

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: 29/21

Date to Members: 26/07/2021

Member's Deadline: 30/07/2021 (4.30pm)

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:

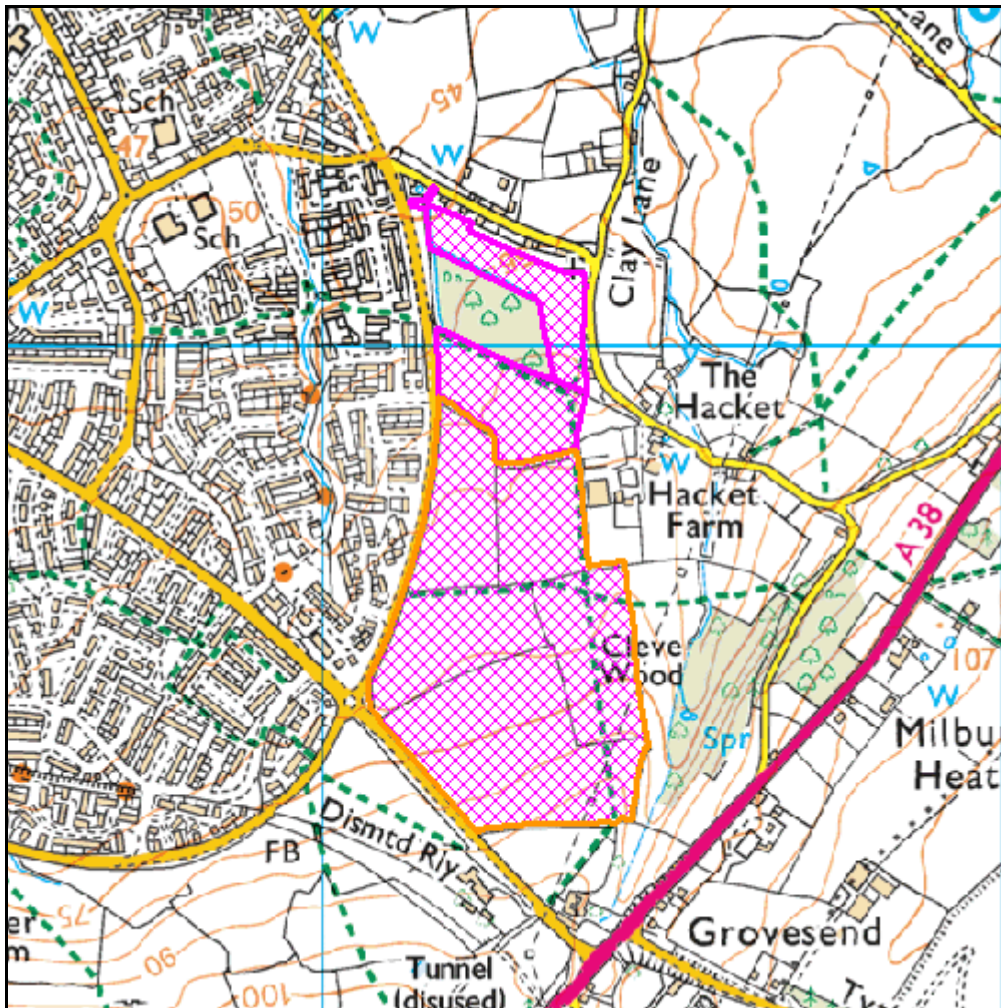
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 26 July 2021

Item No	Application Number	Recommendation	Location	Ward	Parish
1	P20/07655/RM	Approve with Conditions	Cleve Park Land At Junction Of Morton Way And Grovesend Road	Thornbury	Thornbury Town Council
2	P21/01166/F	Approve with Conditions	Broadlands 16 Hollyguest Road Hanham	Hanham	Hanham Parish Council

CIRCULATED SCHEDULE NO. 29/21 -26th July 2021

App No.:	P20/07655/RM	Applicant:	Miller Homes Ltd Miller Homes Ltd
Site:	Cleve Park Land At Junction Of Morton Way And Grovesend Road Thornbury Bristol South Gloucestershire BS35 3TS	Date Reg:	26th May 2020
Proposal:	Details of layout, scale, appearance and landscaping for the erection of 336 no. dwellings, associated infrastructure and landscaping. Approval of Reserved Matters to be read in conjunction with Outline permission APP/P0119/W/17/3182296 (PT16/3565/O) (Residential development of up to 350 dwellings, including 14 self-build dwellings (all Use Class C3), development of a 70 unit elderly care facility (flexible Use Class C2 and/or C3), development of up to 1,150 sq m floorspace flexible community and/or commercial facilities (Use Classes A1, D1 and/or D2), and associated public open space and infrastructure. Access to be determined. All other matters reserved).	Parish:	Thornbury Town Council
Map Ref:	365273 189760	Ward:	Thornbury
Application Category:	Major	Target Date:	21st August 2020



