

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: 25/21

Date to Members: 25/06/2021

Member's Deadline: 01/07/2021 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

7) Any applications, except those listed 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

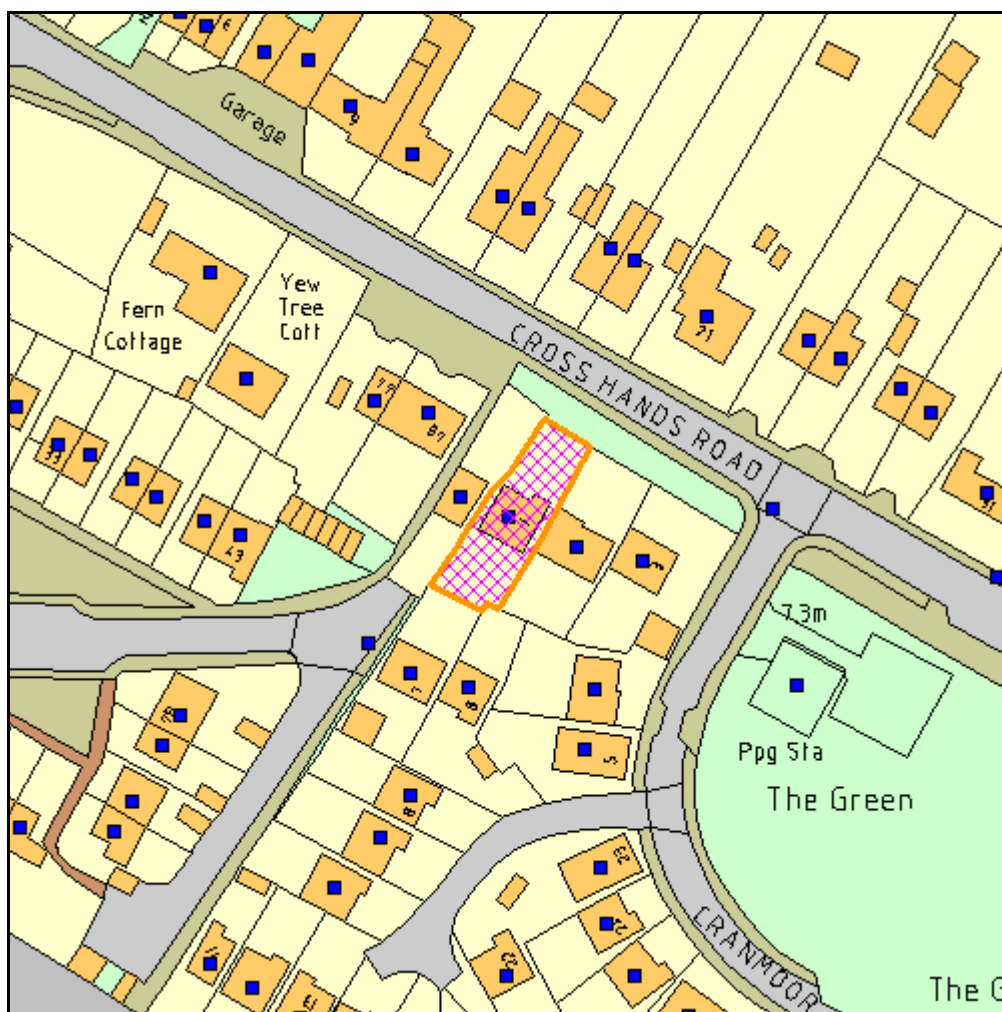
CIRCULATED SCHEDULE 25 June 2021

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| ITEM NO. | APPLICATION NO | RECOMMENDATION | LOCATION | WARD | PARISH |
|----------|----------------|---------------------------------|--|---------------------------|---|
| 1 | P20/13876/F | Approve with Conditions | 1 Cranmoor Green Pilning South Gloucestershire BS35 4QF | Pilning And Severn Beach | Pilning And Severn Beach Parish Council |
| 2 | P20/15214/F | Approved Subject to Section 106 | Land North Of Lodge Road Engine Common Yate South Gloucestershire BS37 7LE | Frampton Cotterell | Iron Acton Parish Council |
| 3 | P21/02595/F | Approve with Conditions | 33 Flaxpits Lane Winterbourne South Gloucestershire BS36 1LA | Winterbourne | Winterbourne Parish Council |
| 4 | P21/02733/F | Approve with Conditions | B And Q Station Road Yate South Gloucestershire BS37 5PQ | Yate North | Yate Town Council |
| 5 | P21/02833/F | Approve with Conditions | Bath Ales Ltd Hare House Southway Drive Warmley South Gloucestershire BS30 5LW | Bitton And Oldland Common | Bitton Parish Council |
| 6 | P21/02982/F | Approve with Conditions | The Taj Brasserie 41 High Street Winterbourne South Gloucestershire BS36 1JG | Winterbourne | Winterbourne Parish Council |
| 7 | P21/03060/F | Approve with Conditions | 112A Apseleys Mead Bradley Stoke South Gloucestershire BS32 0BG | Bradley Stoke North | Bradley Stoke Town Council |

CIRCULATED SCHEDULE NO. 25/21 -25th June 2021

| | | | |
|------------------------------|--|---------------------|---|
| App No.: | P20/13876/F | Applicant: | Mr Craig Aubrey |
| Site: | 1 Cranmoor Green Pilning South Gloucestershire BS35 4QF | Date Reg: | 21st August 2020 |
| Proposal: | Erection of single storey detached garage. | Parish: | Pilning And Severn Beach Parish Council |
| Map Ref: | 355656 185059 | Ward: | Pilning And Severn Beach |
| Application Category: | Householder | Target Date: | 14th October 2020 |



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P20/13876/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

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

1. THE PROPOSAL

- 1.1 The proposal seeks full planning permission for erection of a single-storey, detached garage.
- 1.2 The application site relates to a two-storey, detached house, located at 1 Cranmoor Green, Pilning.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

| | |
|------|---------------------------------------|
| CS1 | High Quality Design |
| CS4a | Sustainable Development |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |
| CS9 | Managing the Environment and Heritage |

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

| | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP2 | Landscape |
| PSP3 | Trees and Woodland |
| PSP8 | Residential Amenity |
| PSP16 | Parking Standards |
| PSP17 | Heritage Assets and the Historic Environment |
| PSP20 | Flood Risk |
| PSP38 | Development within Existing Residential Curtilages |
| PSP43 | Private Amenity Space Standards |

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/1202/F

Demolition of existing conservatory. Erection of a single storey rear/side extension to form additional living accommodation.

Approved: 07 June 2016

- 3.2 PT03/0735/F
Erection of first floor side extension to form bedroom, living room and shower room.

Approved: 28 April 2003.

- 3.3 PT02/2047/PDR
Erection of rear conservatory.

No objection: 30 July 2002.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
Pilning and Severn Beach Parish Council **objects** to this application and recommends refusal. It sounds innocent enough until you realise that it would be under the canopy of an important tree with a Tree Preservation Order.

Also, the proposal puts the garage on the boundary where the council had to insist (with the first owners of the house) that the hedge be reinstated. The Tree Officer will no doubt give a better argument for refusal and yes there may be ash dieback but we don't need excavation and building works to help it on its way.

- 4.2 Other Consultees

Sustainable Transport

No objection.

Lead Local Flood Authority

No objection in principle, subject to informatives.

A Flood Risk Assessment (FRA) has been submitted as part of the application and in principle we are in acceptance of the details that have been provided within it. However please note that finished floor levels are required to be 300mm above ground or no lower than existing, as well as the fact that a garage is required to be floodable by design.

Archaeology Officer

Although the proposed site lies in close proximity to a Romano-British field system identified through excavation in 1995. However the limited nature of the proposed works (single story garage) and likelihood of modern disturbance on the site indicate that archaeological mitigation will not be necessary for this proposal.

Tree Officer

The proposed garage is in close proximity to TPO'd trees. The applicant has submitted a tree report which is recommending a raft foundation, whilst this may be considered it is not possible to fully assess the proposal as there are documents required in order to make the full assessment.

The applicant will be required to submit a Tree constraints plan, a Tree protection Plan (overlaid with the proposal and to scale) and an Arboricultural method statement in accordance with BS:5837:2012.

In June 2021 the Local Planning Authority received an email confirmation from the agent that the Ash tree in question has been removed, as per the previously approved P21/02492/TRE. Subsequently, Tree Officer confirmed that there are no further objections to the proposal on arboricultural grounds.

Other Representations4.3 Local Residents

None received.

5. ANALYSIS OF PROPOSAL5.1 Principle of Development

Policy CS1 'High Quality Design' of South Gloucestershire Core Strategy (adopted December 2013) states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan is supportive in principle of development within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 Design, Visual Amenity and Heritage

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

5.3 The proposed garage would be situated in the North corner of the plot and would measure 3m wide and 6m long. It would incorporate a dual-pitched roof with the overall height of 3.7m (1.8m to the eaves). There would be 1no. window installed on the South (side) elevation. The proposed finishing materials for the garage appear to be visually similar to those of the host dwelling.

5.4 The proposed garage would be in a relatively close proximity to Grade II Listed Cranmoor Villa and Church of St. Peter (at least 64m away). There would be a significant degree of visual separation maintained. As such, it is not considered that the proposed garage would have any detrimental impact on aforementioned heritage assets.

5.5 Overall, it is considered that the proposed alterations would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the Policies, Sites and Places Plan.

5.6 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.

5.7 Given the single-storey nature of the proposal, and also its design and position within the site, it is considered that the residential amenity of neighbouring occupiers would be adequately preserved. Also, the remaining private amenity space for the host dwelling is considered to be adequate.

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

5.9 Transport

The proposal would facilitate a creation of 1no. parking space, and would not compromise the existing access. As such, there are no objections to the development from transportation perspective.

5.10 Trees

At the time when the application was submitted, the neighbouring property had a tree growing close to the proposed siting of the garage, which was covered by Tree Protection Order. In June 2021 the Local Planning Authority received email confirmation from the agent that the tree in question is now removed, as per P21/02492/TRE. As a result, there is no objection to the proposal in regards to Policy PSP3.

5.11 Flood Risk

A Flood Risk Assessment (FRA) has been submitted as part of the application and raised no objection from the Lead Local Flood Authority. The LLFA Officer provided further comments, asking the applicant to note that finished floor levels are required to be 300mm above ground or no lower than existing, as well as the fact that a garage is required to be floodable by design.

5.12 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

BLOCK PLAN

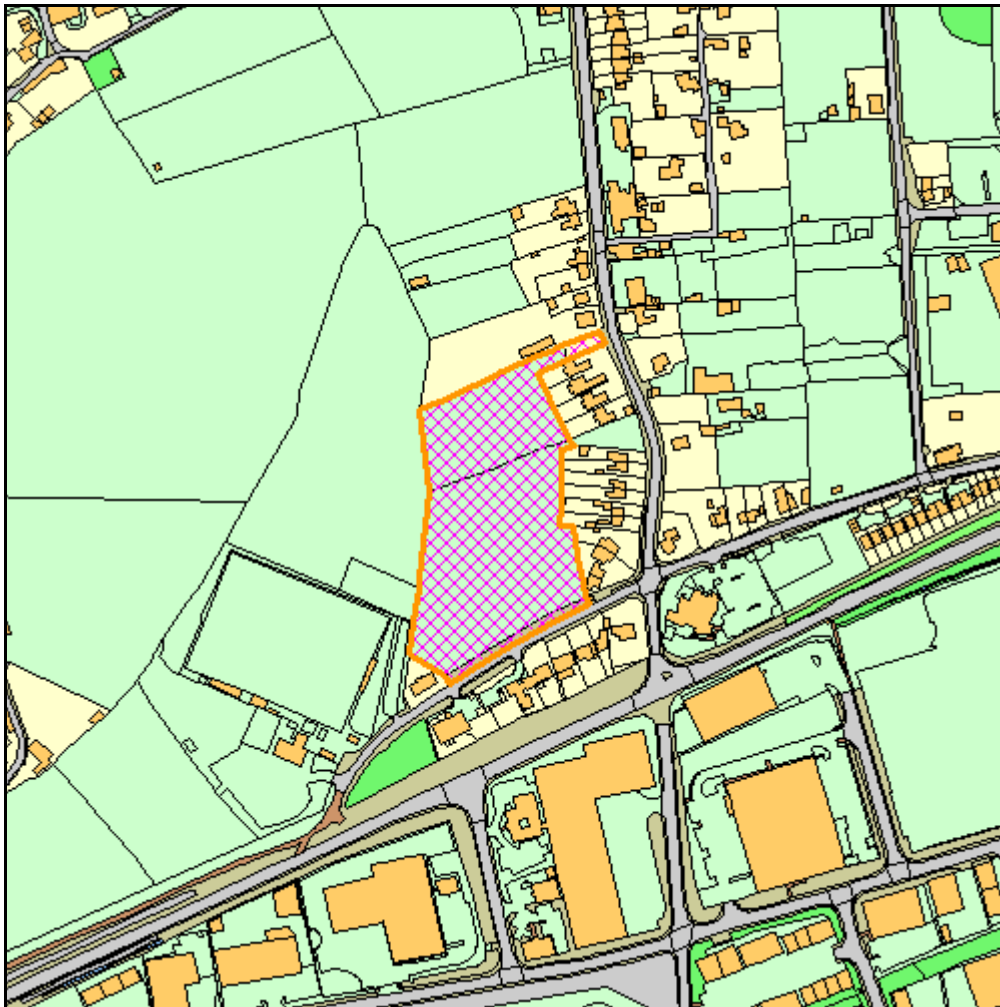
COMBINED PROPOSED PLANS
PROPOSED ROOF PLAN & ELEVATIONS
SITE LOCATION PLAN
Received by the Local Planning Authority on 04 August 2020.

Reason
For the avoidance of doubt.

Case Officer: Mykola Druziakin
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 25/21 -25th June 2021

| | | | |
|----------------------------------|---|-------------------------|------------------------------|
| App No.: | P20/15214/F | Applicant: | Cotswold Homes |
| Site: | Land North Of Lodge Road Engine Common Yate South Gloucestershire BS37 7LE | Date Reg: | 14th September 2020 |
| Proposal: | Erection of 31no. dwellings, creation of new vehicular access onto Lodge Road, parking landscaping and associated works. | Parish: | Iron Acton Parish Council |
| Map Ref: | 369887 183531 | Ward: | Frampton Cotterell |
| Application Category: | Major | Target Date: | 11th December 2020 |



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P20/15214/F

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

INTRODUCTION

This application appears on the circulated schedule because objections have been received as a result of public consultation which are contrary to the officer recommendation. In addition, the proposed development represents a departure from the development plan.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 31 no. dwellings, the creation of a new vehicular access onto Lodge Road, with parking and landscaping and associated works.
- 1.2 The application site comprises 1.7 hectares of land to the north of Lodge Road. The site comprises 2 fields which are divided by a hedgerow and hedgerow trees. Current access to the application fields for agricultural purposes is off of North Road via a metal swing gate. The eastern boundary of the site abuts the rear garden boundaries of existing residential properties fronting North Road; the southern boundary abuts Lodge Road; the western boundary abuts Yate Town Football Club and agricultural land where residential development has been approved (P19/2575/F); a single residential property is located to the southwest of the site and the site abuts the side/rear garden boundary of this property; mature trees and hedgerow are growing on the north, west and southern boundaries of the site. Hedgerows consist of a mix of Hawthorn, Hazel and Bramble; high quality and moderate trees (categories A1 and B2 respectively) are Oak and Maple. There are various Tree Preservation Orders covering individual and groups of trees on the northern and western boundaries of the site. The site is relatively flat at between 69.50aod and 70.20aod.
- 1.3 The site is located to the northwest of Yate just outside the defined settlement boundary – the boundary of which is defined by the rear garden boundary of properties on the western side of North Road. The site is located outside the designated Bristol/Bath Green Belt. No public rights of way cross the site; therefore, the site is not currently accessible to the public. The site is located in Flood Zone 1 (an area where there is the lowest risk of flooding) and is not within a Conservation Area. Bus stops on North Road and the B4509, Yate Football Ground, a pub/restaurant, a primary school and a nursery are located within 400m of the site (5min walk); pubs and a shop, a Chinese takeaway, and the employment area Great Western Business Park are located within 800m of the site (10 min walk); a petrol station and shop, a riding school, Oaklands Business Park and Armstrong Way employment areas are located within 1200m of the site (15min walk); Yate Outdoor Sports Centre, Yate Athletics Club, Beeches Industrial Estate Stover Trading Estate, Brimsham Green Secondary School, and Yate Railway Station are located within 1600m of the site (20min walk). Lodge Road forms a safe route to school and also forms part of the Avon Cycleway.

- 1.4 A new vehicular access is proposed into the site off of Lodge Road. No pedestrian or vehicular access is proposed from North Road. The proposed 31 units comprise a mix of dwellings and apartments of 1, 2, 3 and 4 beds of two storeys in height.
- 1.5 The following changes have been secured to the scheme:
- Reduction in number of units from 34 to 31;
 - Provision of green corridors to the north and west edges of the site;
 - More space and better protection for existing and proposed landscape planting;
 - Change of materials to affordable units so that they are tenure blind;
 - Second access to Lodge Road has been removed and the hedge reinstated to retain the green feel of Lodge Road;
 - The internal streets have been de-engineered to provide a more low-key character;
 - Pedestrian link has been provided to the scheme to the west;
 - Visitor parking is now included within the layout;
 - A revised flood risk assessment and drainage strategy has been provided which does not propose infiltration as a means of dealing with surface water runoff.
- 1.6 The following documents have been submitted in support of the scheme: Agricultural Land Classification Report; Arboricultural Report; Design and Access Statement; Ecology Appraisal; Energy and Sustainability Statement; Flood Risk and Drainage Strategy; Geophysical Survey; Heritage Assessment; Landscape and Visual Impact Assessment; Phase 1 Desk Survey; Planning Statement; Statement of Community Involvement; Transport Statement; Affordable Housing Statement.

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework Feb 2019
 The National Planning Practice Guidance
 National Design Guide 2019

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
 CS6 Infrastructure and Developer Contributions
 CS8 Improving Accessibility
 CS9 Managing the Environment and Heritage
 CS10 Minerals
 CS15 Distribution of Housing
 CS16 Housing Density
 CS17 Housing Diversity
 CS18 Affordable Housing

CS23 Community Infrastructure and Cultural Activity
 CS24 Green Infrastructure Sport and Recreation Standards
 CS30 Yate and Chipping Sodbury
 CS34 Rural Areas

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

PSP1 Local Distinctiveness
 PSP2 Landscape
 PSP3 Trees and Woodland
 PSP6 Onsite Renewable and Low Carbon Energy
 PSP7 Development in the Green Belt
 PSP8 Residential Amenity
 PSP9 Health Impact Assessments
 PSP10 Active Travel Routes
 PSP11 Transport Impact Management
 PSP16 Parking Standards
 PSP17 Heritage Assets and the Historic Environment
 PSP19 Wider Biodiversity
 PSP20 Flood Risk, Surface Water and Watercourse Management
 PSP21 Environmental Pollution and Impacts
 PSP24 Mineral Safeguarding Areas
 PSP37 Internal Space and Accessibility Standards for Affordable Dwellings
 PSP40 Residential Development in the Countryside
 PSP42 Self Build and Custom Housebuilding
 PSP43 Private Amenity Space Standards
 PSP44 Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD
 Revised Landscape Character Assessment SPD
 Residential Parking Standards SPD
 Waste Collection: Guidance for New Developments SPD
 Affordable Housing and Extra Care SPD

3. RELEVANT PLANNING HISTORY

- 3.1 There are several historic planning applications relating to the application site which are not considered to be relevant to the proposal given that they are over 30 years old.
- 3.2 **The following application relates to land to the west of the application site:** P19/2575/F, Erection of 118 dwellings, public open space, drainage, landscaping and ancillary works. (Full Planning). Members have resolved to grant planning permission subject to the applicant entering into a S106 legal agreement to secure heads of terms. A S106 agreement is currently being processed by solicitors.
- 3.3 **The following application relates to land to the west of the application site:** PK12/1751/F, Mixed use development across 14.9 hectares of land comprising 210 new dwellings, 1329sq m of office floorspace (Use Class B1),

1914sq m of employment floorspace for light industrial use (Use Class B1c) and/or warehouse and distribution (Use class B8), new clubhouse and carpark at Yate Town Football Club with provision of associated parking, infrastructure and landscaping. An appeal was dismissed by a Planning Inspector on 8th April 2013 following a refusal of the application by the Local Planning Authority.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection

Object to the principle of the development as the site is a green field outside the settlement boundary;

It is premature to release this land ahead of the development plan;

Impacts of traffic on the Lodge Road/North Road junction;

The proposed layout is cramped and properties are poorly located in relation to existing dwellings and the football ground;

The first plot would adversely affect 4 and 6 Lodge Road and plots 6 and 7 are very close to existing dwellings;

Risks of complaints of light and noise pollution from residents of new houses when football pitches are in use;

Endorse objection made by Tristan Clarke.

