
- 5.18 The proposed development would represent inappropriate development in the Green Belt as it would fail to meet any of the predefined exception categories set out in Paragraph 149 of the NPPF. As per the provisions of Paragraph 147 of the NPPF, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is not considered that the very special circumstances presented with this application would outweigh the significant harm to the Green Belt, together with the harm to the Council's spatial strategy identified above in 5.12, that a new dwelling in this location would cause. The proposed development is therefore considered to be inappropriate development in the Green Belt and cannot be supported by the Council.
- 5.19 Moreover, the site in its current form is distinctly open in nature. Whilst the design approach has sought to reduce the prominence of the building by blending it in to its surroundings, the provision of the dwelling and associated area of curtilage would undoubtedly have an acute impact on the openness of the land. This would not only be through the provision of additional built form, but also through the introduction of domestic paraphernalia associated with the occupation of the dwelling, as well as the areas of photovoltaics, all which harm Green Belt openness.
- 5.20 The provision of a dwellinghouse would detract from the openness of the site, with the proposal extending development in to the open countryside. The proposal would therefore directly conflict with the purposes of Green Belt policy. The inappropriate nature of the development in the Green Belt, and the actual harm to openness, are considered to carry significant weight when balancing the benefits of the proposal against any harm.
- 5.21 Design and Visual Amenity
Policy CS1 of the Core Strategy is the Council's principal design policy. This policy requires development to meet the 'highest possible' standards of site planning and design. Development proposals are required to demonstrate that they respect and enhance the character, distinctiveness, and amenity of the site and its context and that the density and overall layout is well integrated into the existing adjacent developments.
- 5.22 Policy PSP1 of the Policies, Sites and Places Plan requires development proposals to demonstrate an understanding of the character of an area.

Development proposals should make a positive contribution to the distinctiveness of a locality and innovative architectural responses to design issues are encouraged.

5.23 In terms of rural areas, Policy CS34 of the Core Strategy outlines that development proposals should seek to protect, conserve and enhance the rural areas' distinctive character, beauty, wildlife, landscape, biodiversity and heritage. In terms of any landscape impact, Policy PSP2 of the Policies, Sites and Places Plan outlines that development proposals should seek to conserve and where appropriate enhance the quality, amenity, distinctiveness and special character of the landscape.

5.24 The site in its current form comprises a large paddock. The paddock is largely undisturbed and rural in its appearance. Overall, the paddock in its current form is considered to contribute positively to the character of the area, with the openness of the land providing views down towards the brook when heading south along the adopted highway.

5.25 The Officer's report for the previous planning application at the site (ref. P19/6295/F) concluded that the domestication of the site would degrade the character of the area, and would fail to preserve the distinctive character and beauty of the predominantly rural location. This conclusion was not agreed with by the Inspector in the subsequent Appeal Decision (appeal ref. APP/P0119/W/20/3247956) who concluded that:

“Due to its location within the site, the use of the existing topography and the screening effect of the existing boundary wall, the proposed development would have a very limited influence on the street scene. Whilst some elements of the development would be visible from the road, the vast majority would be hidden from view. On this basis, the proposed development would cause no significant harm to the character and appearance of the area.”

5.26 On the basis of the assessment set out above, it is not considered that the proposed development would be harmful to the character or appearance of the area.

5.27 Residential Amenity

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

5.28 The proposed unit would be positioned against existing boundary walls, and due to the topography of the site, would not project significantly above the walls. As such, it is not considered that the provision of the dwelling would adversely affect the amenity of neighbours through any increased sense of overbearing, overshadowing or overlooking. It is acknowledged that the erection of the dwelling would likely cause some disturbance to neighbours