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100023410, 2008. **N.T.S.**
P20/07655/RM

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

1. THE PROPOSAL

- 1.1 Reserved Matters consent is sought for erection of details of layout, scale, appearance and landscaping for the erection of 336 no. dwellings, associated infrastructure and landscaping. Approval of Reserved Matters to be read in conjunction with Outline permission APP/P0119/W/17/3182296 (PT16/3565/O).
- 1.2 The reserved matters submission as proposed, follows the approval of outline planning permission for residential development of up to 350 dwellings, including 14 self-build dwellings (all Use Class C3), development of a 70 unit elderly care facility (flexible Use Class C2 and/or C3), development of up to 1,150 square metres of flexible floorspace for community and/or commercial facilities (Use Classes A1, D1 and/or D2), and associated public open space and infrastructure with access to be determined and all other matters are reserved. The Reserved Matters for the elderly care facility and community and/or commercial facilities and associated works are not included in this Reserved Matters and will be subject to separate submission(s).
- 1.3 The application site comprises 21.97 hectares of agricultural land located on the eastern edge of Thornbury. The site abuts Grovesend Road to the south, Morton Way to the west, the garden boundaries of properties fronting Hacket Lane to the north, and Hackett Farm to the east. The site is divided by hedgerows and hedgerow trees into a number of separate field parcels. The site abuts the ancient woodlands of Crossways Wood and Cleve Wood, which are both designated as non-statutory Sites of Nature Conservation Interest (SNCI). The closest statutory designated ecological site is the Tytherington Quarry SSSI, which is located approximately 0.8km to the southwest of the site. Designated heritage assets located near to the site comprise the grade II listed Hackett House located approximately 100 metres to the northeast; and the grade II listed Woodbine Farmhouse approximately 50 metres to the north. Undesignated heritage assets comprise the locally listed building St Paul's Church, which abuts the north/east boundaries of the site; and Hacket Lane. There are three public rights of way that cross the site; and the site is covered by a blanket Tree Preservation Order (TPO). The land falls from approximately 88m AOD in the southeast corner to 50m AOD in the northwest corner. The site is located just outside the defined Thornbury settlement boundary, which is defined by Morton Way. For the avoidance of doubt, the site is located outside of the Thornbury Conservation Area and the Green Belt.
- 1.4 In terms of vehicular access, approved as part of the outline application, two new vehicular accesses are proposed off Morton Way to serve the development. A scheme of road improvements along Morton Way were also proposed including raised tables and central island crossing facilities, improvements to bus stops, and the introduction of a new 30mph speed limit to be reinforced by physical features such as raised tables, road narrowing and signage. The two ancient woodland areas are not proposed for development

and would remain in the ownership of the current land owner; however, as part of the application, supplementary buffer planting and long term management of the woodlands by an appropriate management company is proposed. The scheme would provide policy compliant public open space. The parameter plans approved at outline stage specify that proposed development shall primarily be two storeys in height, with some three storey buildings in the centre of the site adjacent to the main spine road. The density of the site ranges between 30dph and 45 dph.

1.5 The submission seeks approval of reserved matters and to discharge the following conditions attached to the outline permission insofar as they relate to this RM site:

- Reserved Matters (condition 1);
- CIL Phasing (condition 6)
- Self Build (condition 7)
- Site Wide Pedestrian and Cycle and Movement Strategy (condition 8)
- Highway Design Codes (condition 9)
- Car and cycle parking (condition 13)
- Allotments (condition 14)
- Ecology – Hedgehog (condition 25)
- Ecology - Badger (condition 26)
- Arboriculture (condition 31)
- Landscape (condition 32)
- Landscape (condition 34)
- Pedestrian link (condition 38)
- Internet connection (condition 39)
- Energy efficiency (condition 42)