Iron Acton Parish Council

Objection

Will cause too much traffic on Lodge Road – a narrow road used for local parking;

A day nursery is located opposite the application site and Lodge Road is used by parents picking children up;

There are two homes for people with learning disabilities and the staff park on Lodge Road;

Lodge Road is used by cyclists with young children, horse riders, joggers and the local primary school who use the football club every week for parking;

Already heavy traffic including HGVs on Lodge Road/Broad Lane junction due to the location of the SG depot on Broad Lane;

Area is known for a lack of drainage;

Houses would be next door to planned floodlights and speakers causing noise disturbance;

Plans remove the hedgerows along Lodge Road and pave over a water ditch;

The site is outside the settlement boundary;

There are no local amenities such as shops;

The local school is oversubscribed;

The 2 buses that serve north road will be cut;

4.2 Affordable Housing Officer

Enabling have no further comment to make and accept the latest proposal.

4.3 Listed Building Officer

No objection

4.4 Urban Design Officer

Amendments have been made in accordance with the comments above. Window reveal depths should be specified and a hard surfaces plan should be provided. I would expect for example the courtyard serving plots 26-31, parking bays to front of plots 15-19, visitor bays and the private driveways adjacent the POS as a minimum to be in a block. A tegula or keyblok vintage in a burnt ochre or bracken should be used. Subject to providing these last pieces of information being provided either now or by condition, I would have no further objection.

4.5 Climate Change Officer

The applicant has amended the calculation of the reduction in residual emissions as requested and the scheme meets PSP6.

However, the point about specifying heat pumps as an alternative to gas boilers has not been addressed. Given the anticipated phase-out of gas heating I think it is reasonable to ask for this to be considered and a response provided.

4.6 Transportation DC Officer

There is no highway objection subject to the applicant first entering into a s106 legal agreement to secure the followings,

- Construct new access plus 2m wide footway along the northern side of Lodge Road together with all associated works as shown in principal on the "PROPOSED SITE ACCESS ARRANGEMENT" plan (i.e. drwg no. 1007- 004 rev B) -this plan is attached to the revised transport statement.
- Construct 2 sets of dropped kerbs in order to provide suitable crossing points at a) Lodge Road junction and b) on North Road. Alternatively, the applicant is to make financial contribution of £8,000 towards provision of two sets of dropped kerbs and tactile paving at crossing points identified.

In addition to the above requirement; if the council is minded to approve this application then, the following planning conditions are also recommended:

- Prior to occupation of the dwellings, provide off street parking in accordance with the submitted and approved plan and subsequently maintain these s satisfactory thereafter.
- Prior to occupation of residential units, provide Electrical Charging Point for each and every residential unit and subsequently maintain these satisfactory thereafter.

4.7 POS Officer

POS categories plan now provided. Informal Recreational Open Space and Natural and Semi-natural Green Space are spatially policy compliant. The area proposed as Provision for Children and Young People will be counted as Informal Recreational Open Space. The area containing the surface water infrastructure will also be included in the S106 POS schedule. Detailed design to be dealt with by way of condition as detailed plans have not been provided.

Off-site contributions are due towards Provision for Children and Young People, Outdoor Sports Facilities and Allotments.

- 4.8 Designing Out Crime Officer
No objection or comments
- 4.9 Drainage Officer
No objections subject to conditions.
- 4.10 Public Art Officer
Condition required for a public art programme.
- 4.11 Archaeological Officer
My recommendation is that any permission granted on the site should be subject to a condition for a programme of archaeological work for all ground works.
- 4.12 Tree Officer
No objections subject to a condition for an Arboricultural watching brief for the hand dig within the RPA.
- 4.13 Highway Structures Officer
No comment
- 4.14 Environmental Protection Consultant (Land Contamination)
Given the above and the findings of the desk study, WRS advise that conditions are placed on any permission granted for the development, the conditions proposed relate to unexpected contamination, example wording for this condition is included below.

CONDITION - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

- 4.15 Environmental Protection Officer (Noise)
No objection
- 4.16 Landscape Officer
The site has now had changes to the layout which secures the western and northern boundary vegetation within a wider open space which links with that on the adjoining development site to secure a continuous wildlife and landscape feature. The recent and ongoing impact of ash die back will increase

the visibility of the development but space has now been secured for some compensatory tree planting.

The development will be prominent from Lodge Road where the relative proximity of the development will mean that it overlooks the road. The retention of the roadside hedgerow and new tree planting will go some way to maintaining some of the current character of the road by comparison with the previous scheme proposal.

The key landscape elements requested have now been achieved within the revised proposals.

4.17 Ecological Officer

I can confirm that Revised Landscape Masterplan 12 Mar 2021 MAS-980-01 A has addressed the key ecology issues. There was a need for a robust, continuous and dark wildlife corridor along the western and northern boundaries. This has now been achieved within the revised proposals.

4.18 Coal Authority

The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

4.19 Waste Officer

No comments from waste.

4.20 Avon Fire and Rescue

Fire hydrants are required to be provided in the site and a contribution is required for their upkeep.

Other Representations

4.3 Local Residents

30 consultation responses have been received from members of the public that object to the development proposed. The responses received can be viewed in full on the Council's Planning Website. The following is a summary of the reasons given for objecting:

Drainage

- Lack of thought given to drainage issues in the area including the site;
- The water table is very high and flat ground and underlying ground makes for pooling of surface water;
- Existing culverts and ditches to west of the site are already undersized and wouldn't be suitable to take water from new paved and tarmac areas;
- Area is already struggling with flash flooding with heavy rainfall levels;

- Drainage strategy of infiltration is unsuitable to deal with surface water run off;
- Concerns regarding the accuracy of the technical drainage report submitted by the developer;
- The drainage trial pits should be dug after prolonged rainfall;
- Who would be responsible for the maintenance of the swale in SW corner;
- Site liable to flood;
- Drainage issues will be caused by building over the soakaway ditch along Lodge Road;
- Pre-existing drainage issues will be exacerbated.
- Will increase flooding and impact of value of existing properties
- How will sewage be dealt with;
- Does the drainage design take into account the Redrow development to the west;

Transportation Issues

- Object to the use of the private driveway as a pedestrian access from North Road to the northeast corner of the application site as there is no precedent for a public footpath;
- The same footpath would cause highway safety issues as the shared driveway is used by more than 15 residents cars as well as delivery vehicles etc.;
- There is not enough space to accommodate a footpath and for vehicles to manoeuvre safely in the private drive serving properties off North Road;
- Conditions should cover road cleaning, working hours and should be enforced to reduce the impact on residents;
- Local transport should be improved before development goes ahead;
- Lodge Road is part of popular Avon Valley Cycle Path;
- Extra traffic will be a danger to horse rider and cyclists on local roads;
- Lodge Road is used for recreational purposes and people tend to walk/run/cycle in the road;
- Vulnerable people using the pavement;
- Lodge Road is narrow with only one pavement on one side and is dangerous for pedestrians now;
- YTFC spectators park on Lodge Road causing existing traffic issues;
- Traffic survey was probably carried out on a weekend and not on a match day;
- Lack of any local shops;
- The only way to get to Yate is by car;
- North Road is a much used through route from Yate, M5, Gloucester and is heavily congested;
- It is already difficult to exit lodge road due to traffic;
- The bus company has cut back the service on North Road to one and only runs from yate to Cribbs Causeway at off-peak times;
- The bus service for Bristol that runs along Goose Green Way has also been cut to a two hourly service;

- Access link path to North Road in NE corner could lead to increased traffic here and repurpose of this gateway for vehicular access in future;
- If permission should only be granted if the transport access is from the recently completed development to the west;
- How would emergency services access the care home on Lodge Road;
- Proposed Copenhagen crossing could be confusing for users;
- Would double yellow lines be provided;
- Lodge is used by teacher and parents to escort school children (the walking bus);

Ecology

- Increased illumination at night could impact on bats;
- Area known for a good population of Dabenton, brown long eared and pipistrelle bats;
- The development would impact on birds;
- Impact on wildlife;
- Impact on deer;

Residential Amenity

- A footpath between North Road and the northeast corner of the application site would harm the privacy of the rear garden of the adjacent property;
- A footpath between North Road and the northeast corner of the application site would create a source of anti-social behaviour and litter outside the adjacent residential property;
- The same footpath would also create a security issue;
- Houses on the eastern edge of the site would have an overbearing impact on existing properties fronting North Road;
- Houses on the eastern edge of the site would also adversely affect the outlook of existing properties fronting North Road;
- Houses on the eastern edge of the site would adversely affect the privacy of existing properties fronting North Road as they would overlook their gardens;
- Houses on the eastern edge of the site would have an unacceptable impact in terms of loss of daylight and sunlight on existing properties fronting North Road;
- Houses on the eastern edge of the site would also cause unacceptable loss of noise and disturbance on existing properties fronting North Road;
- Plot 6 and plot 7 should be removed;
- Construction impacts will adversely harm occupiers of the care home;
- Occupiers of the homes proposed at the southwest would be adversely affected by Yate Town Football Club (i.e. lights, noise, parking);
- No access for any maintenance to the boundary wall to the west of our property;

- POS area will become an unsupervised unlit area prone to crime and anti-social behaviour and litter;
- Loss of green space is harmful to mental health to residents;

Design/Visual Amenity

- Uses green belt land;
- Adverse impact on the community of Engine Common;
- The proposed estate would not be in-keeping with Engine Common;
- Concerns regarding who would maintain developer areas such as ditches and hedges;
- Would start a precedent for further development and could lead to north Yate, Iron Acton and Engine Common joining up
- The unique character of Engine Common would be destroyed;
- The properties are non-linear and out of character with Engine Common;
- There have been a number of applications for development in the local area;
- Building in the open countryside is contrary to policy;
- Cumulative impact of the development along with other developments detrimental to character of area;

- **Other**
- Lack of consultation;
- Local North Road Primary School is full;
- The Council already has a 5 year land supply so development is not needed;
- There are discrepancies between the plans

Councillor Tristan Clark

Objection for the following reasons:

- Amending and redefining settlement boundaries should be done through the new LP process;
- Application is contrary to the locational strategies in the Sg Core Strategy and is contrary to the NPPF;
- The site is located outside the settlement boundary and would have a harmful effect on the character and amenities of the countryside;
- South Gloucestershire Council can demonstrate that it has a 5 year land supply;
- Lodge Road is narrow with existing parking issues and the proposal will create road safety issues;
- North Road is already congested at peak times;
- Loss of green space used by people of recreation;
- Impact on the residential amenity of adjacent residential properties through noise and overlooking;

Andrew Beard Planning on Behalf of 197 North Road

Objection for the following reasons:

- Proposal contrary to the development plan;
- Should be a straightforward refusal in line with section 38(6);
- There are no other material considerations in support of the scheme;
- The Council has a 5 year land supply of 5.36 years;

- The settlement boundary policy is therefore, up to date;
- Housing should be delivered through the LP and not speculative applications;
- There will be an adverse effect on the character of Engine Common;
- LP should assess the suitability for growth in Engine Common;
- If the application is approved Engine common will have lost its character and separate identity to Yate;
- Proposal would subsume Engine Common into a Yate suburb;
- Concerns regarding congestion from traffic generation;
- The Lodge Road junction is inadequate to deal with additional traffic;
- Issues regarding drainage;
- This the approval of the Redrow application this land is even more important now to buffer and protect the character of Engine Common;
- Recent approvals have made the Council's 5 year land supply position even more robust;

3 consultation responses have been received from members of the public that support the development proposed. The responses received can be viewed in full on the Council's Planning Website. The following is a summary of the reasons given for supporting:

- Area is lovely part of yate
- New houses do not come up in area very often
- Small development
- Will various house sizes will suit different budgets/people
- Children will be able to walk to school on North Road
- As a renter in the area I would welcome an opportunity to buy a house in the area;
- Affordable housing, which is provided for in the development, is needed around Yate;
- Employment opportunities on trading estate and shopping centre can be reached by walking, cycling or bus;
- The area is well serviced by a bus route on the by-pass;
- There are shops and many other facilities in Station Road which are walkable in about 20 minutes;
- Existing bus stops on North Road are not well used and this may be why some of the services are not as regular as ideal – they are under used by locals;
- Local pub/restaurant and football ground may benefit from more customers;
- It is a small development and wont impact on walking and cycling;
- There is a cycle path to Brimsham Green where there are further facilities;
- Small development and lots of greenery proposed;

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

- 5.2 The South Gloucestershire development plan comprises the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and the South Gloucestershire Policies Sites and Places Plan (adopted) November 2017.
- 5.3 The site is located outside the defined settlement boundary of Yate and is therefore, within open countryside. The settlement boundary is defined by the rear garden boundaries of existing residential properties on North Road.
- 5.4 Policy CS5 of the Core Strategy sets out the Council's strategy for development with a hierarchy of preferred locations for development. It states that most new development will take place within the communities of the North and East Fringes of Bristol. At Yate, the policy states that "*new development will be of a scale appropriate to achieve greater self-containment and to improve the separate but inter-related roles and functions of the towns, focusing on investment in the town centres and improving the range and type of jobs*". The policy states that in the open countryside, new development will be strictly controlled. Policy CS34 of the Core Strategy seeks to protect, conserve and enhance the character of rural areas for reasons relating to beauty, wildlife, landscape, biodiversity and heritage. It states that the settlement boundaries defined on the Policies Map will be maintained around rural settlements until they are reviewed either through Neighbourhood Plans, the Policies Sites and Places DPD or a replacement Local Plan. No review of settlement boundaries was undertaken in the Policies Sites and Places DPD; there is no Neighbourhood Plan for Yate; therefore, a review of the settlement boundaries is next likely to take place in the new South Gloucestershire Local Plan, which will replace the Core Strategy and Policies Sites and Places Plan.
- 5.5 The proposal is therefore, contrary to policies CS5 and CS34 in the development plan.
- 5.6 The Council's Authority's Monitoring Report (AMR) 2020, delayed due to the Covid-19 pandemic, has now been published and incorporates the housing trajectory previously published in the 5 Year Housing Land Supply AMR Early Extract. However, the figure of 5.28 years in the 2020 AMR has subsequently been revised to 5.52 years within an update following the Office for National Statistics (ONS) publishing technical updates to data that underpins the standard method calculation. This resulted in the Local Housing Need figure changing from 1412 dwellings per annum to 1353 dwellings per annum. The updated five year land supply figure is based on the Council's total identified deliverable supply of 7836 dwellings against the local housing need figure of 1353 along with a 5% buffer (67.6). Based on this approach, the Council can demonstrate 5.52 years' worth of deliverable housing supply against its local housing need. Accordingly, the most important policies for determining the application, including policies CS5 and CS34 are not deemed to be out of date through the application of footnote 7 of the NPPF.
- 5.7 However, as the Council's Core Strategy is more than five years old and predates the latest versions of the NPPF it is important to consider how much weight should be afforded to the policies having regard to their consistency with

the NPPF and any other material considerations. An important material consideration in addition to whether the Council is able to demonstrate a five-year land supply is the extent of any surplus supply of land. In the appeal decision dated May 2019 for development on land South of Gloucester Road, Thornbury the Inspector considered the Council's 5-year land supply surplus to be marginal. Another material consideration is the Government's clear objective set out in the NPPF to significantly boost the supply of housing.

5.8 JSP and Prematurity

The Yate SDL originally promoted within the JSP consisted of two broad locations to the north and west of Yate to deliver a new residential neighbourhood. In July 2019, examination hearings on the Joint Spatial Plan were held, chaired by two Planning Inspectors appointed by the Secretary of State. Following these hearing sessions, the Inspectors concluded there were fundamental concerns about the soundness of the plan, and they indicated that withdrawal of the plan from examination was likely to be the most appropriate option. The Inspector did not reach the view that any of the individual SDL locations could not in principle form a sound part of a plan for the West of England or any of the individual local authority areas. It was the selection process and strategy that was the main issue that the Inspector had. On 7th April 2020 the four councils wrote to the Inspectors to confirm the withdrawal of the Joint Spatial Plan from examination. Accordingly, no weight can be given to the JSP.

- 5.9 Paragraphs 48-50 of the NPPF explain the limited circumstances in which it may be justified to refuse an application on the basis that it is premature. The NPPF sets out strict rules as to when arguments regarding prematurity will be justified. In this instance, the most relevant issue is that a draft emerging plan needs to be at an advanced stage; therefore, any objection on the basis of prematurity when a plan has not been submitted for examination would seldom be justified. The emerging Spatial Development Strategy and the Council's Replacement Local Plan are still at early consultation stages and have not been submitted for examination; this is likely to be in 2022/2023 and therefore, no weight can be given to either emerging plan. Accordingly, there is no officer objection to the proposal on grounds of prematurity.

5.10 Impact on Agricultural Land

Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted December 2013) states that:

"The natural and historic environment is a finite and irreplaceable resource. In order to protect and manage South Gloucestershire's environment and its resources in a sustainable way, new development will be expected to: maximise opportunities for local food cultivation by (a) avoiding the best and most versatile agricultural land and; (b) safeguarding allotment sites". Policy 34 of the Core Strategy similarly seeks to protect best and most versatile agricultural land and opportunities for local food production and cultivation.

- 5.11 An Agricultural Considerations report has been submitted in support of the proposal. This report assesses the soils that make up the application site and concludes that the site consists entirely of grade 4 poor quality agricultural land. National and local plan policy seeks the use of poorer quality land in preference

of best and most versatile agricultural land. Given that the site consists of poor quality agricultural land, it will avoid use of best and most versatile agricultural land; therefore, the proposal is considered to be in accordance with policy CS9 and CS34 of the Core Strategy.

5.12 Mineral Working

The application site is located on land that is safeguarded for mineral extraction under policy PSP24 of the Policies Sites and Places DPD. The policy states that within these defined areas proposals for non-mineral development will be acceptable where it is satisfactorily demonstrated that it is not practical or environmentally acceptable to extract the mineral resource prior to the proposed development. In this instance, it is considered that mineral extraction is very unlikely to be appropriate in the immediate area given the small scale of the site and the proximity to existing residential properties. Accordingly, there is no objection to the proposal in relation to policy PSP24.

5.13 Urban Design

Policy CS1 High Quality Design outlined within the South Gloucestershire Local Plan Core Strategy (2013) states that development will only be permitted where the highest possible standards of design and site planning are achieved. Policy PSP1 of the Policies, Sites and Places DPD states that proposals will be acceptable where they respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area and locality.

5.14 Impact on the Character and Identify of Engine Common

Comments made by the Planning Inspector for a public inquiry in 2012 relating to a large area of land to the north and west of the application site are pertinent to the proposed development. The Inspector stated that:

5.15 *“Engine Common has its own separate identity with a distinctive pattern of small rectangular fields, some of which extend up to North Road. The unspoilt open qualities of the fields which comprise the majority of the appeal site form part of the attractive setting to the village and are an integral part of its identity.”*

5.16 Planning application P19/2575/F for residential development to the immediate west of the application site has recently received a resolution for approval from Members at Committee. That application comprised a green edge to its north and western boundaries to provide a softer edge to the development, to ensure separation between the large scale development and Engine Common and to reduce the impact on the character and setting of the village. Officers consider that the application site must therefore, protect and re-enforce this Green Infrastructure by providing a green corridor along the western boundary.