- during the construction period, however the impacts of the development in this respect could be adequately mitigated through the application of a suitably worded planning condition restricting working hours. Were the application to be recommendation for approval, a condition to this effect would be attached to any decision.
- 5.29 In terms of the amenity of future occupants of the property, it is noted that due to the position of the property against the boundary wall, it would only be possible to provide windows in the front and side facing elevations. However high levels of glazing are proposed, with the front elevation facing in a southerly direction. As such, it is considered that the interior of the property would benefit from sufficient levels of natural sunlight, and adequate outlook would be provided. In terms of external amenity space, a large terrace/garden area would be provided to the front and side of the dwelling. Overall, it is concluded that an acceptable standard of living would be afforded to future occupants of the property.
- 5.30 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.31 Highway Safety and Transport
Vehicular access to the proposed dwelling would be provided directly off Quarry Barton, using the sites existing access. Whilst this is not of a high standard, as Quarry Barton is not a through route, the Council consider this to be acceptable.
- 5.32 In terms of parking, it has been indicated that 2 parking spaces would be provided on-site for the proposed dwelling. This provision would be sufficient to serve the proposed 3 bedroom dwellings, in accordance with Policy PSP16 of the Policies, Sites and Places Plan.
- 5.33 Whilst the junction between Quarry Barton and Bristol Road is acknowledged to be awkward, and the lane narrow, it is not considered that the additional traffic generated by a single dwelling would result in any severe highway safety impacts. As such, there are no fundamental concerns with the development from a transportation perspective.
- 5.34 Ecology
Given the rural, undeveloped nature of the site, an ecological appraisal was submitted in support of the application. The ecology officer is satisfied with the contents of the appraisal, and subject to conditions requiring development to be carried out in accordance with the appraisal and ecological enhancement features being provided, raises no objection. Were the application to be recommendation for approval, a condition to this effect would be attached to any decision.
- 5.35 Trees
Whilst there are some trees situated within and around the application site, it is not anticipated that the construction of the proposed dwelling would interfere with any trees. Furthermore the site does not contain any protected trees, and

as such it is not considered reasonable or necessary to request the submission of an arboricultural assessment.

5.36 Flood Risk and Site Drainage

Despite its proximity to Bradley Brook, the entire site is situated within EA Floodzone 1. Furthermore, the lead local flood authority are satisfied with the information submitted relating to site drainage, and there are therefore no concerns with the development in this respect.

5.37 Ground Stability

The contaminated land officer has identified that a number of former quarried areas are situated within 250m of the site; some of which have been infilled with unknown materials. There is therefore a potential risk from ground gases, and conditions have been recommended requiring further investigation and if necessary mitigation measures to be undertaken. Were the application to be recommendation for approval, a condition to this effect would be attached to any decision.

5.38 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.

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

5.40 Other Matters

The neighbour's general comment has raised concerns about the exact location of the site boundary and the potential for a land grab to occur. The exact location of the site boundary in regards to the Land Registry and any potential land grab would be a civil matter.

6. CONCLUSION

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

6.2 The recommendation to **refuse** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan:

Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

7.1 That the application be **Refused** for the following reason:

1. The application site is outside of any defined settlement and therefore in the open countryside. Defined settlements establish locations which the local planning authority consider suitable, in the spatial strategy, for sustainable development. The proposal conflicts with the locational strategy, and the site is not considered to relate well to any defined settlements. The proposal does also not contain any of the limited forms of residential development acceptable in the open countryside. The proposal is therefore not a sustainable form of development and conflicts with Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework (July 2021).
2. The proposal would not comprise limited infilling in a village or the redevelopment of previously developed land, and as such would constitute inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is not considered that the very special circumstances presented with this application would outweigh the significant harm to the Green Belt that a new dwelling in this location would cause. Substantial weight has been applied to the harm identified in this respect, and the proposal is contrary to Policy CS4A, CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; the South Gloucestershire: Development in the Green Belt SPD (Adopted) 2007, and the provisions of the National Planning Policy Framework (July 2021).

1. The application site is outside of any defined settlement and therefore in the open countryside. Defined settlements establish locations which the local planning authority consider suitable, in the spatial strategy, for sustainable development. The proposal conflicts with the locational strategy, and the site is not considered to relate well to any defined settlements. The proposal does also not contain any of the limited forms of residential development acceptable in the open countryside. The proposal is therefore not a sustainable form of development and conflicts with Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework (July 2021).
2. The proposal would not comprise limited infilling in a village or the redevelopment of previously developed land, and as such would constitute inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is not considered that the very special circumstances presented with this application would outweigh the

significant harm to the Green Belt that a new dwelling in this location would cause. Substantial weight has been applied to the harm identified in this respect, and the proposal is contrary to Policy CS4A, CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; the South Gloucestershire: Development in the Green Belt SPD (Adopted) 2007, and the provisions of the National Planning Policy Framework (July 2021).

Case Officer: Oliver Phippen

Authorising Officer: Helen Ainsley