1.6 In support of the RM submission the applicant has submitted the following documents:

- Compliance Statement AAH5637-RPS-20_XX-00DR-A-001_P06
- Hedgehog Mitigation Strategy, dated March 2020
- Badger Survey Report, dated April 2020
- Badger Monitoring Report Letter, dated 10th December 2020
- Badger Monitoring Update June 2021
- Soft Landscape Management and Maintenance Plan MILL22804manH
- Management Plan MILL22804-50G
- Built Heritage Letter – 18.06.2021
- Self-Build Delivery Framework June, P21-1595
- Energy Statement, May 2021, Revision 4
- Arboricultural Survey, Impact Assessment (AIA) & Method Statement (AMS), dated June 2021

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance
The Community Infrastructure Levy Regulation 2010
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
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
CS32 Thornbury
CS33 Housing Opportunity
CS34 Rural areas

2.3 Policies Sites and Places Plan Adopted November 2017

PSP1 (Local distinctiveness)
PSP2 (Landscape)
PSP3 (Trees and woodland)
PSP6 (Onsite Renewable and Low Carbon Energy)
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)
PSP37 (Internal Space and Accessibility Standards for Affordable Dwellings)
PSP40 (Residential Development in the Countryside)
PSP42 (Self Build & Custom House Building)
PSP43 (Private Amenity Space Standards)
PSP44 (Open Space, Sport and Recreation)

2.4 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Waste SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/3581/F, construction of new access track, approved on 19/01/07.
- 3.2 PT09/5911/EXT, construction of new access track, approved on 22/01/10.
- 3.3 PT16/006/SCR, residential areas development of up to 350 dwellings (Use Class C3), development of up to 2500sqm floorspace of flexible community and or commercial facilities (Use Classes A1-4 and D1-2) and associated public open space and infrastructure, the decision of the Local Planning Authority on 29th January 2016 was that an Environmental Impact Assessment was required. However, on 12th April 2016 the Secretary of State directed that the proposal was not EIA development.
- 3.4 PT16/014/SCR, residential development of 250 dwellings (Use Class C3), development of a 70 unit care facility (flexible Use Class C2 and/or C3), development of up to 1150 sqm floorspace of flexible community and/or commercial facilities (Use Classes A1, D1 and/or D2) and associated public open space and infrastructure, the decision of the Local Planning Authority on 29th April 2016 was that an Environmental Impact Assessment was not required.
- 3.2 PT16/3565/O Residential development of up to 350 dwellings, including 14 self-build dwellings (all Use Class C3), development of a 70 unit elderly care facility (flexible Use Class C2 and/or C3), development of up to 1,150 square metres of flexible floorspace for community and/or commercial facilities (Use Classes A1, D1 and/or D2), and associated public open space and infrastructure with access to be determined and all other matters are reserved. Granted on Appeal (APP/P0119/W/17/3182296) on 3rd May 2018.

4. CONSULTATION RESPONSES

There has been re-consultation during the course of the application. The comments below are a summary of the key points raised throughout all rounds of consultation. Full copies of the letters received can be found on the Council's web site.

4.1 Thornbury Town Council

Comments from Thornbury Town Council are submitted in addition to those previously submitted and should be read in that context.

The Council still objects strongly to the height of some of the buildings. The original outline permission was given on the basis that the heights of buildings in the development was of significance as it is on rising ground with important heritage assets and a distinctive rural edge on the eastern boundary and established housing sitting at a lower level to the west. To overlook the importance of this parameter is not acceptable.

While some improvements have been made to the landscape plans the green boundary on the eastern side of the site is still inadequate and does not provide the space and planting to provide a strong wildlife corridor between the woods to the north and east.

There appears to be some improvement in the housing design. There is marginal improvement to the elevations of the flats, with the addition of some balconies and variation of exterior finish. However, the design is still less than satisfactory, as few flats will benefit from this feature.

Town Council is concerned over the extent of private driveways that would impose considerable costs of maintenance on house owners and even if these are to be maintained by a management company there is a danger that such areas would be poorly maintained.

4.2 Other Consultees

4.3 Landscape Officer

Conclusions and Recommendations

Positive changes which have been made to the scheme have been

- the increase in tree sizes to street trees,
- the provision of greater rooting area for trees close to hard surfacing
- the improvement to surface materials in a number of locations which all help improve the quality of the street scene.
- A minor amendment in the position of the northern swale has allowed for some woodland connectivity to be achieved on the eastern site boundary.