5.17 The proposed plans originally did not include a green buffer to the north and western edges; however, the plans have been amended to incorporate a green corridor along the western and northern boundaries of the site. It is considered that in conjunction with the neighbouring development to the west, the proposed green corridors will form a robust buffer which will serve to protect the existing trees and hedgerow on the boundary, provide space for supplementary

- landscape planting and provide a gap between Engine Common and the large scale development to the west.
- 5.18 The southern edge of the application site abuts Lodge Road, which has a green and verdant character by virtue of existing properties being set back from the street behind landscape frontages, and the hedgerow and green verge on the southern boundary of the application site. On the original plans submitted, a secondary vehicular access through the southern boundary was proposed, as well as a 2 metre wide path in lieu of the existing green verge. It was considered that the loss of the green verge and hedgerow to form a secondary vehicular access would have had a detrimental effect on the existing character of Lodge Road; therefore, revised plans submitted have removed the secondary vehicular access so that the majority of the existing southern hedgerow and grass verge is retained and will be supplemented and strengthened by additional tree planting. Proposed residential units along the southern edge of the site have been moved further back so that there is more room between the units and the hedgerow. Accordingly, the existing hedgerow, along with additional planting to the southern boundary, will help screen and soften views of the development from Lodge Road.
- 5.19 There will be limited views of the application site from the heart of the village of Engine Common. The application site is set back behind existing residential properties that front onto North Road. There is no vehicular or pedestrian access proposed from the application site to North Road. Whilst there may be glimpses of the development from between dwellings on North Road, hedge and tree planting along the eastern boundary of the application site will help to soften and break up any views into the site, and given the traditional forms and materials proposed for the dwellings as well as the maximum height of two storeys it is not considered that the proposed development would have a significant adverse effect on the character and identity of Engine Common.
- 5.20 **Internal Layout**
The density proposed of 20DPH allows for a relatively efficient layout and land use but also for an adequate response to the site constraints to be achieved. The internal road layout has been de-engineered to a shared surface design to provide a narrower and more low-key street. This has provided opportunities for visitor parking, as well as build outs of green verge to be incorporated into the street design, which will aid from a visual amenity and traffic calming perspective. No details of hard surface materials has been provided at this point and a condition is therefore, attached to address this matter. Alternative materials to tarmac will be sought to provide a permeable and visually softer surface, and to help break up the extent of tarmac. A pedestrian link from the application site to the Redrow site to the west has been shown on the plans. This will allow access to facilities within the Redrow application site and will provide a more convenient walking route for some occupiers of the Redrow scheme to North Road through the application site. The pedestrian connection extends adjacent to existing trees and hedgerow, which will provide a high level of visual amenity; and amendments made to the layout will ensure that the pedestrian connection will benefit from natural surveillance from the front of plot 11 and will have an open and pleasant feel.

5.21 Architecture/Appearance

The residential units proposed are a maximum of 2 storeys in height, which is in keeping with the height of the majority of the surrounding properties in the locality. The proposed dwellings comprise simple traditional forms with projecting gables, porch canopies and prominent chimneys. The materials proposed are high quality and reflect those of the local vernacular. They consist of natural pennant stonework for the majority of properties, along with rough cast chalk coloured render and Wienerberger Autumn Russet Sovereign Stock Brickwork in red for garages. Roofing materials are proposed as Wienerberger Sandtoft Arcadia Clay Pantiles in Natural Weathered Red Clay colour, and Forticrete Gemini Double Cambered Concrete Plain Tile in Slate Grey. A condition is attached requiring samples of the materials to be agreed with the Local Planning Authority. The agent has confirmed that it is not feasible to achieve a window reveal depth of 100mm as requested by the Urban Design Officer. The window reveal depths will instead be a minimum of 70 mm, which is considered to be acceptable and a condition is attached on this basis. Window colours are proposed to be a mix of white, cream, grey and light green. Front doors and garage doors are proposed as Bay Tree Green colour. The appearance and architecture of the proposed dwellings is therefore, considered to be high quality and in keeping with the character of the area.

5.22 Landscaping

Policy CS1 requires high quality design which takes account of landscape character. Policy CS2 Green Infrastructure requires existing and new green infrastructure to conserve and enhance landscape character, historical, natural, built and cultural heritage assets. CS9 requires the conservation and enhancement of landscape character, quality, distinctiveness and amenity of the landscape. Policy CS34 also has a requirement to protect, conserve and enhance the rural areas' distinctive character, beauty, wildlife, landscape biodiversity and heritage. Policy PSP 2 requires new development to demonstrate how landscape protection and enhancement, landscape design and landscape management will be achieved.

5.23 Landscape Character of the area

Engine Common has a distinctive character based around a low density, linear pattern. The strongly regular and rectangular field pattern of Engine Common is defined by a robust network of hedges and hedgerow trees. The site is composed of two small fields and is level and relatively low lying, forming part of the Yate Vale landscape character area, as defined by the South Gloucestershire Landscape Character Assessment SPD (revised Nov 2014). This is an area of gently sloping, largely agricultural land between the higher ground of the Marle Hills to the west and the Wickwar Ridge to the east.

5.24 Whilst the urban area of Yate lies to the south east of the area, the urban edges have not been particularly visible from within the wider landscape. The role of hedges, hedgerow trees and woodland in screening the existing settlement and providing "a perception of tranquillity and relatively remote character, found particularly to the north of Yate, and around Engine Common and Rangeworthy" is identified in the Character Assessment.

The site displays some of the key characteristics of the Yate Vale with tall, overgrown hedgerows and mature hedgerow trees creating a more enclosed landscape. Pennant stone walls are also a key characteristic of the landscape.

5.25 Landscape Aspects of the site

In views from the west, the site is largely screened by the boundary hedge and trees in combination with the dense screening of a cypress hedge around the football club. This screen planting intercepts views from Iron Acton Way, Dyers Lane and the public footpath between to two. From the north west around Dyers Lane/ Mission Road only glimpsed views of the site are possible due to the existing field boundary hedges. The site is partially seen from between the houses along North Road where the boundary trees form the backdrop to these views. The site is now open to views from Lodge Road due to the cutting back of the boundary hedge which previously enclosed the site. The general character of the site is enclosed and rural, the mature trees being the dominant feature. To the west of the site, the football club has flood lights, a telecoms mast, pavilion and car parking in addition to the pitch area. The high cypress hedge encloses the northern and eastern boundaries of the pitch and forms a dominant visual element locally. There are separate proposals by the football club to replace the flood lighting with more modern equipment and remove the cypress hedge and replace with walling and fencing. This would increase the visibility of the application site.

5.26 Impact of the development

The development proposal would result in a permanent change in the landscape character of the site from agricultural fields to suburban residential development of gardens, driveways, car parking and roads. However, the development proposals show the retention of the majority of the on-site trees. In the original plans submitted many of the proposed dwellings were located close to the mature boundary hedges such that there could have been potential issues around root damage during construction and during occupancy. In addition, the proximity of the proposed development to trees and hedgerow meant that there was little room for any additional planting to be undertaken to enhance the quality and robustness of the landscaping and would preclude the successful replacement of ash trees along the western boundary.

5.27 In response, the revised plans have reduced number of proposed units and amended the layout such that there would be adequate protection and retention of the northern and western site boundary hedges and trees by provision of a continuous open space corridor to these areas. New structural trees, native shrubs and wildflower grassland are now proposed to reinforce the western boundary. Access has been provided to the adjoining development site to the west to increase connectivity and permeability.

5.28 There has been further improvements around the street layout, which has been changed to a shared surface design, which provides more of a low key character. The change to a single point of access to the site has allowed the preservation of more of the hedgerow and green verge which contribute to the character of Lodge Road. The hedge is now proposed to be repaired and supplemented with tree planting and the development has been set back from the hedge line to prevent damage.

5.29 Planting design

The species mixes indicated on the landscape masterplan are considered to be acceptable. Although tree sizes of 10-12 cm girth are proposed, the applicant will be encouraged to provide larger trees, as they would be more resilient to vandalism and offer greater impact in the early stages of a development. A condition to ensure that a detailed planting plan and landscape and ecological management plan is submitted and agreed with the Council is attached.

5.30 Landscape Conclusion

The proposal incorporates amendments to the layout which secures the western and northern boundary vegetation within open space corridors which links with corridors, which form part of the adjoining development site to the west (P19/2575/F) to secure a continuous wildlife and landscape feature. The recent and ongoing impact of ash die back will increase the visibility of the development but sufficient space has been secured for compensatory tree planting as shown indicatively on the revised landscape masterplan submitted. The development will be prominent from Lodge Road where the relative proximity of the development will mean that it overlooks the road. The retention of the roadside hedgerow and new tree planting will help to maintain the current character of the road by comparison with the previous scheme proposal. The key landscape elements requested have now been achieved within the revised proposals. Accordingly, it is not considered that there would be significant harm in terms of landscape impact and the proposal is in accordance with policies CS1, CS9 and PSP2.

5.31 Crime Prevention/Security

The main issue in relation to crime prevention and security related to the design of a pedestrian link between the application site and the development to the west. On the initial plans showing the link, the footpath would have been had poor levels of surveillance and amenity due to the proximity of a garage to the front of plot 11 which extended close to the footpath. The revised layout, which relocates the garage away from the footpath and to the side of plot 11 is a significant improvement, which allows for overlooking of the footpath from plot 11 and will provide a more open and pleasant feel. Concerns raised by members of the public regarding security and anti-social behaviour associated with proposed areas of POS are noted. Dwellings have been positioned and orientated to provide as much overlooking and surveillance of the public open space as possible; therefore, it is not considered that use of the POS will lead to any significant issues in terms of crime and security. It is important that the open space areas are adequately managed and maintained; therefore a head of term has been included to ensure that arrangements are made for the management and maintenance of all public open space areas at the site in perpetuity. The Crime Prevention Design Advisor has raised no objections to the proposal. Given the above, the proposal is considered to be acceptable in respect of crime prevention and security.

5.32 Energy Conservation

An Energy Statement has been submitted in support of the development, which sets out that low U values will be achieved to reduce heat loss and energy demand within the development. This approach to reducing energy demand

through improvements in fabric efficiency is supported by the Council's Climate Change Officer. With a solar photovoltaic (PV) system proposed for units proposed, a reduction in CO2 emissions of greater than 20% would be achieved, which accords with policy PSP6. Across the whole site, there would be an average CO2 emission reduction of 27.14%. The dwellings on site have the necessary wiring installed to enable the installation of battery storage to store excess energy generated from solar PV, and a condition is attached for car charging points to be provided.

5.33 Whilst recognising that the specification of gas boilers to provide space heating and hot water complies with adopted policies; the Council's Climate Change Officer encouraged the specification of renewable heating such as air source heat pumps in lieu of gas boilers. The applicant has responded that whilst they do not need to provide air source heat pumps to meet the Council's current policy on energy efficiency, and that they are already meeting and exceeding that policy requirement on the basis of the energy efficiency of the buildings along with PV, they recognise the Council's ambition with regards to energy efficiency. In anticipation of future policy with regards to this, the developer is currently researching the practicalities of including air source heat pumps for all units to ensure that they have no implications for homeowners and work efficiently so that they can be successfully delivered on schemes in the future.

5.34 Urban Design Conclusion

The proposal would change undeveloped agricultural land to residential. Therefore, there would be residential encroachment into the countryside. However, it is not considered that any resulting harm would be to a significant level. The site is not covered by any statutory landscape designation, it is poor quality agricultural land and the site can be developed whilst retaining the majority of the tree and hedge framework intact and with minimal loss. There would be limited impacts of the development on the character of the village; and impacts would be greatest on Lodge Road. However, improvements have been made to the layout of the development so that there is less of an impact on the green character of Lodge Road. High quality materials and traditional forms to reflect the local vernacular would also help to adequately integrate the development into the area. A robust green buffer would be provided in conjunction with the neighbouring development to the west. Accordingly, it is not considered that there would be significant harm in terms of landscape impact and visual amenity and the proposal is in accordance with policies CS1, CS9 and PSP2.

5.35 Ecology

An Ecological Appraisal Report has been submitted in support of the application. The Appraisal Report consists of a desk study, habitat survey and survey of fauna.

5.36 Hedges

The report highlights that the existing hedges at the site are poorly managed and therefore, there is scope for enhancement through improved management and through supplementary native planting to encourage wildlife. Where new trees or shrubs are to be planted, native tree and shrub species should be used as these are most beneficial to invertebrates and produce seeds, nuts and

berries that are food for native mammals and birds. A condition requiring a Landscape Ecological Management Plan to be submitted to set out management regimes and planting to encourage biodiversity enhancement is attached.

5.37 Bats

All UK bat species are afforded full protection under the Habitats Regulations 2017 and Wildlife and Countryside Act 1981. The ecology report states that fifteen trees at the site were found to have potential roosting features for bats. These trees are to be retained within public open space and will not be harmed by the development. No other trees on site were found to have potential roosting features for bats. Precautionary method statement for carrying out any tree works required are set out in the ecology report in the event that bats are discovered and a condition is attached to ensure that all works are carried out in accordance with the method statement. The report highlights that the site provides potential habitat for bat foraging and commuting along the hedgerows and trees. The existing trees and hedgerow at the site will be retained within the proposed scheme within ecological corridors. Additional tree planting is proposed within the corridors which will provide additional habitat and foraging opportunities for bats. Provided that a suitable lighting strategy is implemented to ensure that the corridors to the west and north of the site are kept sufficiently dark, the report highlights that the development is unlikely to have a significant impact on bats. A condition is attached for a lighting strategy to be agreed accordingly. The report also highlights that the proposed development provides an opportunity to significantly enhance the site for roosting bats by incorporating bat roosts or bat boxes into the development. A scheme for the inclusion of bat boxes into the development should be included within a Landscape and Ecological Management Plan (LEMP) and a condition is attached on this basis.

5.38 Badgers

Badgers are afforded full protection under the Protection of Badgers Act 1992. The report states that the site provides potential foraging opportunities for badgers and a potential badger sett was found at the application site. The partial excavations at the sett were relatively free of debris which may have meant recent activity. However, no indication of activity was recorded in repeat inspections that were carried out and the report concludes that badgers are absent. Hedges are to be retained within green corridors outside of any residential curtilage; therefore, the area where the sett was found will not be directly affected by the development. A condition is attached for the site to be surveyed for badgers within 12 months of development commencing to ensure that no badgers have moved into the site since the site was surveyed.

5.39 Dormouse

The report states that the site provides potential dormouse habitat within the hedgerows and trees and small areas of dense scrub. The hedgerows and trees are to be retained; therefore, provided that they are not subject to lighting they will continue to provide suitable habitat for dormouse. A condition in respect of a lighting strategy to ensure that the corridors containing trees and hedgerow are kept dark is attached. The area of dense scrub to be removed is small and therefore, a full survey has not been undertaken and the report

- recommends that a method statement detailing pre-cautionary methods of working is sufficient to avoid harming dormice. A condition is attached on this basis.
- 5.40 Other Mammals
The report states that there are four hedgehog records and one brown hare record within 1km of the site; however the potential for protected species of mammals to use the site is minimal. The report highlights that there are no constraints as a result of the potential passing badgers, deer or other mammals. However, as a precaution the report recommends that during construction any trenches and other excavations are back-filled before nightfall or a ramp left to allow animals to easily exit and any open pipes should be capped off overnight. A condition is attached to ensure that the works are carried out in accordance with the mitigation strategy.
- 5.41 Birds
The dense scrub, hedge and trees at the site provide suitable nesting habitat for a range of bird species. Nesting birds are protected under the Wildlife and Countryside Act 1981; therefore, any vegetation clearance or management should be carried out outside the bird-nesting season of March to August. The report contains a method statement to avoid harm to birds where any works must be carried out in the bird nesting season. A condition is attached on this basis.
- 5.42 Although hedgerows and trees are to be retained, areas of dense scrub are to be cleared. Therefore, enhancements for nesting birds to compensate the loss of this suitable habitat is required in the form of bird boxes and new native planting to provide additional nesting and foraging opportunities for birds. These mitigation and enhancement measures should be included within a LEMP and a condition is attached on this basis.
- 5.43 Reptiles
The site provides limited potential reptile habitat on site; therefore, further surveys were not deemed necessary but the report proposes a series of precautionary methods of working during construction to avoid harm to reptiles. A condition is attached on this basis.
- 5.44 Amphibians
The site provides limited amphibian habitat in the form of dense and scattered scrub and hedges which may provide refuge; however, the majority of the site is short unstructured grassland which is poor habitat. There are no ponds at the site but a wet ditch extends along the northern boundary. The ditch scored poorly when analysed for great crested newts and no further investigation of the ditches was deemed necessary. A pond to the north of the site at a distance of approximately 145m supported great crested newts in 2000; however in order for newts to access the application site it would be necessary for them to circumnavigate surrounding boundary walls and cross North Road and travel around the residential properties to the north of the site, therefore, there is a very small chance that newts could access the site. According to the report, attempts have been made to gain permission to access the pond to analyse it and to confirm the presence or absence of newts; however,

permission was not granted and no further assessment of the pond was possible. Notwithstanding this, given the poor connectivity of the site to the pond, subject to precautionary methods of working being followed the report concludes that there would not be any adverse impact on great crested newts. A condition is attached to ensure that works are carried out in accordance with the strategy contained in the report.

5.45 Conclusion

The ecological appraisal report submitted has been considered by the Council's Ecological Officer who has raised no objections subject to the development being carried out in accordance with the recommendations contained in the report. Accordingly, it is not considered that there would be an adverse effect on wildlife at the site and there is no objection on this basis.

5.46 Tree Impacts

The amended plans submitted have changed the layout of the scheme to ensure that existing trees are given sufficient space so that they can be adequately accommodated within the development and would not be adversely affected through construction and occupation. Accordingly, all dwellings and roads are located outside the root protection zone of trees. The only part of the development that encroaches into the root protection zone of a tree is a foul drainage run, which extends adjacent to the northern boundary of the site and would affect two B grade oak trees. An outline method statement has been submitted for the installation of the drainage run by hand digging trenches to avoid damage to tree roots. The Council's Tree Officer has considered the method statement and has raised no objections subject to a condition requiring an arboricultural watching brief for the proposed hand dig within the root protection zone. A condition is attached accordingly and a condition is also attached for the erection of tree protection fencing in accordance with the tree protection plan. It is not therefore, considered that trees at the site would be adversely affected by the proposal.

5.47 Residential Amenity

Existing residential properties are located to the east of the application site, and their rear gardens abut the eastern boundary of the application site. The introduction of dwellings and estate roads into the site will impact on the residential amenity of existing occupiers to the east as their existing outlook is of fields, trees and vegetation. The objections raised by residential occupiers through the consultation process regarding the impact on outlook, privacy, natural light are noted and consideration is required as to the level of harm that would be caused to the residential amenity of existing residential occupiers.

5.48 Plot nos. 2-5 are located adjacent to the eastern edge of the site and orientated so their rear gardens abut the rear gardens of the existing property nos. 189-197 to the east. The proposed rear gardens will be approximately 10-16 metres in depth such that there would be separation distance between the rear elevations of the proposed dwelling nos. 2-5 and existing dwellings to the east of approximately 32 metres at the closest point. Given the level of separation proposed, it is not considered that there would be a significant adverse effect on the residential amenity of existing occupiers to the east through loss of natural light, privacy or overbearing impact.

- 5.49 Proposed plot nos.6 and 7 are orientated side-on such that the eastern side elevation of these properties would be approximately 3 metres from the rear garden boundary of the existing dwelling nos. 201-207 to the east. There would be a separation distance of approximately 20 metres between the eastern side elevation of plots 6 and 7 and the rear elevation of existing dwellings to the east at the closest point. No ground or first floor windows are proposed in the eastern side elevation of plots 6 and 7, which would face directly towards the neighbouring properties; and the hipped roof design of plots 6 and 7 would help to reduce their massing and visual impact. Any views from windows at first floor level in the front and rear elevations of plots 6 and 7 towards existing properties to the east would be at a very oblique angle and therefore, would not cause a high degree of overlooking. Accordingly, given the level of separation it is not considered that there would be a significant adverse effect on the residential amenity of existing occupiers to the east through loss of natural light, privacy or overbearing impact.
- 5.50 Proposed plot no.1 is located towards the southeastern corner of the site adjacent to the vehicular access. It is noted that existing properties nos.4 and 6 Lodge Road located directly to the east have very small rear gardens. The southeastern corner of the double garage associated with proposed plot 1 is approximately 2.5 metres from the eastern boundary at the closest point. This garage is positioned at an oblique angle to the rear elevation of the nos. 4 and 6 Lodge Road at a distance of approximately 9 metres at the closest point and 13 metres at the furthest point. The proposed garage would be approximately 2.3 metres high at eaves level and 5 metres high at ridge level. The majority of the walls of the garage would be obscured by fencing and hedgerow on the eastern (rear) boundary. The proposed garage would also comprise a hipped roof design, which would reduce its bulk and massing. The southeastern corner of plot no.1 is approximately 16.5 metres from the rear elevation of nos. 4 and 6 Lodge Road and no windows are proposed in the southeastern (side) elevation of plot 1. As such, it is not considered that there would be a significant adverse effect on the residential amenity of existing occupiers of 4 and 6 Lodge Road through loss of natural light, privacy or overbearing impact. It is noted that tree planting is indicated adjacent to the rear boundary of plot 6 Lodge Road. The Landscape Officer will be consulted on the detailed landscape plans submitted to ensure that the scale and species of any trees, as well as their final position would not have a detrimental impact on 6 Lodge Road in terms of loss of natural light.
- 5.51 All other existing properties are at a sufficient distance from the application site to ensure that the residential amenity of occupiers will not be adversely affected. Concerns raised by members of the public regarding noise and disturbance are noted, and there are sensitive noise receptors around the site; therefore, a Construction Environmental Management Plan (CEMP) is attached to reduce the construction impacts of the development on occupiers to an acceptable level.
- 5.52 The layout and positioning of proposed dwellings are such that future occupiers will have an acceptable level of residential amenity in terms of privacy and

natural light. Garden sizes are adequate to ensure that they will be functional and offer a good level of amenity for future occupiers.

5.53 Transportation

Travel Sustainability

The travel sustainability of the application site is required to be assessed against Policy PSP11 of the development plan. As the following table shows, the majority of services and facilities in the surrounding area are accessible by walking and cycling.

| Facility | Walking distance from site access at B4059 (metres), | Walking/Cycle Time (minutes) | Policy PSP11 Appropriate Walking and Cycling Distances (meters) |
|---|---|-------------------------------------|--|
| North road community primary School | 350 | 4.4/1.3 | 3,200 |
| Brimsham Green Secondary school | 1,300 | 16.2/4.9 | 4,800 |
| Cherry Tree Day Nursery | 40 | 0.5/0.2 | |
| Petrol station on the B4059 Yate Road with a convenience store | 1,200 | 15/4.5 | 1,200 |
| Codrington Arms pub and Post Office | 500 | 6.3/1.8 | |
| One stop, Wellington Road | 1,800 | 22.5/6.8 | |
| Yate Shopping Centre | 2,900 | 36.3/10.9 | |
| Fox Yate PH/restaurant | 150 | 1.9/0.6 | 800 |
| Codrington Arms PH/restaurant | 500 | 6.3/1.8 | |
| The Brimsham Park PH/restaurant | 500 | 6.3/1.8 | |
| North yate pharmacy | 1,800 | 22.5/6.8 | 1,200 |
| Leisure (yate Town football club) | 150 | 1.9/0.6 | 800 |
| | 1,500 | 18.8/5.6 | |

| | | | |
|-------------------------------------|--------------|-----------------|--------------|
| Yate outdoor sport complex | | | |
| Oaklands Business Park | 1,000 | 12.5/3.8 | 2,000 |
| Great Western Business Park | 700 | 8.8/2.6 | |
| Beeches Industrial Estate | 1,500 | 18.8/5.6 | |
| Stover Trading Estate | 1,300 | 16.2/4.9 | |
| Bus stop (on Iron Acton Way) | 650 | 8.1/2.4 | 400 |
| Bus stop (North Road) | 150 | 1.9/0.6 | |
| Yate Railway Station | 1,300 | 16.2/4.9 | |

- 5.54 There is a multi-user route located approximately 145 metres from the site and segregated from Iron Acton Way which connects to the Bristol and Bath cycle path. There are also safe walking and cycle links to Brimsham Green School via Lodge Road and Broad Lane. A large industrial estate is located close to the application site on the opposite side of Iron Acton Way and would be within easy walking and cycling distance. Bus stops on Iron Acton Way are required to be relocated so that they are more accessible under application (P19/2575/F); therefore, these stops would be within easy walking distance to the application site which provide access to Yate Town Centre, Bristol, Thornbury and Cribbs Causeway. Concerns raised regarding reductions to the bus service are noted; however, the proposal will pay a CIL which could contribute towards bus service improvements and the population from the development could create additional patronage which might improve the viability of existing services or justify new services.
- 5.55 The site is also within relatively close proximity to Yate Railway Station, which provides frequent services to key destinations such as Bristol Temple Meads and Bristol Parkway; this, it is considered, elevates the merits of the application site above most other sites in terms of sustainability.
- 5.56 When considering the sustainability of the site, an important material consideration is a Planning Inspector's comments on a 210 dwelling scheme on land west of Engine Common in 2013 (application PK12/1751/F), which is immediately adjacent to the current application site.
- 5.57 "The proposed employment development would be located immediately adjacent to the settlement boundary of Yate. Both this and the proposed residential development would have convenient access to the highway network and the wide range of other services and facilities available within Yate. In transport terms, the scheme would comprise a sustainable urban extension to the town of Yate".
- 5.58 Accordingly, the site is considered to be located in a sustainable location and there is no objection on this basis.

5.59 Access

Vehicles would access the site via a new access off of Lodge Road. Adequate visibility can be achieved from the new site access onto the public highway on Lodge Road. Access to the wider highway networks would then be achieved via North Road. Details of visibility submitted shows satisfactory visibility at the Lodge Road/North Road junction is also achieved in line with transportation guidance to provide safe access onto the wider highway network.

5.60 The existing 2m wide footway on the northern side of Lodge Road adjacent to the North Road junction would be extended to a point past the proposed access into the development. There would be a localised narrowing of the footway to approximately 1.8m wide but this will only be over a short length immediately opposite an existing substation. The remaining part of the footway along the northern edge of Lodge Road would be 2m wide.

5.61 The revised access arrangement and the new footway along Lodge Road are considered to be acceptable and will provide safe pedestrian access to and from the application site. The pedestrian crossings will incorporate tactile paving and will be constructed to the required standard under the S.38 highway adoption process to ensure that they are safe for use. The construction of the new footway and the new access on to Lodge Road will require works on the public highway; therefore, these works will be secured under a suitable legal agreement.

5.62 Originally a pedestrian footpath was proposed into the site off of North Road to the north east of the application site. However, as this connection would have utilised a private drive, and due to concerns raised by members of the public, this connection has been removed from the scheme. Therefore, there would be no direct access or egress between the application site and North Road.

5.63 Parking

Off street parking is provided for all of the proposed residential units. The level parking proposed meets the Council's parking standards; and as such, there is no objection to the application with respect to parking. An adequate level of visitor parking (seven spaces) is also proposed within the site; therefore, it is not considered that the proposal would lead to a significant increase in vehicular parking along Lodge Road. The majority of dwellings have garages which will provide cycle parking. For the apartment block (28-31) a dedicated enclosed cycle store is proposed with space for up to 8 bicycles to be stored within. For dwellings that do not have a garages, cycle storage will be provided in garden sheds. No details of the sheds has been provided at this point; therefore, a condition is attached regarding the design and siting of the sheds and for their provision prior to occupation.

5.64 Traffic Impact and Highway Safety

The proposed development would result in vehicular traffic, which would impact on the existing highway network. Vehicular trip rate figures from this development as presented in the submitted Transport Assessment are considered to be acceptable by the Council's Transportation Officer. It is anticipated that the development of 31no. new homes would generate (on

- average) 16 vehicular movements in AM peak and 15 vehicular movements in PM peak. The impact of this development on the wider highway network will be relatively small and barely perceptible, equating to a maximum of approximately one additional car every 4 minutes at the busiest hour on Lodge Road. Therefore, there would not be a significant increase in vehicular traffic to Lodge Road as a result of the development.
- 5.65 It is noted that local concern has been raised with respect of the development traffic on lodge road and the impact on highway safety and it is noted that Lodge Road is used for recreational purposes. However, given the low level of traffic that will be generated by the development (estimated to be around 15 or 16 (two-way movements) during the morning peak hour with similar number of movements in evening peak period or one extra car every 4 minutes), it is not considered that there would be a significant impact on highway safety.
- 5.66 To further enhance road safety at this location, it is proposed to extend the footway along the northern side of Lodge Road passing the new site entrance to ensure that there is a continuous footway to North Road School. A financial contribution is also sought from the developer in order to provide suitable crossing points at the junctions of Lodge Road and North Road to link the site to the nearby school and improve existing accessibility to the bus stop on Iron Acton Way.
- 5.67 Accordingly, the Council's Transportation Officer is satisfied that the development traffic would not compromise road safety at this location and there is no objection on this basis.
- 5.68 Affordable Housing
The proposed 31 dwellings generates a requirement for 35% affordable homes to be provided without public subsidy, which equates to 11 units. The plans submitted demonstrates provision of 11 affordable units. The type and tenure of the affordable homes proposed is considered to be acceptable by the Council's Affordable Housing Officer. The floor area of the affordable housing is also in accordance with the space standards set out in the Council's Strategic Housing Market Assessment.
- 5.69 The Affordable Housing and Extra Care SPD states that affordable housing should be well integrated and indistinguishable from neighbouring market housing. The affordable units, whilst all located in the southwestern part of the site, are in two entirely separate clusters of 5 and 6 dwellings. The clusters are well separated from each other by open market units and also comprise high quality materials with natural stone and rough cast render, stock brick traditional quoin detailing; and coloured front door and windows. Therefore, the units will be indistinguishable from the open market units. The units are also located within a pleasant part of the site adjacent to public open space and within a cul-de-sac off of the main road. The design and siting of the proposed affordable housing is therefore, considered to be acceptable.
- 5.70 The proposal generates the requirement for a single wheelchair unit to be provided. Plot 29, which is a 2 bed 4 person unit, is proposed as wheelchair accommodation. Fully dimensioned drawings for the internal layout of this unit

have been provided for consideration by the Council's Occupational Therapist. The proposed parking space for the unit has been relocated to allow for easier access and a private garden area has been provided specifically for this unit.

5.71 The applicant has confirmed that the affordable units proposed will meet building regulations M4(3)(2)(a) and M4(2) standards. Conditions are attached on this basis. The heads of terms as specified will be included within a S106 agreement to secure adequate provision of affordable housing in the development.

5.72 Environmental Protection

Coal Mining

A Geology and Coal Mining Risk Assessment has been submitted in support of the proposal. The site is not located in an area at high risk of shallow unrecorded mine workings and the conclusion of the assessment is that no further work in relation to coal or coal workings is considered necessary and this issue poses a low risk to development. The report recommends that a close watch should be maintained during groundworks for any unrecorded mineshafts present upon the site. This matter can be dealt with by an informative note. The Coal Authority have been consulted and have raised no objections to the proposal.

5.73 Ground Contamination

A Phase 1 Desk Study report has been submitted in support of the development. The report states that the site has a negligible to low risk potential of contaminants from past and current uses. However, it does highlight a potential presence of made ground from unidentified activities and also of fallout from airborne dust due to historic industrial activity in the industrial estate to the south of the site.

5.74 The Worcestershire Regulatory Services (WRS) have considered the report submitted and consider that the desk study has been undertaken in line with current guidance and good practise. The findings of the desk study and that the site poses a low risk in relation to ground contamination are agreed by the WRS. Given the close proximity of current and former potentially contaminative industries on the industrial estate it is recommended that a condition is attached relating to any unexpected contamination found when carrying out the development. Subject to a condition in respect of unexpected contamination, there is no objection in relation to ground contamination.

5.75 Noise

The Council's Environmental Protection Officer has considered noise matters in relation to the proposal and has raised no objections. The application site is set at a distance of approximately 70 metres back from Iron Acton Way and the Industrial Estate to the south behind existing built form. Accordingly, it is not considered that the development would be adversely affected from these noise sources. Although the western boundary of the application site abuts Yate Town Football Club, robust boundary treatments consisting of brick walls are proposed at strategic locations to attenuate noise to rear garden areas. It is not therefore, considered that the proposal would be adversely affected by noise. A 3m high screen wall and fence is proposed to replace the existing Leylandii

hedge to the north and eastern sides of the football pitch as part of the application on land west of the application site (P19/2575/F) which has a resolution for approval. This would further attenuate noise from the football ground.

5.76 Drainage

The site is located in Flood Zone 1 where there is a low risk of flooding. The existing greenfield site drains via filtration with potential overland flow during heavy rainfall events occurring towards the adjoining ditches. The original drainage strategy proposed infiltration to deal with surface water at the site. However, following further soakage tests carried out in the winter, it was deemed that infiltration would not be suitable for the site. A revised drainage strategy has been submitted which proposes that hard surface areas would drain to the Wessex Water public sewer located at North Road/Iron Acton Way/Good Green Way junction at a restricted greenfield rate. During heavy rainfall, any surface water will drain into a storage basin located to the southwest of the site, and a hydrobrake would control the rate in which outflow from the basin would drain into the public sewer. The surface water drainage strategy has been designed to accommodate the 1 in 100 year rainfall event, including a 40% allowance for climate change, which accords with Policy PSP20 of the Council's Policies Sites and Places plan. Foul water is proposed to drain into a foul sewer located on North Road. Wessex water have advised that a foul connection into the existing sewer will be feasible without causing any issues in terms of capacity. The piped drainage network would be adopted by Wessex Water. The storage basin will either be adopted by Wessex Water or maintained by a private management company.

5.77 Policy PSP20 of the Council's Policies Sites and Places plan requires that development proposals ensure that surface water drainage proposals are designed to not increase off-site flood risk. The Council's Drainage Engineer has raised no objections in principle to the development but has requested additional information is submitted with regards to the design of the sustainable urban drainage scheme and for groundwater monitoring to be undertaken in the area where the basin is proposed. The Drainage Engineer has advised that this information can be secured by way of appropriately worded conditions. Conditions on this basis are attached accordingly.

5.78 Heritage Impacts

The Council's Listed Building Officer has confirmed that the application site, and land immediately adjacent, does not contain any above ground designated heritage assets. The closest designated heritage asset to the application site is the Grade II listed Wisteria Lodge, which lies approximately 800m to the west.

5.79 Due to this separation distance, the intervening structures and established planting, the application site is considered to make no contribution to the setting of the listed building. Accordingly, the proposed development would not cause any harm to the setting of Wisteria Lodge or to any other designated heritage assets and there are no objections accordingly.

5.80 There is a locally listed post box on the eastern side of North Road adjacent to The Cross Keys Public House; however, it is not considered that the proposed

development would impact on the significance of this non-designated heritage asset.

5.81 In terms of archaeology, the application site is in an area of archaeological potential and is supported by an appropriate desk based assessment and geophysical survey. Given that the presence or absence of archaeological remains cannot be established for certain from documentary evidence and geophysical survey alone, a condition is attached for a programme of archaeological work for all ground works. Accordingly, subject to condition, there is no objections on the basis of heritage impacts.

5.82 Public Open Space

The proposal provides 2187sqm of informal recreational open space and 2119sqm of natural and semi-natural open space, which is significantly above the minimum spatial requirements set out under policy CS24 for informal recreational and natural and semi-natural open space; therefore, no contributions are required in respect to these open space typologies. Given the relatively small scale of the development proposed it does not generate a sufficient minimum spatial requirement to facilitate standalone allotment and sports pitch facilities; therefore, the Council's Public Open space Officer has accepted a financial contribution in lieu of on-site provision. The minimum spatial requirement for children and young people generated by the development of 169.5 sqm would be the equivalent of a Local Area for Play (LAP), which is a small equipped play area for very young children. Consideration has been given to a potential location for a LAP within an area of open space directly north of plot 13; however, it would likely have to encroach into the root protection zone of a grade A oak tree to be accommodated and there would also likely be health and safety issues due to risk from possible falling branches from the tree. Therefore, the location was considered to be unacceptable, and a financial contribution towards off-site children's play facilities is considered acceptable. The contributions for off-site provision total £97,646.49 along with a total maintenance contribution of £55,033.43. The significantly larger development to the west, which has resolution for approval, includes allotments and a children's play area to the northern edge, adjacent to the application site. A footpath link shown on the plans would provide access to these facilities and a condition is attached to ensure that the footpath link is provided in a timely manner. A condition is also attached requiring the detailed landscape design covering areas of public open space to be submitted and agreed by the Local Planning Authority. Subject to these conditions and the applicant entering into a S106 agreement based on heads of terms set out in this report to secure the required quantum of POS to be publically accessible in perpetuity; and contributions towards off-site outdoor sports, allotments and children's play and maintenance, the proposal is acceptable with regards to public open space.

5.83 Invasive Light Impacts

Existing Leylandii trees approximately 20m in height located around the north and eastern boundaries of YTFC, as well as trees and vegetation located on the western boundary of the application site would help to prevent light spill from floodlights at the ground from adversely impacting on dwellings located towards the western edge of the site. Under the application for residential

development to the west (P19/2575/F) it is proposed to remove the existing Leylandii trees and replace with 3m high fencing and wall. This would expose the application site to a greater level of light spill; however, under the same application the existing very old floodlights are proposed to be replaced by modern floodlights which will incorporate the latest reflector technology and will reduce light spill significantly such that there would be no light spill over any of the proposed residential units. Accordingly, there are no objections in respect to light spill.

5.84 Impact on Yate Town Football Club (YTFC)

Whilst concerns raised regarding the impact on the viability of YTFC from members of the public are noted, given that the proposed development would not be adversely affected by noise or light impacts from the operation of Yate Town Football Club, it is not considered that future complaints from occupiers of the proposed dwellings would be likely and therefore, it is not considered that there would be an adverse impact on the long term viability of the club.

5.85 Planning Obligations

The Community Infrastructure Levy Regulations 2010 set out the limitations of the use of Planning Obligations. Essentially the regulations (regulation 122) provide three statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development;
- Fairly and reasonably related in scale and kind to the development.

5.86 In the case of the planning obligations set out above, and as set out in the heads of terms below, it is considered that they are appropriate mitigation, necessary to make the development acceptable in planning terms, directly related to the development and in scale and kind to the development. As such, all planning obligations set out are considered to pass the CIL Regulation 122 tests.

5.87 CIL

The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development, if approved, would be liable to CIL charging. Accordingly, this addresses concerns raised regarding a lack of capacity at local schools and surgeries in the local area. The impact of the development and the increase in population generated would be mitigated by the developer paying a CIL.

5.88 Planning Balance

Section 38 (6) of the 2004 Act requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.89 The proposal does not accord with the development plan. It is contrary to policies CS5 and CS34 because it would result in residential development

taking place outside of the defined settlement boundary within the open countryside. Paragraph 12 of the NPPF states that planning permission should not normally be granted where a proposal conflicts with an up to date development plan. However, in accordance with the statutory test set out above, it also recognises that material considerations may justify a departure from the development plan.

- 5.90 The National Planning Policy Framework (NPPF) is an important material consideration. An objective of the NPPF is to significantly boost the supply of homes and it carries a presumption in favour of sustainable development. The NPPF sets out the situations where the balance is tilted in favour of approving development.

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

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

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

- 5.91 In this case there are relevant development plan policies as set out in this report.

- 5.92 The tilted balance would apply if the Council is unable to demonstrate a five year supply of deliverable housing sites. However, it has already been established that the Council can demonstrate a five year land supply based on the most recent Annual Monitoring Report and update that has been published. The tilted balance is not considered to apply on this basis. The NPPF requires consideration as to whether the most important policies for determining the application are out of date. In considering whether these policies are out of date, the main test is to determine their level of consistency with the NPPF.