Where the scheme still falls short is in the compliance with the building heights parameter plan as set out in the outline permission. Deviations occur in a number of locations across the site including the extension of the 3 storey element westwards of the central road and on the eastern and southern parts of the site. In my opinion this is at its most significant where it affects the upper, most sensitive parts of the site, particularly in relation to plots 109/110 which are two storey units within the single storey zone but there are a number of two storey units within the single storey zone. The outline development parameters in relation to building height were tightly drawn for good reasons and the applicant has consistently failed to accommodate these constraints in site and unit design.

Deviations from the open space parameter plan have been reduced by negotiation but the position of units 107/108 which lie forward of the development edge within the outline plans is still considered significant due to the sensitivity of this part of the development edge. The incursion of private drives along the Grovesend Road frontage is also considered harmful given the levels changes within this pinch point. The submission of an inaccurate cross section for this area is particularly unhelpful. (Previous inaccurate cross sections have also hampered evaluation of the scheme.)

I would be reluctant to see this scheme approved without some further changes to the extent and height of development to improve compliance with the Outline parameter plans.

4.4 Public Open Space

No objection. There are still issues to resolve. The case officer should decide which can be dealt with by way of condition and which need to be resolved now.

4.5 Public Rights of Way

It appears from the updated Management Plan that the management company will be maintaining all the paths including the public rights of way but I would welcome clarification of this.

The path that connects with Hackett Lane is an important link and the kissing gate at that location should be removed to enable easy access for all non motorised users. As mentioned previously all unnecessary gates should be removed that are within the control of the applicant and if any must remain that they control then these should be BS compliant. The path that runs on the east side of the site should be multi user to the point where it meets the road which connects with Morton Way between Chiltern Park and the roundabout.

The site wide pedestrian and cycle movement plan is confusing in that what is on the plan does not altogether coincide with the key. The plan shows "existing " footpaths which are not know public rights of way and two yellow paths extending off the site - should these be blue?

4.6 Environmental Protection

Noise: No objection

The housing development maybe exposed to some traffic noise primarily from the busy A38 and to a lesser extent the local network -Morton Way and Grovesend Roads.

In terms of noise, mainly more exposed peripheral proposed properties can comply, with mitigation measures.

The 2016 comprehensive, well presented report confirms- with the option at the detailed stage to outline mitigation measures required for such exposed properties.

In the absence of an updated report, I am satisfied that this is not essential given the earlier assurances around provision of a buffer zone setting back properties from Grovesend road; and proposed properties adjacent to Morton Way with careful orientation of their habitable rooms, to provide a built-screen per se to protect external amenity and gardens from intrusive traffic noise.

The build quality will have to ensure as indicated, that high spec double glazing incorporating window trickle vents and /or wall vents will be fitted to exposed habitable rooms; particularly those with preferred south facing facades subjected to acoustic heating.

The 2016 report predicted modelling indicates that any increase in traffic from the proposal on existing residential properties, to have a minor effect and to be insignificant.”

Contaminated Land: No adverse comments.

Any potential land contamination issues will be managed under conditions 16, 17 & 18 of the Outline consent.

4.7 Sustainable Energy

No objection.

- To avoid discrepancies around the wording of the condition at a later date we think there needs to be a note from you explaining why we have accepted a lower emission reduction than the 20% stated in the condition set by the planning inspector, and why this emission reduction has been calculated against the baseline set by the Building Regulations rather than the methodology for calculating the reduction in residual emissions in our guidance.
- I suggest that the reference to the 20% emission reduction is removed from the Energy Statement with some explanatory text from you in your officer's report as to why (as per the point above).
- Noting that the applicant has now said that 60-70% of the units will be built in accordance with the next iteration in Building Regulations, and therefore achieve a 31% reduction in emissions, we think further explanation is needed on why the remaining 30 to 40% of the dwellings cannot achieve the 20% emission reduction as set out under PSP6, or reductions greater than 9%. The reference to 'viability' needs further explanation given increases in house prices and the falling cost of PV.
- Given the imminent transition to the next iteration of the Building Regulations, followed by the Future Homes Standard in 2025, and the government's proposal to prohibit the installation of gas boilers in new homes from 2025, we would like to reiterate our strong desire that the applicant should specify renewable heating (i.e. not individual gas boilers or electric resistive heating) at the earliest opportunity and prior to this being mandated in 2025, to avoid the need to retrofit dwellings to achieve zero carbon heat.

4.8 Urban Design

No objection.

4.9 Affordable Housing

No Objection subject to a condition regarding the detailed plans for the wheelchair adaptable homes at plots 161 & 163.