- 5.93 Table 1: Core Strategy policies

| Policy | Why is this policy one of the most important for determining this application? | How is this policy consistent with the NPPF? |
|---|---|---|
| 1. CS1 High Quality Urban Design | CS1 sets the requirements for High Quality Design and requires that new development conforms to the highest possible standards of design and site planning are achieved. CS1 is critical to determination of this application. | Section 8 seeks to promote healthy and safe communities including open space and recreation. Section 12 seeks to achieve well designed places. Para 124 states that the creation of high quality buildings and places is |

| | | |
|--|--|---|
| | | what the planning and development process should achieve, which is the core objective of Policy CS1 to promote the highest possible standards of design and site planning. |
| 2. CS2 Green Infrastructure | New green infrastructure is planned, delivered and managed as an integral part of creating sustainable communities and enhancing quality of life. Inadequate provision or contribution of green infrastructure as an integral part of the proposal would have resulted in refusal of the application based upon its detrimental impact on the amenities of future residents. | Para 96 promotes access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and wellbeing of communities. Planning policies should be based on robust and up to date assessments. CS2 has the same objectives. |
| 3. CS5 Location of Development | CS5 states that new development at Yate will be of a scale appropriate to achieve greater self-containment and to improve the separate but inter-related roles and functions of the towns, focusing on investment in the town centres and improving the range and type of jobs, and that existing settlement boundaries will be maintained. CS5 is critical to the determination of the application. | In assessing the consistency of Policy CS5 which deals with the location of development with the NPPF it must be considered alongside the ability for the Council to demonstrate a 5 Year Housing Land Supply of 5.52 years and to meet the 45% Housing Delivery Test. |
| 4. CS6 Infrastructure and Developer Contributions | CS6 requires new development of sufficient scale to provide site specific infrastructure, services and community facilities and/or financial contributions to mitigate impacts. CS6 is critical to determining the application due to the need for all new | Paras 54-56 outline the NPPF approach to the application of developer contributions to ensure necessary infrastructure delivery, this is also outlined in Policy CS6. |

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| | development to provide an appropriate level of infrastructure to support both new residents and mitigate the impact on existing residents. | |
| 5. CS8 Improving accessibility | CS8 sets out the principles applied to planning applications in terms of accessibility, offsite mitigation, sustainable travel options, parking and vehicular access. CS8 is critical to determining the application as without adequate accessibility the application would be refused on transportation grounds. | Section 9 of the NPPF promotes sustainable transport, which include improving accessibility by all modes and providing a range of travel options, which is the key objective of CS8. |
| 7. CS18 Affordable Housing | CS18 requires affordable housing provision to meet the needs in South Gloucestershire, including 35% on site or equivalent financial contribution. Failure to provide 35% or equivalent contribution (without justification through an open book viability appraisal) would result in the refusal of the application. | Paras. 62-63 of the NPPF promote affordable housing being provided on site, and establish thresholds for affordable housing provision. The core objective of CS18 is to provide affordable housing to meet the need in South Glos. |
| 8. CS23 Community Infrastructure | New development will be required to provide or contribute towards additional, extended or enhanced community and cultural infrastructure where it would generate the need for such facilities. Failure to comply with this would result in refusal of the application. This is adequately addressed through the CIL requirement and is critical to determining the application due to the need for all new development to provide an appropriate | The principle of ensuring community infrastructure is delivered is enshrined in paras. 91 and 92 of the NPPF, CS23 is in line with this. |

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| | level of infrastructure to support both new residents and mitigate the impact on existing residents. | |
| 9. CS24 Green Infrastructure, Sport and Recreation Standards | New development is required to contribute towards green infrastructure, sports and recreation provision which are integral to sustainable communities. CS24 is critical to determining the application due to the need for all new development to contribute an appropriate level of green infrastructure to support both new residents and mitigate the impact on existing residents. | Paras. 96-97 of the NPPF promote access to a network of high quality open spaces and opportunities for sport and physical activity for the health and well-being of communities through the retention and enhancement of existing provision and opportunities for new provision. Policy CS24 outlines requirements for South Gloucestershire in line with the NPPF. |
| 10. CS34 Rural Areas | New development in rural areas is required to protect, conserve and enhance the distinct characteristics of the area. This is an important policy due to the location of the site in the open countryside outside the defined settlement boundary. | Paras. 77-79 deal with rural housing and Paras. 83 and 84 with a prosperous rural economy, CS34 is in line with these provisions of the NPPF. Policy CS34 also takes key principles of the NPPF requirements for new developments and applies those to rural areas: <ul style="list-style-type: none"> • Point 1 - Chapter 13, 15 and 16 • Point 2 – Para. 170 • Point 3 – Chapter 15 and Para. 130 • Point 4 – Chapter 13 • Point 5 – Paras. 77 - 79 • Point 6 – Para. 62-63 and Paras. 77-79 • Point 7 – Para. 83-89 • Point 8 – Para. 83-89 and Chapter 10 • Point 9 – Paras. 148-154 |

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| | | <ul style="list-style-type: none"> • Point 10 – Para. 96 • Point 11 – Section 9 and Paras. 54-56 • Point 12 – Paras. 155-165 • Point 13 – Paras. 148-154 |
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5.94 Table 2: Policies Sites and Places DPD policies

| POLICY | Why is this policy one of the most important for determining this application? |
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| 1. PSP2 Landscape | <p>This states that new development should seek to conserve and enhance the quality, amenity, distinctiveness and special character of the landscape.</p> <p>The assessment of the impact of the proposed development on the quality, amenity, distinctiveness and special character of the landscape and its natural beauty makes PSP 2 a critical policy in determining this application.</p> |
| 2. PSP 3 – Trees and Woodland | <p>This policy seeks to protect trees and minimise the loss of any existing vegetation on a site that has landscape value. A number of trees, some of which are covered by TPOs are located at the site, primarily on the boundaries. The impact of the scheme on the trees is an important consideration to the determination of this application.</p> |
| 2. PSP6 On site renewable and low carbon energy | <p>Outlines the requirements for onsite renewable and low carbon energy, requiring all major greenfield residential development to reduce CO2 emissions further by at least 20% via the use of renewable and/or low carbon energy generation sources on or near the site.</p> |
| 3. PSP8 Residential Amenity | <p>Requires consideration as to whether any unacceptable impacts would be created on the residential amenity of nearby properties such as loss of privacy, overbearing impact and</p> |

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| | loss of light. Properties are located adjacent to the eastern boundary of the application site; therefore, residential amenity is an important consideration. |
| 4. PSP11 Transport Impact | Requires that new development proposals are located on safe, useable walking and, or cycling routes, that are an appropriate distance to key services and facilities and also served by appropriate public transport. PSP11 is central to the assessment of the application due to the impact of the development upon highways, public transport and walking and cycle networks. |
| 5. PSP20 Flood Risk, Surface Water and Watercourse Management | Requires development to follow the sequential approach to flood risk, for all potential flood risk sources, reduce surface water discharge, incorporate SUDS, design to reduce off-site flood risk; and follow the Surface Water Discharge Hierarchy. |

- 5.95 The Policies, Sites and Places Plan was adopted in 2017 and it is considered that all the policies contained within it are up to date and consistent with the NPPF.
- 5.96 In assessing the policies that are considered to be the most important for determining the application it is considered that the policies in general are not out of date by measure of conformity with the NPPF. For the purposes of clarity, Policy CS15 is not considered to be a policy that is most important in determining this application. In accordance with the NPPF, for the purpose of the 5-year land supply calculation, South Gloucestershire's housing need is calculated using the standard method for Local Housing Need (LHN) and not the figure contained in policy CS15. For that reason CS15 is not a most important policy in determining the application.
- 5.97 Policies CS5 and CS34 are consistent with the NPPF and are not considered to be out of date. Given the circumstances of this case these policies are given full weight.
- 5.98 Assessing the policies in terms of attaching weight in the planning balance, most important policies outlined from the Policies Sites and Places Plan (PSP2, PSP3, PSP6, PSP8 PSP11 and PSP20) and the remainder of the Core Strategy Policies (CS1, CS2, CS4A, CS5, CS6, CS8, CS9, CS18, CS23, CS24 and CS34) are considered to attract full weight in the planning balance. As the table above attests, they are up to date and consistent with the NPPF.

- 5.99 In conclusion, it is considered that the tilted balance in paragraph 11(d) of the NPPF is not engaged. The most important policies for determining the application are not out of date when considered as a whole.
- 5.100 A standard planning balance is required considering whether there are any material considerations, such as any benefits that would justify a departure from the development plan in this instance.
- 5.101 Under the appeal for South of Gloucester Road, Thornbury the Planning Inspector considered that a major residential scheme providing 240 market units and 130 affordable units held significant weight when considering the benefits the scheme would bring to the Council's housing land supply even though it was agreed that the Council could demonstrate a 5 year land supply. This was because the Inspector considered that the Council's 5-year land supply was marginal and the proposal provided an opportunity to increase the surplus and strengthen the position in the context of the Government's objective to significantly boost the supply of housing (NPPF para.59) and that an identified 5-years' worth of housing is only a minimum state (NPPF para.73). The proposed scheme whilst smaller than the appeal scheme would still make a material contribution to the supply of open market and affordable housing. The site is promoted by Cotswold Homes, a house builder with a proven track record of housing delivery; therefore, it is considered that there is a good chance that the site would likely be delivered within 5 years.
- 5.102 In addition, in the opinion of the Planning Officer, when considering the merits of the application site, it is considered to be located in a particularly sustainable location. There is a multi-user route located to the southwest of the application site, which is segregated from Iron Acton Way which connects to the Bristol and Bath cycle path. In addition, there are safe walking and cycle links directly from the application site to Brimsham Green School via Lodge Road and Broad Lane; both of these roads have low levels of traffic. The site is located on the edge of the defined settlement boundary and is within walking and cycling distance to a wide range of services as highlighted by a previous Planning Inspector (application no. PK12/1751/F). For example, a large industrial estate is located to the south at the end of North Road, which would be within easy walking and cycling distance from the application site. There are bus stops located relatively close to the site (which would benefit by improvements secured via S106 agreement which will be attached to a neighbouring development to the west) which provide access to Yate Town Centre, Bristol, Thornbury and Cribbs Causeway. The site is also within relatively close proximity to Yate Railway Station (16.2 min walk and 4.9 min cycle), which provides frequent services to key destinations such as Bristol Temple Meads and Bristol Parkway; this, it is considered, elevates the merits of the application site above most other sites in terms of sustainability. The site is also located entirely on poor quality agricultural land.
- 5.103 A financial contribution from a CIL would be generated by the development, and there would be other economic benefits through the construction.
- 5.104 When considered together these benefits are considered to hold significant weight in favour of the proposal.

5.105 On balance, it is the planning officer's judgement that in this instance and considering the proposal on its own merits there are considered to be material considerations which outweigh all of the harms that have been identified and indicates that the development plan should not be followed and that planning permission should be granted.

5.106 Consideration of likely impact on Equalities

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

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

Heads of Terms

Fire Hydrants

Payment of £3000 (£1,500 per hydrant) towards the cost of installation and five years maintenance of two Fire Hydrants prior to development commencing.

Affordable housing

35% of 31 dwellings to be delivered as 11 Affordable Homes as defined by the NPPF, to be provided without public subsidy, on-site and distributed throughout the development in clusters of no more than 6 units.

Tenure and Type

To meet identified housing need (Wider Bristol SHMA) the following tenures shall be provided:

- 76% Social Rent
- 24% Shared Ownership

Design

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

- i. All rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels;
- ii. All properties to have vinyl/tiles on floor in all ground floor rooms;
- iii. Ceiling height tiling to 3 sides of bathroom to be provided;
- iv. Provide wall mounted shower (either electric or valve and kit);
- v. Provide gas and electric points to cooker space (where gas is available);
- vi. Painted softwood curtain battens to each window (where construction is traditional as opposed to timber frame)

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

Wheelchair Provision

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

Delivery and Phasing

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

Rent Levels and Affordability

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

Shared Ownership homes to be sold at no more than 40% of market value, and annual rent on the equity retained by the RP should be no more than 1.5%.

Service charges will be capped at £650 per annum (base date to be date of resolution and linked to CPI) to ensure that all housing costs are affordable to future occupants.

Capital receipts on intermediate housing to be recycled as capital expenditure on approved affordable housing schemes in South Gloucestershire, with subsidy levels to increase by any capital appreciation.

Public Open Space

The applicant shall provide 2187sqm of informal recreational open space on site with adequate maintenance.

The applicant shall provide 2119sqm natural and semi-natural green space on site with adequate maintenance.

The applicant shall provide a contribution towards outdoor sport facilities of £64,060.07 towards off-site provision and/or enhancement and a maintenance contribution of £19,388.78.

The applicant shall provide a contribution towards facilities for children and young people of £32,118.00 towards off-site provision and/or enhancement and a maintenance contribution of £33,772.32.

The applicant shall provide a contribution towards allotment facilities of £1,468.42 towards off-site provision and/or enhancement and a maintenance contribution of £1,872.33.

Prior to occupation of the 1st dwelling, the applicant shall secure the management and maintenance of the Public Open Space (POS) and Sustainable Drainage System (SUDS) in perpetuity, to adoptable standards, and in accordance with an appropriate management regime to be first approved by the Council. The developer shall maintain the POS and SUDS in accordance with the maintenance regime until such time as the whole of the POS and SUDS areas are either transferred to the Council or transferred to a management entity, the details of which shall be first approved by the Council.

Highway works

Construct new access plus 2m wide footway along the northern side of Lodge Road together with all associated works as shown in principal on the "PROPOSED SITE ACCESS ARRANGEMENT" plan (i.e. drwg no. 1007- 004 rev B) -this plan is attached to the revised transport statement.

Construct 2 sets of dropped kerbs in order to provide suitable crossing points at a) Lodge Road junction and b) on North Road. Alternatively, the applicant is to make financial contribution of £8,000 towards provision of two sets of dropped kerbs and tactile paving at crossing points identified.

The reason for the above obligations is to ensure that the mitigation of the impacts of the development are met.

Following the Council introducing the CIL tariff that Head of Corporate Finance is authorised to levy the CIL charge.

Should the Section 106 not be completed within 6 months of the date of this Committee report that delegated authority be given to the Director of Planning, Transport and Strategic Environment to refuse the application if an extension of time to complete the agreement is not sought.

CONDITIONS

1. Commencement of development
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. Archaeological work

Prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, a programme of archaeological work and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, must be submitted to and approved in writing by the local planning authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that archaeology at the site is adequately protected.

3. Public art programme

Prior to the construction of the development above Damp Proof Course Level (DPC) a public art plan to include, but not be limited to, a rationale for the programme, budget, timetable, commissioning strategy, artist brief/s and long list of artists shall be submitted to and agreed in writing by the Local Planning Authority. Public art shall be implemented in accordance with the agreed details.

Reason

To ensure that public art is well embedded into the scheme in the interests of the character and visual amenity of the development and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

4. Arboricultural watching brief

Any works within the Root Protection Area (RPA) of any tree on the site shall be carried out strictly in accordance with the Arboricultural Method Statement by Silverback Arboricultural Consultancy dated 7th May 2021. All works within the Root Protection Area (RPA) of any tree on the site shall be undertaken under the watching brief of an Arboricultural Clerk of Works.

Reason

In the interest of the health and visual amenity of trees and to accord with policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that trees are given sufficient protection and are not damaged by construction activities.

5. Tree protection fencing

No development shall commence until tree protection fencing in accordance with the approved tree protection plan no.210301-LR-TPP-Rev A has been erected on the site. The fencing shall be retained and maintained in accordance with the agreed details throughout the course of the development.

Reason

In the interest of the health and visual amenity of trees and to accord with policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that trees are given sufficient protection and are not damaged by construction activities.

6. Unexpected contamination

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 is resumed or continued.

Reason

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.

7. Detailed landscape design (including hard and soft materials)

Prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include all hard surfacing materials; minor artefacts and structures e.g. furniture, play equipment, signs; proposed and existing functional services above and below ground e.g. drainage power, communications cables, pipelines indicating lines, manhole; Soft landscape works shall include planting plans; written specifications including cultivation and other operations associated with plant and grass establishment; schedules of plants, noting species, plant sizes and proposed numbers/densities; implementation programme.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This is required to be a pre-commencement condition to ensure that landscaping details are submitted and agreed an early stage in the development to avoid any necessary remedial works.

8. Landscape implementation

All planting, seeding or turfing comprised in the soft landscaping details hereby approved, shall be carried out no later than the first planting and seeding season following the substantive completion of the development hereby approved.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

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

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

10. Window reveal depths
The external reveal depth for windows shall be a minimum of 70mm from the external face of the building to which it relates.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

11. Sample of roofing material
Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level samples of roof tiles to be used shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

12. Sample panels of stone
Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, sample panels of natural stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

13. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, sample panels of brickwork, demonstrating the colour, texture, facebond and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the brickwork is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

14. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, sample panels of render indicating colours and texture, shall be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

15. Detailed Design
Prior to the construction of development above Damp Proof Course (DPC) level, the detailed design including materials and finishes of the following items on all dwellings shall be submitted to and approved in writing by the Local Planning Authority:

1. Eaves, verges and ridges
2. Window frames
3. All external door hoods, architraves, canopies and porches
4. Extracts, vents, flues & meter boxes

The scheme shall be implemented strictly in accordance with the approved details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

16. Landscape and ecological management plan
Prior to development commencing, a Landscape and Ecological Management Plan (LEMP) shall be drawn up and agreed with the Council in writing. The Plan shall accord with the approved landscape plans and include details of all existing habitat to be retained; any new habitat to be created including provision for bird and bat boxes; and its management. The LEMP shall also include a programme of monitoring of all works for a period of 5 years. All works are to be carried out in accordance with the approved LEMP.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that wildlife on the site is adequately protected.

17. Climate change conditions

Prior to the construction of the development above Damp Proof Course (DPC) level, details of the PV panels (including the exact location, dimensions, design/ technical specification and roof plans) together with a calculation of energy generation and associated CO₂ emissions to achieve a reduction in residual emissions from renewable energy in line with the approved Energy Statement shall be submitted to and agreed in writing by the Local Planning Authority. The renewable energy technology shall be installed in accordance with the agreed details prior to the first occupation of the corresponding dwellings.

Reason

To achieve improved energy conservation and protect environmental resources, to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions, in accordance Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP6 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

18. Within three months following the occupation of the final dwelling, the following information shall be submitted to and agreed in writing by the Local Planning Authority:

- Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate(s).
- A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO₂ emissions by the percentage shown in the approved Energy Statement for each itemised house type.

Reason

To achieve improved energy conservation and protect environmental resources, to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions, in accordance Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP6 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

19. The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the final approved Sustainable Energy Statement (Energy and Sustainability Statement Rev A, 5th March 2021). Prior to the first occupation of the 10th, 20th and 30th dwelling a copy of the 'as built' Energy Performance Certificate (EPC) shall be provided to the Local Planning Authority for the corresponding dwelling to evidence that this has been achieved.

Reason

To achieve improved energy conservation and protect environmental resources, to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions, in accordance Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013;

and policy PSP6 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

20. Lighting strategy (to demonstrate dark corridors to north and west corridors)
Prior to the erection of any external lighting at the site, details of a scheme of lighting shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the scheme will demonstrate the north and western green corridors of the site being dark (lux levels no higher than 1 lux) for bats. All external lighting erected shall thereafter accord with the approved details.

Reason

To ensure that dark corridors for bats are retained in the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

21. Resurvey site for badger within 12 months of dev commencing
Should 12 months or more have elapsed between the original field survey and development commencing, the site shall be re-surveyed for badger and a report submitted to and approved in writing by the Local Planning Authority, such report is to include details of any work subject to the licensing provisions of the Protection of Badgers Act 1992. All works shall be carried out in accordance with said report.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

22. Bat mitigation
Development shall be implemented in accordance with the bat mitigation measures outlined in paragraph 4.8 of the submitted Ecological Appraisal dated July 2020 by All Ecology Ltd.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

23. Development shall be implemented in accordance with the mammal mitigation measures outlined in paragraph 4.14 of the submitted Ecological Appraisal dated July 2020 by All Ecology Ltd.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

24. Development shall be implemented in accordance with the bird mitigation measures outlined in paragraph 4.15 of the submitted Ecological Appraisal dated July 2020 by All Ecology Ltd.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

25. Development shall be implemented in accordance with the reptile mitigation measures outlined in paragraph 4.19 of the submitted Ecological Appraisal dated July 2020 by All Ecology Ltd.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

26. Development shall be implemented in accordance with the Great Crested Newt mitigation measures outlined in paragraph 4.25 of the submitted Ecological Appraisal dated July 2020 by All Ecology Ltd.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

27. Construction environmental management plan
A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of development including any clearance of vegetation. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The CEMP must also demonstrate how the developer will prevent harm to the retained or created ecological features during the construction phase of development. The plan shall include, but not be limited to:

- A mitigation strategy to ensure that there is no harm to any dormouse through vegetation removal.

- Processes for keeping local residents informed of works being carried out and dealing with complaints.

- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

- Measures to control the migration of mud from the site by vehicles during construction.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works. Piling will not be undertaken.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants; to be incorporated into a dust management plan in order to minimise the impacts of construction dust.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of the development.
- The control and removal of spoil and wastes.
- Access arrangements for construction vehicles.
- Measures to control the tracking of mud off-site from vehicles.
- Measures to control dust from the demolition and construction works approved.
- Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- Adequate provision for the delivery and storage of materials.
- Adequate provision for contractor and visitor parking.
- A lorry routing schedule.
- Contact details of the main contractor.
- Pedestrian cyclist and horse rider protection.
- Proposed temporary traffic restrictions.
- Arrangements for turning facilities on site for vehicles.
- Membership details for the Considerate Constructor Scheme or similar regime and site induction of the workforce highlighting pollution prevention and awareness.

The CEMP as approved by the Council shall be fully complied with at all times. The development shall be implemented in accordance with the approved CEMP.

Reason

To ensure that the construction of the development does not bring about adverse impacts in terms of ecology, highway safety and the amenities of the area and to accord with policies CS1, CS2, CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policies PSP8, PSP10, PSP11, PSP19, PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to avoid any adverse construction impacts.

28. Provision of off street parking prior to occupation
The off-street parking facilities (for all vehicles, including cycles) shown on the plans hereby approved shall be provided for the plot to which it relates before the corresponding dwelling is first occupied, and thereafter retained for that purpose.

Reason

In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

29. Provision of electrical charging points
Where on-plot parking is provided for residential dwellings, prior to their occupation, Electric Vehicle (EV) charging points should be provided for each dwelling, with shared facilities provided for the apartment blocks.

Reason

To promote sustainable travel choices and to accord with policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

30. Completion of Drainage Scheme
No dwelling at the site shall be occupied until the surface water drainage scheme has been completed in full in accordance with details approved under condition 36 (detailed drainage design).

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 PSP20 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

31. Provision of Footpath Link to the West
No more than 25 dwelling occupations shall take place at the site until the footpath connection to the land to the west as shown on the Proposed Site Layout plan no.101 P7 has been completed up to the site boundary in accordance with details agreed under condition 7 in relation hard and soft landscaping.

Reason

To ensure adequate connection to the land to the west for recreational purposes in a timely manner and to accord with policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

32. Design and Location of Garden Sheds
Prior to the construction of development above Damp Proof Course (DPC) level, the design and siting of gardens sheds for bicycle storage shall be submitted to and agreed in writing by the Local Planning Authority. The details submitted shall demonstrate compliance with the required standard for Secured by Design (SBD). The sheds shall be provided in accordance with the approved details prior to the occupation of the corresponding dwellings.

Reason

In the interests of security and crime prevention and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

33. Provision of Bin Stores
The bin storage shown on the drawings hereby approved shall be provided before the corresponding dwellings are first occupied, and thereafter retained for that purpose.

Reason

In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

34. Affordable housing M4(2) and M4(3) Standards
All Affordable Dwellings shown on the approved proposed tenure mix plan no. 104 P8 shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2) with the exception of any self-contained accommodation built above ground floor level. Where Wheelchair a unit is identified on approved proposed tenure mix plan no. 104 P8 this unit will be constructed to meet Part M of the Building Regulations Accessibility standard M4(3)(2)(a).

Reason

To ensure inclusive design access for all in accordance with Policy PSP37 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

35. Fire Hydrants
No dwelling shall be occupied until fire hydrants have been installed at the site in accordance with the locations indicated by the Avon Fire and Rescue response received on 8th December 2020.

Reason

To directly mitigate the impact of the development on infrastructure and to accord with Policy CS6 of the South Gloucestershire Core Strategy (adopted) December 2013.

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

For the avoidance of doubt the following details will be required to discharge the condition:

- Confirmation and acceptance of an agreed connection point and discharge rate for surface water disposal from Wessex Water.
- A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds.
- Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance.
- (Preferably in the MicroDrainage format to include the MDx file for auditing).
- Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance.
- Where infiltration forms part of the proposed Surface Water Network such as Soakaways, percolation / soakage test results and test locations are to be submitted in accordance with BRE 365.
- A plan showing the cross sections and design of the attenuation pond and its components (to include an all-around access track for maintenance).

- The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
- The plan should also show any pipe node numbers referred to within the drainage calculations.
- A manhole / inspection chamber schedule to include cover and invert levels.
- Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation/Infiltration features and Flow Control Devices where applicable for the lifetime of the development.

Reason

In order to ensure that an adequate means of drainage is provided and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP20 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition in order to avoid any unnecessary remedial works.

37. Prior to the commencement of the development, detailed groundwater monitoring for a minimum period of 6 months shall be undertaken in the location of the proposed attenuation basin and the results of the monitoring submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

In order to ensure that an adequate means of drainage is provided and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP20 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition in order to avoid any unnecessary remedial works.

38. Plan List

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

D type floor plans, 154 p3
D type elevations, 155 p3
Received on 20th May 2021

D v2 type floor plans, 180 p1
D v2 type elevations, 181 p1
Received on 19th May 2021

Proposed site layout, 101 p7
Proposed tenure mix, 104 p8
Proposed ownership plan, 105 p7
Proposed external materials, 106 p6
Proposed open space categories, 108 p
Received on 6th May 2021

Proposed site location plan, 100 p2

B type floor plans, 150 p2
B type elevations, 151 p2
C type floor plans, 152 p2
C type elevations, 153 p2
D v1 type floor plans, 156 p2
D v1 type elevations, 157 p2
K type floor plans, 160 p2
K type elevations, 161 p2
N type floor plans, 162 p2
N type elevations, 163 p2
Aff blk 01 floor plans, 164 p2
Aff blk 01 elevations, 165 p3
Aff blk 04 floor plans, 170 p2
Aff blk 04 elevations, 171 p2
R type floor plans, 172 p1
R type elevations, 173 p1
P type floor plans, 174 p1
P type elevations, 175 p1
F type floor plans, 176 p1
F type elevations, 177 p1
F v1 type floor plans, 178 p1
F v1 type elevations, 179 p1
Aff blk 05 floor plans, 182 p1
Aff blk 05 elevations, 183 p1
Aff blk 06 floor plans, 184 p1
Aff blk 06 elevations, 185 p1
Bin_cycle store (plots 28-31), 186 p1
Single garage floor plan and elevations, 187 p2
Double garage floor plan and elevations, 188 p2
Twin garage floor plan and elevations, 189 p2
Plot 29 m4(3) wheelchair compliance drawing, 190 p1
Triple garage floor plan and elevations, 191 p1
B type elevations, 192 p2
B v1 type floor plans, 193 p1
B v1 type elevations, 194 p1
Proposed wall fence and railings, 300 p1
Landscape masterplan, mas-980-01 b
Received on 16th April 2021

Proposed finished floor levels, 7179-301 A
Drainage strategy, 7179/501 A
Proposed site access arrangement, 1007-004 B
Topographical survey, 918/11267/1
Received on 12th March 2021

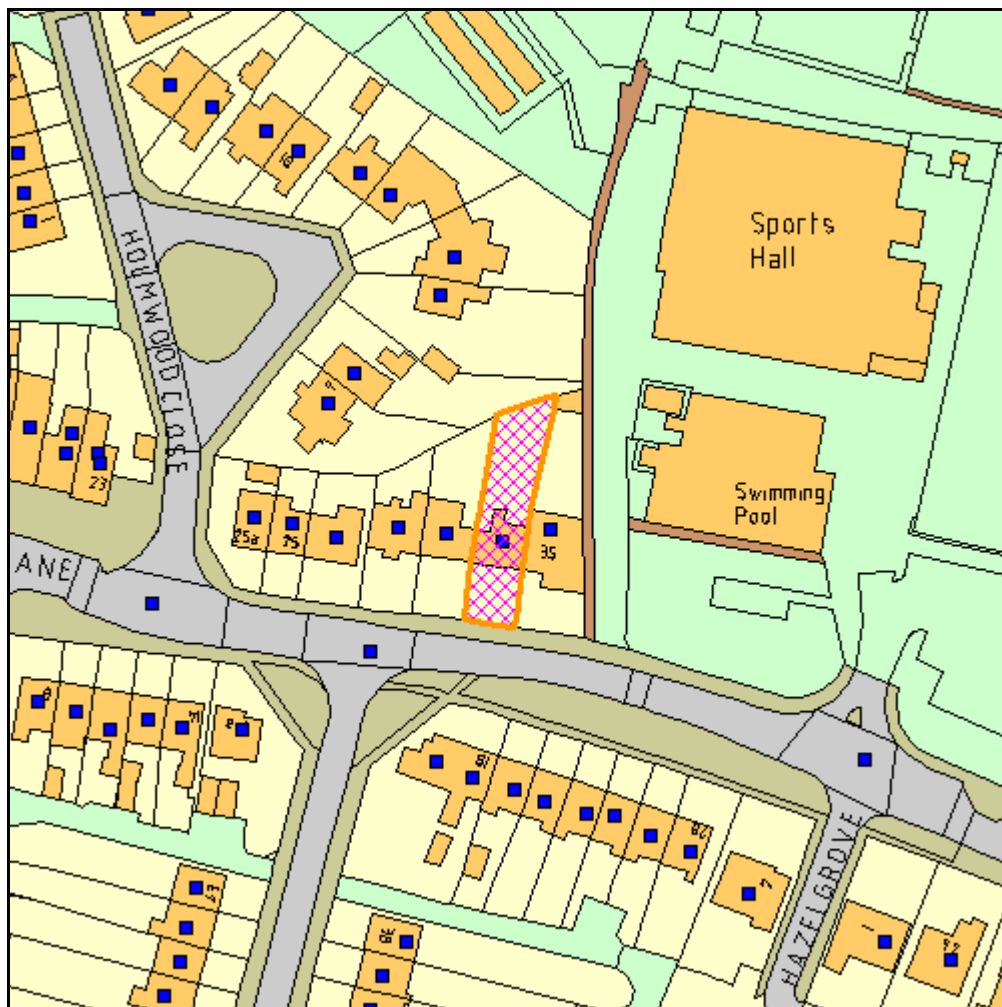
Reason

For the avoidance of doubt.

Case Officer: Jonathan Ryan
Authorising Officer: Eileen Paterson

CIRCULATED SCHEDULE NO. 25/21 -25th June 2021

| | | | |
|------------------------------|---|---------------------|--------------------------------|
| App No.: | P21/02595/F | Applicant: | Mrs Hayley Nesbitt |
| Site: | 33 Flaxpits Lane Winterbourne South Gloucestershire BS36 1LA | Date Reg: | 12th April 2021 |
| Proposal: | Erection of single storey rear and side extension to form additional living accommodation. Erection of pitched roof porch canopy continuing across the front of the garage. Replacement of existing garage flat roof with new pitched roof. | Parish: | Winterbourne Parish Council |
| Map Ref: | 364964 180546 | Ward: | Winterbourne |
| Application Category: | Householder | Target Date: | 1st June 2021 |



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P21/02595/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 proposal appears on the circulated schedule due to the receipt of an objection comment from the parish council, contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a front porch and single storey rear & side extension to form additional living accommodation as well as replacement garage roof at 33 Flaxpits Lane, Winterbourne.
- 1.2 The applicant site comprises a modest plot with the property itself forming a two-storey semi-detached property. The dwellinghouse appears to benefit from off street parking and a rear garden, providing the residents with ample amenity space. Likewise, it is recognised on-site development is not restricted by any local plan policies.
- 1.3 *Procedural Matters* – amended plans have been received from the applicant's agent. This has not altered the scope or description of development, and as such, no further public consultation has been conducted. The case officer is satisfied this does not disadvantage the public interest.

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 |

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

| | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP8 | Residential Amenity |
| PSP11 | Transport Impact Management |
| PSP16 | Parking Standards |
| PSP38 | Development within Existing Residential Curtilages |
| PSP43 | Private Amenity Space |

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

Residential Parking Standards SPS (*Adopted 2013*)
SGC Householder Design Guide (*Adopted March 2021*)

3. **RELEVANT PLANNING HISTORY**

3.1 No relevant planning history.

4. **CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council

The Parish council have taken the position of objection based on the following grounds:

- Neighbouring residents to the applicant property have raised concerns about rainwater transfer and the effect the proposed construction could have on drainage.

4.2 *[Officer Comment]* The above comment has been noted. However, the potential to effect sewage waste transfer by means of construction does not bare any planning merit and is a matter concerned with building regulations. Similarly, the concern of rainwater transfer does not fall within the scope of this planning assessment, and as such, is considered to be addressed (see 4.4 for further explanation).

4.3 Local Residents

Two objection comments have been received from neighbouring properties. Key points are summarised as follows:

- Concern that the proposed pitched roof [of garage] will lead to water ingress and reduce sunlight opportunities in the neighbour's garden. Likewise, concern is raised regarding the design of the garage roof and the potential impact this will have on adjoining party wall.
- Request that time constraint of construction hours is placed on the application should it be approved.
- Concern that proposed works will exacerbate existing sewage problem.

4.4 *[Officer Comment]* Both neighbour comments have been noted. However, as indicated above, sewage concerns are a matter for building regulations and fall outside the scope of this report. Similarly, it is understood that an occupier of land is liable for all natural as well as non-natural substances egressing from their land, therefore any increased rainwater runoff as result of this planning application is considered a civil disturbance and does not constitute a planning consideration. Lastly, should this application be approved, it would not be considered unjust to set a construction condition limiting the hours of work to reduce noise nuisance.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy PSP38 permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity

and transport. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Design and Visual Amenity

Policies CS1, PSP38 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.

5.3 The proposed single storey extension would project from the rear elevation of the existing dwellinghouse by approximately 3.3m, where it would envelop the Northwest facing corner of the property and continue along the side elevation (West facing) to produce an 'L' shape. This would project by approximately 2.3m from the side elevation and would have a maximum height of 3.3 meters that features a lean-to roof with 3no. roof lights installed in the rear roof plane. There would also be 1no. set of bi-fold doors spanning half the width of the proposed extension (at the rear) as well as an open pitched front porch. The proposed finishing materials are set to match the existing.

5.4 Overall, it is considered that the design, scale and finish of the proposed extension would integrate with the host dwelling and sufficiently respects the character and distinctiveness of the immediate vicinity. It is therefore considered the proposal has an acceptable standard of design and complies with policies CS1 and PSP38.

5.5 Residential Amenity

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

5.6 Whilst there is likely to be an element of overshadowing to the neighbouring property (No.31), the impact to their living conditions would not be significant enough to refuse permission. It is noted this proposal would not create a depth-difference (between the rear building lines) in excess of 5 meters with No.31, which is generally considered acceptable by the SGC householder Design guide, and moreover, the part of the neighbouring dwelling that abuts this boundary is a garage. Therefore and in consideration to the neighbouring properties, the proposed development would not result in any unacceptable impacts as described above and would comply with policy PSP8.

5.7 In terms of amenity for the applicant, Policy PSP43 states that residential units, including those that are subject to development, are expected to have access to private amenity space that is: functional and safe; of a sufficient size in relation to occupants; and, be easily accessible. Although some of this area (at the rear of the property) would be lost through the development, officers are

satisfied that a sufficient amount of private amenity space would be retained and as such, the proposal is found to be compliant with PSP43.

5.8 Transport (Access and Parking)

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. As the proposed works do not seek to increase bedroom number, the requirement for on-site parking remains effectively unchanged. The proposal would therefore have no impact on existing vehicular access and complies with policy PSP16 and the Council's Residential Parking Standards SPD.

5.9 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to:
Monday - Friday.....8:30am - 5:30pm
No working shall take place on Saturdays, Sundays or Public Holidays.
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the residential amenities of neighbouring properties and 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 plan (P-100)
Block Plan (P-101)
Elevations Plan (P-005:B)
Existing GF Plan (P-001:B)
Proposed GF Plan (P-003:B)
Existing First Plan (P-002)
Proposed First Plan (P-004:B)

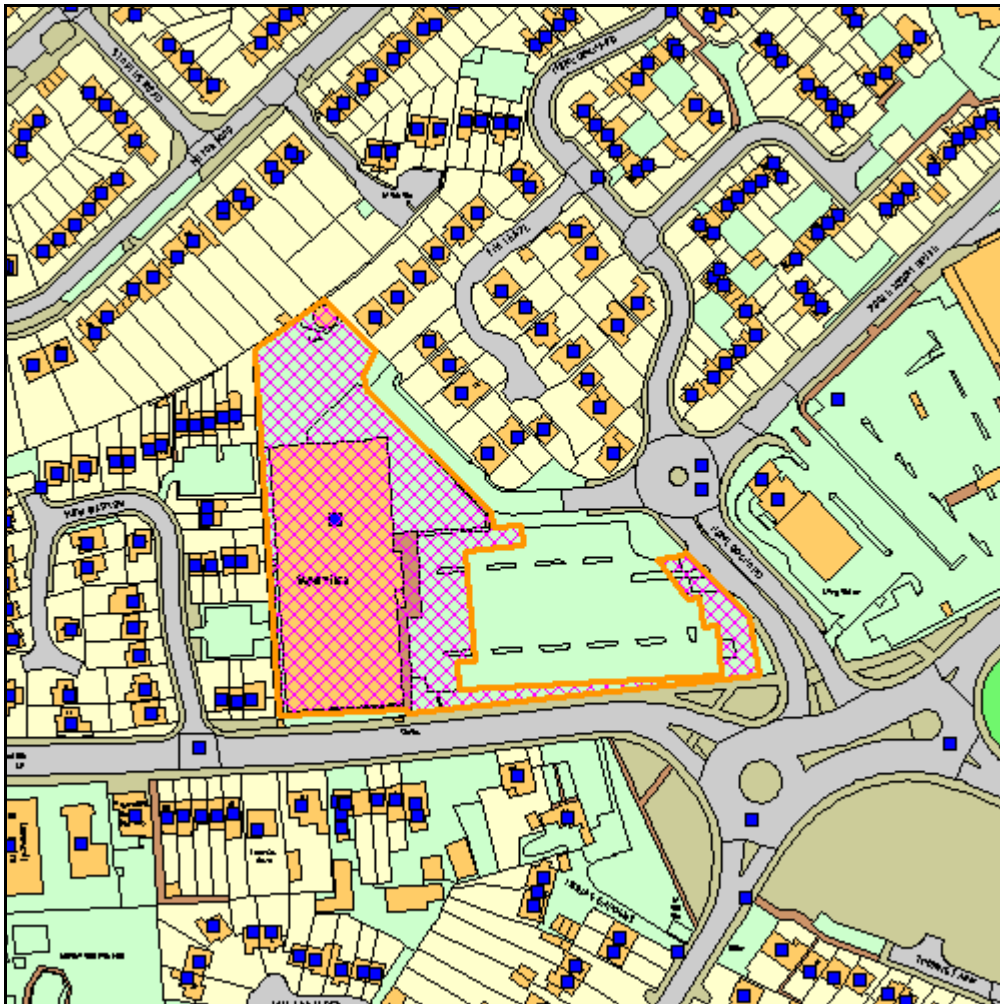
Reason

To define the terms and extent of the permission.

Case Officer: Ben France
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 25/21 -25th June 2021

| | | | |
|------------------------------|--|---------------------|---|
| App No.: | P21/02733/F | Applicant: | Harmsworth Pension Funds Trustees Limited |
| Site: | B And Q Station Road Yate South Gloucestershire BS37 5PQ | Date Reg: | 5th May 2021 |
| 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. | Parish: | Yate Town Council |
| Map Ref: | 370892 182587 | Ward: | Yate North |
| Application Category: | Minor | Target Date: | 24th June 2021 |



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P21/02733/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection by 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 full planning permission for the 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.
- 1.2 This application follows P20/07452/F which granted approval for the change of use of part of the store from DIY and garden centre, to a food and non-food store.
- 1.3 This application now proposed the external alterations to facilitate that conversion. Application P20/07452/F remains extant, and would sit alongside the permission now under consideration. The principle of the change of use is therefore not for consideration under this application.
- 1.4 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.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 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 |
| CS14 | Town Centres and Retail |
| CS30 | Yate and Chipping Sodbury |

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 |
| PSP31 | Town Centre Uses |

2.3 Supplementary Planning Guidance

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 P21/00002/MOD, Pending Consideration, Proposal: Modification to S106 agreement attached to planning permission P20/07452/F to enable foodstore retailer 'Aldi' to trade from this location.