4.10 Drainage

No objection subject to the following:

The Drainage Masterplan drawing still states “Basin has been designed in accordance with SUDS Design Manual C753 and the latest CIRIA report. Pond to be adopted by a local authority, parish council, district council or management company”. Clarification still sought as to who will maintain the basins and swale. Text on Drainage Masterplan Drawing needs to be revised to clearly state who will be responsible for maintaining the basins and swales. Also, we note that a standalone SuDS Management and Maintenance document has still not been submitted.

4.11 Arts and Development

No objection.

Since my comments in December, I am pleased to see that the developers are working with Ginkgo, a well-respected local public art consultancy, to develop an artist's brief and commission suitable artists. I look forward to receiving details of the proposed scheme as the designs are developed and would recommend that the developers ensure that colleagues in the landscape team are also kept up to date

4.12 Waste

Thank you for supplying the tracking information for the waste collection vehicle. I have noted the waste collection locations for each household which are within the walking limits defined in the waste SPD.

The bin areas for the flats appear to have sufficient room for the containers needed.

There are no further comments.

4.13 Ecology

I can confirm that the revised Open Space Proposals (28th June 2021) are now acceptable from an ecology perspective. The LEMP now needs to be updated with these revised plans. There does not appear to be a CEMP only stand-alone badger and hedgehog mitigation plan/strategies (which are acceptable).

4.14 Archaeology

No comment.

4.15 Listed Building and Conservation

No objection.

4.16 Self Build

No objection.

4.17 Transport

No objection subject to conditions.

4.18 Highways Structures

The Highway Structures team has no comment.

4.19 Other Consultees

4.20 Oldbury on Severn Parish Council

No comment.

4.21 Highways England

We have reviewed the submitted documents and are satisfied that the proposed amendments are unlikely to result in an adverse impact on the safe and efficient operation of the strategic road network or the long-term integrity of its assets. As such we offer no objection to revised reserved matters application P20/07655/RM.

4.22 Historic England

No comment.

4.23 Wessex Water

The Environment Agency has no objection to the proposed development. It is noted the siting of the residential dwellings and site access and egress are located within Flood Zone 1.

We have no further comments to make as our interests have been covered at the outline application stage (PT16/3565/O), and under correspondence to the Local Planning Authority dated 4 July 2016.

The Local Planning Authority (LPA) should consult the Lead Local Flood Authority in regarding the proposed surface water drainage layout.

4.24 Avon Fire and Rescue

No comment.

4.25 ONR Emergency Preparedness & Response

I have consulted with the emergency planners at South Gloucestershire Council. The proposed development does not present a significant external hazard to the safety of the nuclear site. Therefore, ONR does not advise against this development.

4.26 Natural England

No objection.

4.27 Sport England

No comment.

4.28 Avon and Somerset Police

Having viewed the revised information as submitted June 21 I find the design not to have altered in relation to the areas previously commented upon and therefore my original comments stand. The design still does not comply with crime prevention through environmental design principles and is not acceptable in its current format.

Other Representations

4.28 Local Residents

133 letters of objection have been received from members of the public throughout the multiple rounds of consultation. The following is a summary of the reasons given for objecting:

Transport and Infrastructure

- Impact on access to and from Grovesend Road
- Congestion at traffic lights on A38
- Increased traffic

- Insufficient infrastructure to support this and cumulative speculative development in Thornbury including road, rail, doctors, dentists and schools
- Impact of more cars associated with development
- Insufficient parking in Thornbury
- Poor public transport links need improving
- Lack of local facilities including shop
- The flexible community and or commercial facilities requirement is not detailed and insufficient commitment to delivery
- Speed limits should be imposed along Morton Way and within development and traffic calming provided
- Requirement for cycle lanes along Morton Way
- The development will be car dominated with trips to Thornbury Town Centre and other amenities being too far away
- Insufficient information on sustainable transport options
- Diversion of footpath will have a negative impact on experience of pedestrians and PROW sited alongside attenuation ponds
- Insufficient visitor parking provided
- Impact of siting of pedestrian crossing
- Concerns over future proofing and lack of road connections to potential development sites to the North
- Reserved matters changes care home and community/commercial building in scheme layout
- Exclusion of extra care housing from the scheme
- Concerns over bus service provision
- Access roads are sited too close to Chiltern Park and Cheviot Drive