4. CONSULTATION RESPONSES

4.1 Yate Town Council - *Object*

We object unless:

(a) a condition is imposed in relation to the landscaping ensuring it is linked to the proposed landscaping project along Station Road. To ensure an integrated and positive street scene along Station Road.

(b) more covered secure cycle parking is provided, as the proposed provision for the supermarket end is not sufficient

(c) that more electric vehicle charging points are provided within the car park as this should now be a standard part of all large car parking areas.

(d) the delivery and loading space for the new front store is right on the site boundary adjoining domestic properties. We object unless there are strict delivery time limits, of at most 8.30am - 7pm Monday to Friday, and a very tight site boundary noise condition to address the needs of the houses whose windows are within a few feet of the delivery bay. We are aware of how noisy delivery yards for food stores can be. This is not the case of a delivery bay at

the bottom of a garden. This delivery bay will be right beside house, just the depth of a thin hedge from bedroom windows. This is not acceptable.

- 4.2 Environmental Protection – No objection subject to condition re: noise
- 4.3 Tree Officer – No objection subject to no storage of materials within planting pits
- 4.4 Transportation DC – No objection
- 4.5 Crime Prevention Design Officer – No objection
- 4.6 Contaminated Land – No objection subject to condition relating to unexpected contamination
- 4.7 Drainage – No objection
- 4.8 Landscape – No objection
- 4.9 Highway Structures – No comment

Other Representations

- 4.3 Local Residents – 4no. objection comments have been received, summarised as:
 - Additional store will increase traffic flow
 - Safety concerns regarding access
 - Delivery times and working hours should be restricted
 - Delivery road, yard and plant should be soundproofed
 - Original deeds state no food to be sold on site
 - Existing Morrisons store has issues with traffic congestion
 - Proposed rear windows are directly in line with bathroom window
 - Lack of privacy in rear garden
 - Increase in noise pollution to house and garden
 - Large amount of glazing should be relocated to east elevation
 - Trees should be added to landscaping
 - Cladding should be high quality material
 - Colour scheme should be darker grey

5. ANALYSIS OF PROPOSAL

Design and visual amenity

- 5.1 The proposals as submitted include the provision of two entrance lobbies, one per store, the installation of new plant and alterations to existing door and window fenestrations.
- 5.2 The two entrance lobbies are proposed within the east elevation facing the car park. These would be glazed, with a dark grey canopy area. One entrance lobby would also straddle the southeast elevation, where there is currently a large glazed area. The entrance lobbies would improve legibility when

customers arrive to the store, and will help provide some interest to the elevation as a whole.

- 5.3 The current orange colour used for detailing will be replaced with a dark grey. The existing cladding will be replaced or overclad with mid-grey cladding. Exact details will be required by condition.
- 5.4 Additional glazing will be implemented, particularly on the south and eastern elevations.
- 5.5 Overall, the proposals will not appear significantly different to the existing site. There is therefore no objection in regards to design or visual amenity.

Landscaping and trees

- 5.6 The existing landscaping and trees on site are to be retained.
- 5.7 The proposals involve an improved landscaping scheme to the east and south boundaries of the site. What is currently a grassed area will be replaced with shrubs and herbaceous planting. This is clearly an improvement upon the existing situation.
- 5.8 Whilst linking the scheme with the wider improvements to Yate is noted, these are currently still at the Masterplan stage and hold little weight when determining a planning application.
- 5.9 The Landscape Officer has raised no objection to the scheme as proposed. The proposal is considered to be acceptable in landscape terms.

Residential amenity

- 5.10 Concerns regarding noise from delivery vehicles are noted. This was considered in depth under application P20/07452/F, where conditions were added restricting deliveries to between 8am and 8pm. These conditions remain in place under that application. Proposals regarding deliveries etc. have not been altered, and as such are not required to be re-assessed.
- 5.11 The proposals do add plant to the delivery yard area. A noise assessment has been submitted to determine the likely impact. This has been assessed using the BS 4142 methodology and BS 8233 noise intrusion criteria. The findings of the report are that the ratings levels from the proposed operations are typically below the measured daytime and night-time noise levels. As such, no additional mitigation is considered necessary and the proposals would not have a significant impact upon residential amenity in terms of noise.
- 5.12 Some concerns have been raised regarding the increase glazing levels on the southern elevation. Whilst these do face residential properties, they are around 30m away from the front elevation, across a road and two pavements. It is not considered that any harm from the additional glazing would be significant.

- 5.13 Concern has also been raised regarding additional windows within the western elevation. Although small and at ground floor level, the increased levels between the store and the residential properties could result in some overlooking. There is some planting in proximity to the windows, however in order to protect residential amenity it is considered necessary for these windows to be obscurely glazed.
- 5.14 Subject to the condition above, overall it is not considered that the proposals would have a significant impact upon residential amenity over and above the existing situation.

Highways

- 5.15 The proposals include the slight reconfiguration of the car park, to include a widening of the existing ramped pathway to improve accessibility, the provision of cycle stands. Two electric vehicle charging points are also proposed.
- 5.16 The proposed arrangements have raised no objection from the Transportation DC team. Whilst the number of charging points is currently low, application P20/07452/F requires the submission of a Travel Plan which will monitor future demand for charging points and plan for any increase as required.
- 5.17 The potential for traffic increase as a result of the subdivision was considered under application P20/07452/F. The physical changes within this application will not result in any increased traffic demand. The application is therefore considered to be acceptable in terms of highways impact.

Consideration of likely impact on Equalities

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

6. CONCLUSION

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

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

7. **RECOMMENDATION**

7.1 The application is recommended to be 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. Prior to the commencement of works to the external walls of the building, details of the external cladding proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. The landscaping works shall be carried out within the first planting season following completion of construction, and in strict accordance with Proposed Soft Landscaping (2463 P00), Detailed Landscape Specification and Indicative Planting List, all received 15th April 2012.

Reason:

To ensure the provision of an appropriate landscape setting to the development in accordance with PSP2.

4. The glazing on the west elevation shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

5. Prior to the commencement of use the parking and access shall be laid out in accordance with the approved plans, including cycle parking and electric vehicle charging points. The layout shall thereafter be retained in perpetuity.

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; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

6. Any contamination revealed during the course of construction of the development 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, a remediation and verification scheme shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason:

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.

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

| | | | |
|-------------|----------------------------|-----|-----------------------------|
| 15 Apr 2021 | 2463-URB-ZZ-00-DR-A-208100 | P00 | SITE LOCATION PLAN |
| 15 Apr 2021 | 2463-URB-ZZ-00-DR-A-208101 | P00 | EXISTING BLOCK PLAN |
| 15 Apr 2021 | 2463-URB-ZZ-00-DR-A-208102 | P00 | EXISTING GROUND FLOOR PLAN |
| 15 Apr 2021 | 2463-URB-ZZ-00-DR-A-208150 | P03 | PROPOSED BLOCK PLAN |
| 15 Apr 2021 | 2463-URB-ZZ-00-DR-A-208151 | P01 | PROPOSED GROUND FLOOR PLAN |
| 15 Apr 2021 | 2463-URB-ZZ-00-DR-L-298150 | P00 | PROPOSED SOFT LANDSCAPING |
| 15 Apr 2021 | 2463-URB-ZZ-01-DR-A-208100 | P00 | EXISTING FIRST FLOOR PLAN |
| 15 Apr 2021 | 2463-URB-ZZ-10-DR-A-208150 | P01 | PROPOSED FIRST FLOOR PLAN |
| 15 Apr 2021 | 2463-URB-ZZ-RF-DR-A-208100 | P00 | EXISTING ROOF PLAN |
| 15 Apr 2021 | 2463-URB-ZZ-RF-DR-A-208150 | P01 | PROPOSED ROOF PLAN |
| 15 Apr 2021 | 2463-URB-ZZ-XX-DR-A-208250 | P00 | PROPOSED ELEVATIONS |
| 15 Apr 2021 | 2463-URB-ZZ-XX-DR-A-208300 | P00 | EXISTING SECTIONS |
| 15 Apr 2021 | 2463-URB-ZZ-XX-DR-A-208350 | P00 | PROPOSED SECTIONS |
| 15 Apr 2021 | 463-URB-ZZ-XX-DR-A-208200 | P00 | EXISTING ELEVATIONS |
| 04 May 2021 | 2463-URB-ZZ-00-DR-A-208152 | P00 | PROPOSED BOUNDARY TREATMENT |

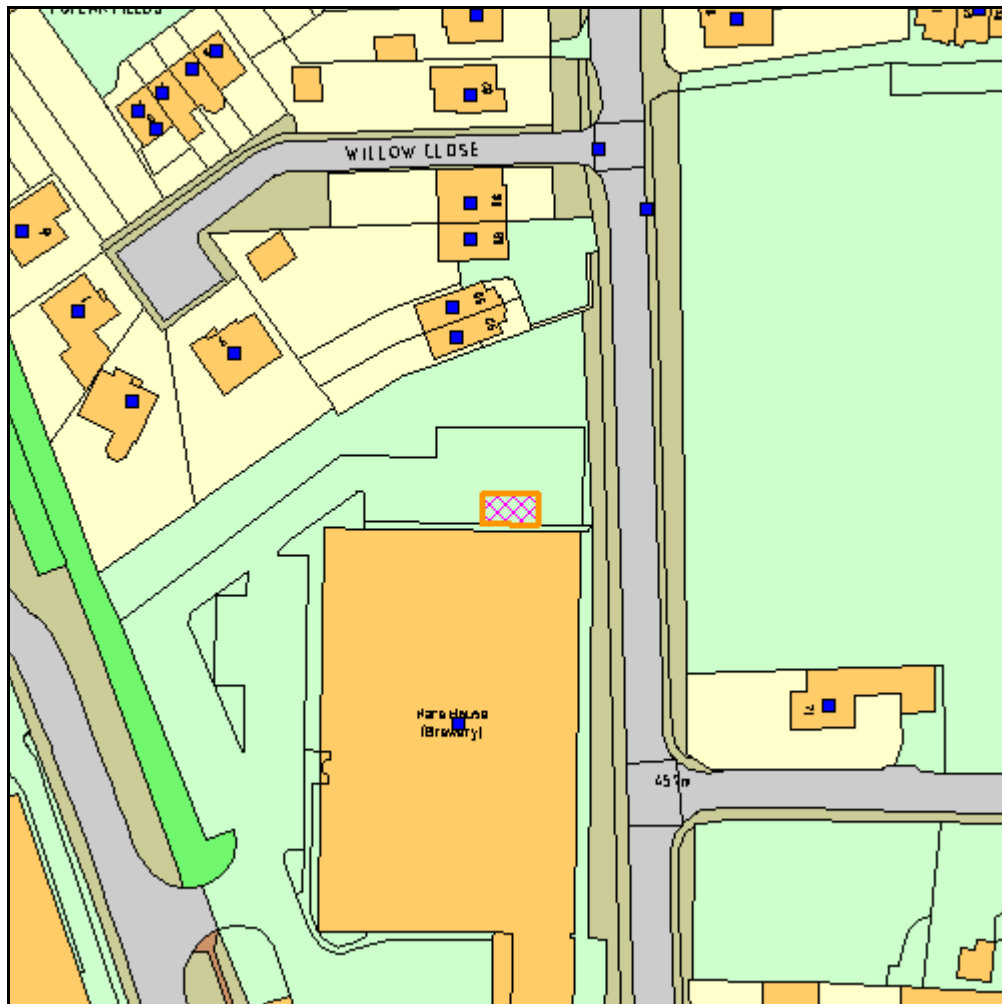
Reason:

To define the terms and extent of the permission.

Case Officer: Rae Mepham
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 25/21 -25th June 2021

| | | | |
|------------------------------|---|---------------------|--|
| App No.: | P21/02833/F | Applicant: | Mr David Pedlar St Austell Breweries Ltd |
| Site: | Bath Ales Ltd Hare House Southway Drive Warmley South Gloucestershire BS30 5LW | Date Reg: | 29th April 2021 |
| Proposal: | Installation of an external waste yeast tank connected to existing brewery plant. | Parish: | Bitton Parish Council |
| Map Ref: | 367870 172586 | Ward: | Bitton And Oldland Common |
| Application Category: | Minor | Target Date: | 23rd June 2021 |



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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application appeared on Circulated Schedule no.24/21 – 18th June 2021 because more than 3no. Representations had been received from residents, which are contrary to the officer recommendation.

This application has been placed on Circulated Schedule for a second time because it came to light that some consultation responses from members of the public had been missed, due to a technical issue. It is therefore considered necessary to re-circulate the application, in the interest of fairness in the decision making process.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the installation of an external waste yeast tank, to be connected to the existing brewery plant.
- 1.2 The application site is the Northern end of the Hare House site occupied by Bath Ales Ltd, and is within the East Fringe of Bristol urban area. The site is also within an area safeguarded for economic development per CS12 and B8 storage and distribution per PSP27
- 1.3 During the course of the application, further information has been provided following comments from residents, which prompted environmental protection to be consulted as part of the application.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework February 2019
National Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

| | |
|------|--|
| CS1 | High Quality Design |
| CS4A | Presumption in Favour of Sustainable Development |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |
| CS12 | Safeguarded Areas for Economic Development |
| CS29 | Communities of the East Fringe of Bristol |

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

| | |
|-------|---|
| PSP1 | Local Distinctiveness |
| PSP8 | Residential Amenity |
| PSP11 | Transport Impact Management |
| PSP20 | Flood Risk, Surface Water, and Watercourse Management |

PSP21 Environmental Pollution and Impacts
 PSP27 B8 Storage and Distribution Uses

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/3224/RVC (approved 21/10/2014):
 Variation of condition attached to K448/30, K448/38, K448/58 and PK14/0549/F
 all relating to hours of operations being 24 hours to allow brewing overnight.

Relevant conditions:

Condition 3

The level of noise emitted from the site shall not exceed 50 dB(LAeq 1hr) between 07:00 and 23:00 and 40dB (LAeq 5min) between 23:00 and 07:00, as measured at or beyond the boundary of any residential premises. The measurements and assessment shall be made in accordance with the provisions of BS4142:1997.

Condition 4

No outside working shall be carried out on the site between 21:00 and 07:00 within any 24 hour period.

Condition 5

No deliveries shall be taken at or despatched from the site outside the hours of 07:00 to 18:00 Monday to Saturday or at any time on a Sunday, Bank or Public Holidays.

- 3.2 Other planning history is available for the site, but is neither recent nor relevant.

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council

No objection

- 4.2 Siston Parish Council

No comments have been received

- 4.3 DC Transport

Have no comments because the parking and access arrangements remain unchanged and the proposal will not alter the travel demand.

- 4.4 Highway Structures

No comments have been received

4.5 Drainage (LLFA)

No objection; informative recommended

4.6 Economic Development

No comments have been received

4.7 Environmental Protection

No formal comments have been received. However, in light of concerns raised by residents, EP have been consulted. Following the submission of further details of what the proposal would entail, environmental protection officers do not raise any concerns and do not request the use of any specific noise related conditions.

4.8 Local Residents

6no. objection comments have been received, 2 of which from the same person. Comments are summarised as follows:

- Brewery creates noise and smells
- Tank will make things worse (smells and noise disturbance)
- Noise and smell should be at the other end of the factory
- Existing consent led to 24/7 noise disturbance from running machinery on the side of site nearest homes
- Acoustic wall has failed
- Will this add to existing smells emitted?
- Will this add to existing all hours noise?
- Impact on property value
- Concerned tank will allow increased production
- Concerned noise disturbance may increase relating to a change in process
- Previous applications not discussed with neighbours or given enough notice
- Bath Ales should be challenged by planning committee as expansion to date falls unquestioned and has reached critical point
- Not enough information
- How long will the pump be in operation?
- Will the tank be vented and what will prevent smell being emitted?
- Will the tank be filled during working hours or will it be continuous?
- Have additional noise reduction measures been considered?
- Concerned only three properties have been advised about the application – several others affected by the site
- Further investigation needed
- Query contingency plans for dealing with additional noise from this installation
- Bath Ales should speak to residents and planning committee in a public forum
- Concerned that tank operations may take place outside business hours

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal seeks to an external waste yeast tank, to be connected to the existing brewery plant.

Requirement for the tank

- 5.2 The tank is proposed to store waste Yeast produced during the fermentation process on the site in a more efficient manner than the current set up. The tank will replace the existing set up, which consists of a number of IBCs (intermediate bulk containers) that are currently used to collect and store the same waste Yeast in the storage area to the North of the site. These containers are currently stored outside in the same place that the new tank will be situated.

- 5.3 The tank would be linked to the building by a pipe which would fill the tank, fed from a new pump installed 20 metres inside the building. It is stated that the tank would not be vented outside, and the only external connection would be that which would allow the tank to be emptied by tanker, which would take place during the sites permitted exterior operational hours. At present IBCs are emptied individually by suction hose from a tanker.

Principle of Development

- 5.4 The NPPF submits that planning policies and decisions should help create the conditions in which businesses can invest, expand, and adapt. Accordingly, significant weight should be given to the need to support economic growth and productivity. Policy CS12 seeks to safeguard areas designated for economic development, and the site is located within one of the safeguarded areas (area 23, Southway Drive, North Common). The proposal would be for a piece of equipment ancillary to the existing economic development function of the site. Therefore, the proposed development would not conflict with the aims of CS12, or the NPPF in terms of supporting economic growth and productivity.

- 5.5 There are no other factors that would prevent the proposed development in this location in principle. However, detailed consideration is required with regards to impacts on residential amenity, visual amenity and transportation.

5.6 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include odours, fumes and vibration, noise or disturbance, loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. It is noted that concerns are raised regarding odours and noise generated from the site.

- 5.7 The tank would have the effect of reducing the need for forklift operations associated with the filling and moving of a number of smaller containers, with the tank instead taking the waste product straight from the process inside the building via a direct pipe. This means that should permission be granted, there could be a reduction in existing noise levels at this end of the site. Similarly, the use of a tank as proposed would arguably mean less odours to some extent

- because it would not be open and would not be vented outside. Accordingly, it is not considered that the proposed tank would lead to any increase in noise or odours beyond the existing situation largely governed by the main consent for the site (PK14/3224/RVC).
- 5.8 Other wider issues with the site and its operation cannot be addressed through this planning application, which only seeks installation of a singular tank, which is considered acceptable as discussed above. It should also be noted that the site is covered by existing conditions which limit activities. PK14/3224/RVC, granted in 2014, is in effect the latest permission for the overall operation of the site. This permission limited the use of the site to use a brewery only and puts limits on noise levels at certain times of day, limits outside working to daytime hours only and limits hours of deliveries (inbound and outbound).
- 5.9 Any functioning of the site would need to take place within the limitations of this consent. Pertinent to this case would be the emptying of the tank which would need to be within the permitted hours, and any noise generated by the pump would need to comply with the db limits imposed on this RVC consent. In addition, any other work involving the tank would be covered by the condition limits hours of outside working. For the avoidance of doubt, it also submitted that in any event, the pump would be largely silent in operation.
- 5.10 Having regard to the above, whilst concerns from residents are noted, there is nothing specific to this application that would warrant refusal on amenity grounds. Officers are also satisfied that the siting and scale of the tank are such that there would be no other amenity issues, such as overbearing, or overshadowing, should permission be granted.
- 5.11 Design and Visual Amenity
The tank would have a height of c.4 metres and would be c.4 metres deep. It would be sited on the Northern end of the main building next to an existing, taller tank. The design and appearance of the tank are functional, which will be read within its commercial setting as another piece of equipment associated with the use of the site. To put it another way, the proposal would not be out of keeping with its surroundings. Accordingly, the proposal is considered acceptable in terms of design and visual amenity.
- 5.12 Transportation
The tank would occupy part of the site currently used for storage of waste Yeast using the existing set up and would not impact on the levels of parking available on site. Moreover, the proposal would be unlikely to lead to any appreciable increase in travel demand for the site, and any lorry movements that are required to empty it would need to take place within the limits of the conditions applicable to PK14/3224/RVC. Because it will not alter the parking arrangements or lead to any appreciable alteration to the site's travel demand, the highways officers do not raise any concerns with the proposal. Accordingly, officers consider the proposal to be acceptable in terms of transportation.