Landscape and Ecology

- Negative impact on Cleve Wood and associated wildlife
- Development on green fields not acceptable
- Unacceptable green field development and impact on food production focus on brownfield redevelopment
- Impact on wildlife including foxes and badgers
- Loss of established hedgerows and trees
- Reduced access to countryside and associated mental health concerns for existing residents
- Insufficient room for landscaping and quality of materials need improvement
- Insufficient clarity on woodland management and response to local topography and natural meadow characteristics
- Impact on ecology including bats, Great Crested Newts, birds of prey, hedgehogs, shrews and absence of biodiversity net gain
- Concerns over retention of grass verges and green buffers
- Concern over limited green space on the site
- Concerns over distance from existing properties, green buffers and boundary arrangements
- Concerns around Ash dieback and management of existing trees

Sustainability and impact of development on Thornbury

- Concerns over the height of the proposed dwellings
- Scale of development not in-keeping with area and building heights not within limits of outline parameters
- Thornbury does not need more housing and the market will not support further development
- New developments driven by profit and not need
- Cumulative impact of build programmes for this and previously consented developments around Thornbury and urbanisation of countryside
- More 2 bed properties are needed in the area and mix does not reflect this
- Affordable housing clustering is unacceptable and parking dominated
- Preference for green/eco homes on the site and zero carbon
- Proposals do not accord with Council vision to enhance the built and natural environment and protect the environment for future generations
- Concerns over impact on security
- Unclear phasing arrangements for housing occupation
- Energy Statement provides insufficient commitments to PV and EV charging
- Concerns over adding to the climate emergency
- Concerns over construction period including potential site access from Hackett Lane, working hours restrictions

Environmental Protection

- Increase in pollution and negative environmental impacts
- Impact on and reduction in air quality and increased noise
- Requirement for a clearly detailed CEMP

Drainage and Flood Risk

- Impact on local water supply and increase in flood risk to Morton Way, Cheviot Drive, to the locality and downstream
- The development is unsustainable
- Concerns over land drainage and exceedance routes
- Concerns over ditch maintenance
- Drainage arrangements appear inadequate
- Concerns over ground conditions, on site geology , increased water table, water dispersal and flows over the site and impact on neighbouring land/properties

Conservation and Heritage

- Impact on Grade II Hackett House should be minimised and agricultural land between the listed building and development retained as such in perpetuity
- Concerns over the privacy and character of Hackett Lane and the heritage assets

Thornbury Residents Against Poorly Planned Development (Trapp'd)

All comments from Trapp'd are available to view on the public website. The latest are included below:

Cleve Park further objections from TRAPP'D

The following comments are being presented on behalf of Thornbury Residents Against Poorly Planned Development (TRAPP'D) and are either in addition to or expand on issues raised in our objection statements posted to this application on 13th June 2020, 2nd March 2021 and 7th June 2021. Please note that TRAPP'D represents the views of about 1,000 local residents who receive updates from us on planning issues via a monthly Newsletter and Facebook page Posts plus the numerous residents who regularly inform us that they are sick and tired and very angry about the undemocratic way in which the Council transact their planning process with little or no regard to the Core Strategy or NPPF guidance and local needs.

1. Highways Design

We have noted that the Highway Design Code Plan drawings ref 11764H-400(1P) and (2P) show carriageway widening of Morton Way on the western side, in order to accommodate pedestrian refuges at crossing points. At various points these incursions reduce the width of the existing verge and/or pedestrian pathway which will have a detrimental and harmful impact on the frontages of properties in Chiltern Park, Pentland Avenue, Cheviot Drive and Cleveland Close. Objection comments have previously been submitted by a number of residents living in these roads, but no revisions have been made. We would request that any carriageway widening is transferred to the eastern side of Morton Way in order to accommodate the pedestrian refuges.

2. Construction Environmental Management Plan (CEMP)

We have previously requested sight of the developer's draft CEMP, but nothing has come forward.

There are specific requests that we would like included in this document:

a) No construction site traffic signage posted in the adjacent roads as listed in point 1 above plus

Cumbria Close, Crossways Road, Hacket Lane and Morton Way, in order to prevent/discourage parking and turning. This may need to be extended to Grovesend Road, Midland Way and Gillingstool or any other adjacent roads.

b) An undertaking to ensure that delivery traffic does not arrive at times outside agreed delivery times, which could result in blockages to adjacent roads, particularly during peak morning and afternoon periods.

c) The provision of on-site water supply for road sweeping plant to (re)fill, with an undertaking not to use water hydrants in adjacent residential areas.

d) The provision of a wheel wash on-site and an undertaking to remove as much mud as possible from vehicles (particularly muck shift lorries) leaving site.

e) Site access for ALL deliveries to be via the A38 and Grovesend Road.