Impact on Equalities

- 5.13 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.
- 5.14 With regards to the above this planning application is considered to have a neutral impact on equality.

Other Matters

- 5.15 Several matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.16 Whilst concerns are noted regarding issues with previous consents and how they were dealt with procedurally, this cannot have any weight on the current application, which needs to be considered on its own individual merits. The application has been correctly referred to Circulated Schedule and could therefore appear before the Development Management Committee, should a valid referral be made on planning grounds. It has been circulated a second time, to ensure that missed representations as a result of a technical issue were accounted for in the consultation responses section
- 5.17 The application has been given the correct publicity in accordance with the Council's Statement of Community Involvement.
- 5.18 Impacts on property value are not a material consideration.
- 5.19 The environmental protection team are satisfied with the proposal and have not requested any further investigations or information, largely because the proposal is not to intensify the use but is an alteration to an existing process which if anything, would improve the current predicament (as discussed above).

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies,

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

7. RECOMMENDATION

7.1 It is recommended that 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. Development shall be implemented in accordance with the following plans:

HYT_STR_ATP_004 A - Existing and proposed elevation plans

HYT_STR_ATP_005 A - Existing and proposed floor plans

Site location plan

As received 21st April 2021

Reason

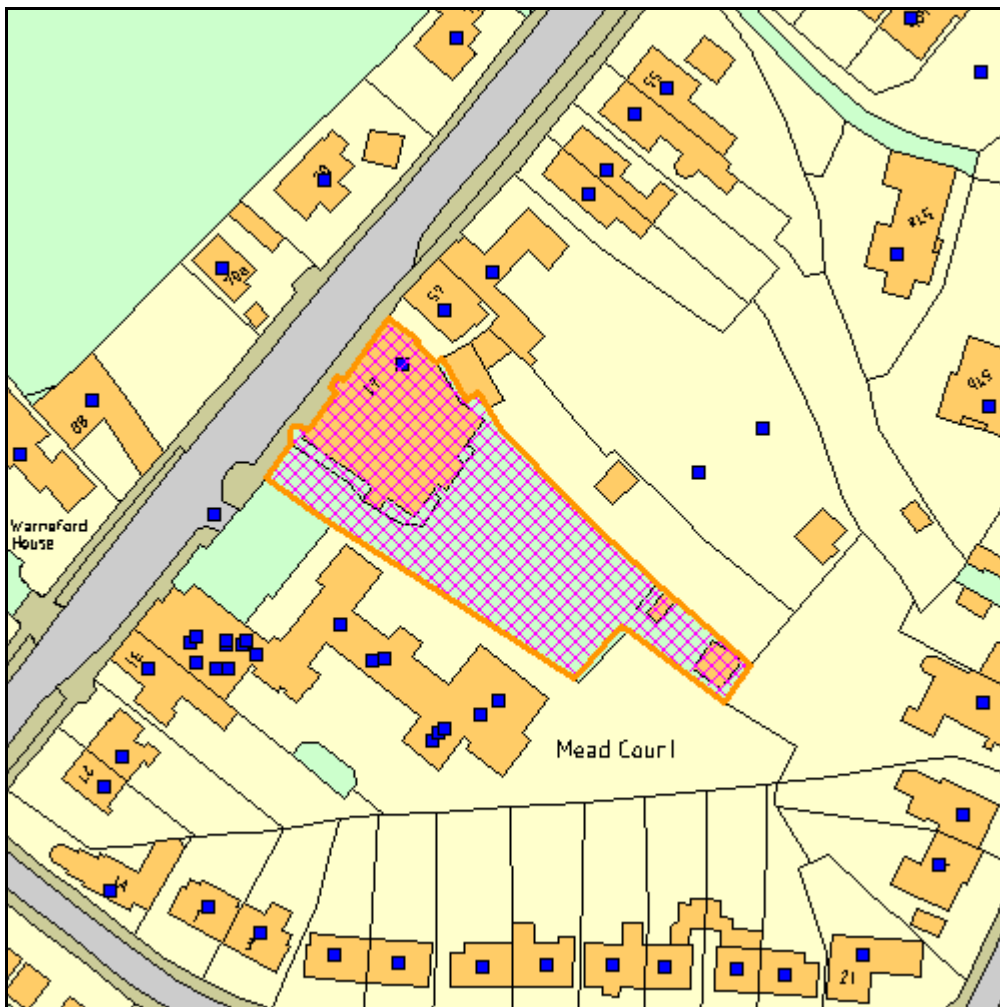
For the avoidance of doubt and to define the exact terms of the permission.

Case Officer: Alex Hemming

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 25/21 -25th June 2021

| | | | |
|----------------------------------|--|-------------------------|--------------------------------|
| App No.: | P21/02982/F | Applicant: | M Rahman |
| Site: | The Taj Brasserie 41 High Street Winterbourne South Gloucestershire BS36 1JG | Date Reg: | 5th May 2021 |
| Proposal: | Change of use from bed and breakfast accommodation to HMO for up to 11 people (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). | Parish: | Winterbourne Parish Council |
| Map Ref: | 365019 180949 | Ward: | Winterbourne |
| Application Category: | Minor | Target Date: | 25th June 2021 |



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100023410, 2008.

N.T.S.

P21/02982/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

The application appears on the Council's Circulated Schedule procedure following the receipt of an objection comment from the Parish Council contrary to the officer recommendation below.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the conversion of existing bed and breakfast accommodation into an 11 person, 11 bed HMO.
- 1.2 The proposal sits above an existing restaurant premises in Winterbourne. The property is within the defined settlement boundary.

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 |
| CS9 | Managing the Environment and Heritage |
| CS15 | Distribution of Housing |
| CS16 | Housing Density |
| CS17 | Housing Diversity |

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

| | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP8 | Residential Development |
| PSP11 | Transport |
| PSP16 | Parking Standards |
| PSP39 | Residential Conversions, Subdivision, and HMOs |
| PSP43 | Private Amenity Standards |

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Waste Collection: Guidance for new developments SPD (Adopted) 2015

3. **RELEVANT PLANNING HISTORY**

- 3.1 P98/1380 - Conversion and extension of public house and dwellinghouse to form 10 bedroom hotel with restaurant, bar and function room areas to include amendments to front elevation. - Approved: 30.10.1998
- 3.2 P19/17143/F - Change of Use of part of restaurant (Class A3) to 2 no. flats (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). – Refused: 16.01.2020

4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council - *The comments of the Parish Council are Objection. The Parish Council have concerns regarding lack of sufficient parking for residents and patrons.*
- 4.2 Transportation DC – No objection

Other Representations

- 4.3 Local Residents – One objection comment has been received by a local resident, summarised as:
 - Vulnerable people living nearby
 - Proposal may impact on safety

5. **ANALYSIS OF PROPOSAL**

Principle of Development

- 5.1 PSP39 of the PSP Plan is supportive of Houses in Multiple Occupation provided they would not harm the character of the area; not prejudice the amenity of neighbours; provide adequate amenity space, refuse storage and parking. The proposal accords with the principle of development subject to the consideration below.

Impact on the character of the area

- 5.2 The application site is an existing building with B&B accommodation above a restaurant. The proposal requires no internal or external alterations to be carried out.
- 5.3 Policy CS17 seeks housing diversity and states that the sub-division of existing dwellings to form flats or HMOs can make a valuable contribution suitable for smaller households and single people. These are generally welcome where it is in compliance with policy PSP16 (discussed later in the report).

Residential amenity

- 5.4 Policy PSP43 sets out minimum standards for private amenity space, however there is no set standards for HMOs. Using this policy as a reference, a 1no.

bed flat should have access to a minimum of 5m² amenity space. Using this standard, 11 x 1no. bed flats would require 55m² of amenity space.

- 5.5 An area to the rear of the property will be provided for the proposed residents, intended to be used as a space for benches and a table. The applicant has also stated that the restaurant car park is unused during the day and could be used for activities, although this is clearly not an ideal solution.
- 5.6 The amenity space is 5m² under what would normally be expected from this type of development. The provision of shared space means that no single resident would be disadvantaged. Separate spaces have also been provided for storage and cycle parking. The site is also a sustainable location, with good access to outside sport and recreation. Given the location of the proposal the deficit of 5m² amenity space would not be considered a sufficient reason to refuse the application.
- 5.7 The existing B&B use already contains 11 bedrooms, and as such any potential noise disturbance would be no different to the existing situation. There is not considered to be any significant harm caused to residential amenity as a result of this proposal.

Transportation

- 5.8 This site is located within the existing built-up, hence this development fully complies with the locational requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places document.
- 5.9 The number of residents who would be present here overnight would theoretically be the same as the existing situation, therefore this change will not significantly alter the travel demand associated. Likewise, we note adequate car parking is already provided on the site and its access arrangements are unchanged. Consequently, this change of use will not raise any highways or transportation issues which could be considered severe or unacceptable.

Consideration of likely impact on Equalities

- 5.10 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. 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 shall not be occupied until covered and secure cycle parking as per the submitted plans and one 7Kw 32 Amp Electric Vehicle Charging Point has been provided, and retained in perpetuity.

Reason:

To promote sustainable travel and to accord with policies PSP16 and CS8.

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

| | | | |
|-------------|------------|---|--------------------------------------|
| 30 Apr 2021 | 021-131-01 | A | NORTH WEST AND NORTH EAST ELEVATIONS |
| 30 Apr 2021 | 021-131-02 | A | SOUTH WEST AND SOUTH EAST ELEVATIONS |
| 30 Apr 2021 | 021-131-03 | A | GROUND FLOOR PLAN |
| 30 Apr 2021 | 021-131-04 | A | FIRST FLOOR PLAN |
| 30 Apr 2021 | 021-131-05 | A | SITE LOCATION AND BLOCK PLAN |

Reason:

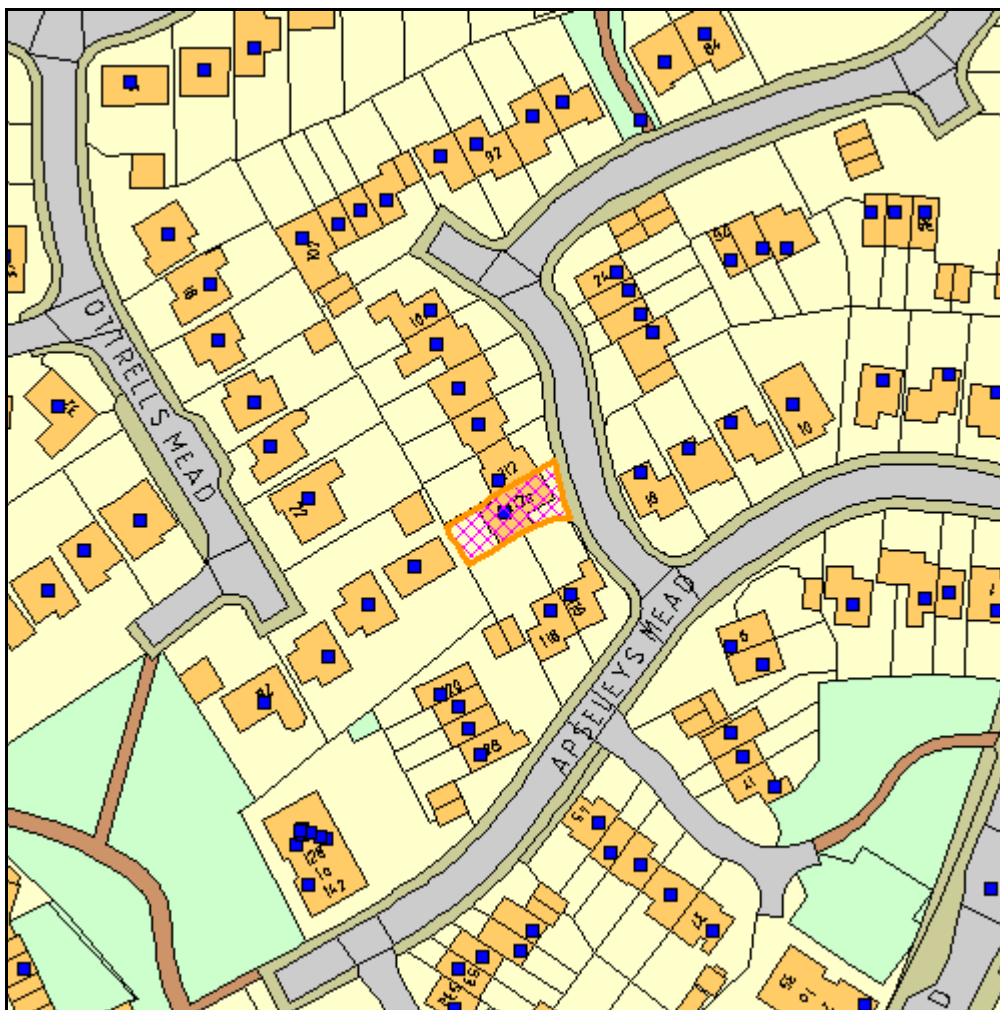
To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 25/21 -25th June 2021

| | | | |
|----------------------------------|--|-------------------------|-------------------------------|
| App No.: | P21/03060/F | Applicant: | S Mallett |
| Site: | 112A Apseleys Mead Bradley Stoke South Gloucestershire BS32 0BG | Date Reg: | 10th May 2021 |
| Proposal: | Erection of a first floor side extension to form additional living accommodation. | Parish: | Bradley Stoke Town Council |
| Map Ref: | 361321 182954 | Ward: | Bradley Stoke North |
| Application Category: | Householder | Target Date: | 5th July 2021 |



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 100023410, 2008. **N.T.S.** **P21/03060/F**

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because a representation has been received from the Town Council that is contrary to the findings of this report and Officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a first-floor side extension above an existing garage.
- 1.2 The application site is an end-terrace dwelling located within the Bradley Stoke area of the North Fringe of Bristol. The site is not subject to any restrictive planning constraints that would affect the development.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

| | |
|------|--|
| CS1 | High Quality Design |
| CS4A | Presumption in Favour of Sustainable Development |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |
| CS25 | Communities of the North Fringe of Bristol |

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

| | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP8 | Residential Amenity |
| PSP11 | Transport Impact Management |
| PSP16 | Parking Standards |
| PSP38 | Development within Existing Residential Curtilages |
| PSP43 | Private Amenity Space Standards |

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Householder Design Guide SPD (Adopted) March 2021
Residential Parking Standard SPD (Adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT05/1594/F (approved 13/07/2005):
Erection of single storey rear extension to form extended kitchen, lobby, and WC.
- 3.2 Other planning history is available but is related to the original estate development, which is neither recent nor relevant to this proposal.

4. **CONSULTATION RESPONSES**

4.1 Bradley Stoke Town Council

Objection – insufficient parking provision.

4.2 Sustainable Transport

Initial comments:

DC Transport cannot support this application.

Updated comments:

No objection

4.3 Local Residents

1no. support and 1no. general comment have been received, both stating no objection to the proposal.

5. **ANALYSIS OF PROPOSAL**

- 5.1 The proposal seeks to erect a first-floor side extension.

5.2 Principle Of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

5.3 Design and Visual Amenity

- The host property is faced with a mixture of brick and render with mock Tudor details. The roof has North and South facing gable ends and on the Southern side of the property is a small attached single storey garage. The extension would add a first floor to this garage which would come further forward but would be set back from the principal elevation by c.2 metres and down from the ridge by c.600mm. The extension would be supported to the front by a brick faced pier, allowing the retention of the existing parking space underneath the first-floor extension through the creation of a car port.
- 5.4 The extension is c.100mm over half width of the existing dwelling, however this approach is perhaps a logical one to allow the extension to sit atop the existing garage, which extends up to the Southern boundary. The extension is however set back by a good amount and down by a similarly good amount to ensure that the extension overall remains subservient and in proportion with the host property. Fenestration also appears orderly and in line with that of the host property. Following the above consideration, officers would consider the proposed extension to be acceptable in design terms and broadly in alignment with the relevant policies applicable to residential extensions. A matching materials condition is recommended, should permission be granted, in order to ensure that the extension successfully assimilates into the street scene.
- 5.5 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.6 New windows are proposed on the front and rear at first floor. The extension would be sufficient distance from the Western Garden boundary to mitigate any overlooking concerns, when considered against the HH design SPD 7 metre garden boundary test. The right-angled relationship with the Southern neighbour would also mean that no unacceptable overlooking from the new rear first floor would occur. Moreover, as a window serving a bathroom, this would be likely to be obscure glazed. A condition to that effect is however not considered necessary, for the above reasoning.
- 5.7 The extension would bring a blank elevation up to the Southern boundary of the site with no's 118 and 116 Aspeleys Mead. The extension would be c.10.5 metres away from the rear elevations of 118 and 116. Per the HH design SPD, a general rule is that a blank wall should not be less than 12 metres away from any primary room windows. The proposal therefore can be considered to be in breach of this standard, albeit not by any considerably large amount.
- 5.8 However, the side elevation of the extension would only cover a small part of the rear aspect of no.118. Accordingly, in this context, officers do not consider the proposal to present an unacceptable harm to the amenities of that property.
- 5.9 The extension would cover a larger proportion of the rear aspect of no.116. However, it would not cover the entire rear aspect. Moreover, the set back and set down of the extension further mitigates any overbearing. In terms of light,

the North facing nature of the garden of no.116 means that given the tracking of the sun, the extension would not result in any unacceptable losses of light. Accordingly, whilst the development does not strictly adhere to the 12-metre test as set out in the HH SPD, officers consider there to be sufficient mitigating considerations to mean a deficiency of c.1.5 metres can be considered acceptable on this occasion and unlikely to justify a refusal on amenity grounds.

5.10 Parking Standards

PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off street parking can be provided to accommodate increase in demand.

5.11 The existing property currently benefits from 1no. parking space despite being 3 bedrooomed (PSP16 requires 2no. off street spaces for 3 bed properties). Under the proposal, the number of bedrooms would increase to 4, which also has a requirement of 2no. parking spaces. This means that there is no material increase in the requirement for parking provision under PSP16.

5.12 As clarified with the highways team following their initial comments concerning the loss of parking, the extension would allow the existing parking space to be retained. Because in the policy context there is no material increase in parking requirement, irrespective of whether the existing situation is deficient in parking provision, the addition of an additional bedroom and retention of the existing parking space should be considered as a neutral impact overall. Accordingly, the development can be considered acceptable in terms of parking. However, should permission be granted, an appropriately worded condition should be applied to ensure the retention of the existing parking space.

5.13 Private Amenity Space

The existing property is deficient in terms of private amenity space when considered against PSP43. This is because a 3-bed property should benefit from at least 60sqm, whereas the existing property benefits from c.48sqm. The proposed increase in bedrooms would mean the standard to apply under PSP43 for a 4+ bed dwelling is 70sqm, which would add a further 10sqm to the existing deficiency. The proposed development would not reduce the size of the garden any further. In this context, the garden is and would remain sufficiently useable notwithstanding the existing size, and it is not considered that a refusal on the grounds of insufficient private amenity space would be sustainable.

Impact on Equalities

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

general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that permission is **GRANTED**, subject to the following conditions:

CONDITIONS

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

Reason

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

2. The 1no. on site parking space shall be retained as such to a measurement of at least 2.4 x 5.5 metres in perpetuity.

Reason

The existing level of parking on the site is deficient, but the proposed development would not materially alter the policy requirement for parking, nor would it further reduce the existing level of parking. This condition is therefore necessary to ensure that the current level of parking is retained, in accordance with PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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.

Development shall be implemented in accordance with the following plans:

P10635/E/001 - Existing ground and first floor plans, site plan, section AA and elevations

P10635/OS/001 - OS Map (site location plan)

P10635/P/001 - Proposed ground and first floor plans, site plan and elevations

As received 5th May 2021

P10635/BP/001 - Block plan

As received 10th May 2021

Reason

For the avoidance of doubt and to define the exact terms of the permission.

Case Officer: Alex Hemming

Authorising Officer: David Stockdale