3. Deviations in Building Heights

Our previous comments still apply.

4. Building Appearance - Design & Materials

Our previous comments still apply.

5. Landscape Features - Woodland Walk

Our previous comments still apply.

Extract from previous Comments below:

3. Deviations in Building Heights It appears that little note has been taken of our previous protestations that building heights MUST adhere to the Planning Inspector's Conditions. The only concession appears to be in a letter from RPS Consulting Services dated 18th June 2020 and posted to the Documents tab on 11th October (Built Heritage), stating that "The reserved matters application confirms that the building heights within the north-eastern corner of the site.....most sensitiveto Hacket House will not exceed 8.2m." It is IMPERATIVE that the maximum heights are restricted as per Condition 5 in order to avoid the development overpowering the existing housing layout along Morton Way.

5. Building Appearance - Design & Materials Since our original objection statement was submitted, a large number of residents have commented on the lack of sympathetic house designs and materials being proposed. It is ESSENTIAL that design and layout plans are sensitive to this location and far less 'urban'. We are totally in agreement with the comments made by Thornbury Town Council on this subject.

6. Landscape Features - Woodland Walk The woodland walk along the eastern boundary adjacent to the PROW appears to have reduced to a single line of trees. In terms of 'screening' and providing a so called woodland walk, we would have thought that the width of this feature should be an absolute minimum of 5 trees or it will be just 'a row of trees'

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 The principle of development has been established with the granting of outline planning permission PT16/3565/O at appeal (APP/P0119/W/17/3182296), which covers the Cleve Park site. The outline planning permission reserved all matters for future consideration, except the means of access via two accesses onto Morton Way. The access off Morton Way has been approved in detail through the outline consent. The Reserved Matters for the elderly care facility and community and/or commercial facilities and associated works are not included in this Reserved Matters and will be subject to separate submission(s).

5.3 The outline application was accompanied by a Design and Access Statement (DAS) which included parameter plans to guide the detailed design of the development. This submission relates to all Reserved Matters for the development site comprising appearance, landscaping, layout and scale.

5.4 Condition 5 of the outline application requires reserved matters to be in accordance with the parameter plans and the design principles described in the

Design and Access Statement (November 2016) and the Design and Access Statement Addendum (February 2017).

- 5.5 This application relates only to the accordance of the outstanding Reserved Matters with the outline permission already approved. The outline permission cannot be altered as the principle of residential development, the parameters and DAS have consent.
- 5.6 The approved parameter plans include the following:
- o Building heights, 01123 PP_02 P4
 - o Land uses and access, 01123 PP_01 P3
 - o Open space, 01123_PP_03 P3
 - o Residential density, 01123_PP_04 P1
 - o Urban design principles, 01123_PP_05 P2
 - o Landscape parameters plan, 04677.00011.29.011.05 Rev 05
- 5.7 Following officer comments, revised plans were submitted to address concerns raised with the reserved matters application and negotiations were undertaken to improve and revise the plans. Officers are satisfied that the type and amount of land uses proposed generally accord with the DAS, parameter and phasing plans approved at outline.
- 5.8 The current reserved matters submission, in proposing residential development of 336 units with public open space and associated infrastructure, is in accordance with the outline planning permission and masterplan. It is considered therefore that the RM is acceptable in principle.
- 5.9 **Urban Design and Visual Amenity**

The development of 336 units provides a density of 30-45 dwellings per hectare (dph), in line with the approved outline plans.

Condition 5 of the outline states that applications for the approval of the reserved matter *shall be in accordance with the parameter plans and the design principles described in the* DAS & DAS addendum. The DAS set out some high aspirations as to what was to be expected in terms of design quality. The NDG and local design policy also seek to create places of character and distinction. If such an outcome is to be achieved detail as well as broad principles is important.

Layout and Street Hierarchy

The layout follows the approved masterplan and Design and Access Statement by including a loop from the primary access points from Morton Way, through the Neighbourhood Square to serve the elderly care facility and commercial use and residential development parcels. There are pedestrian crossing points to Morton Way and a green link is provided through the centre of the site from Morton Way. There are wide green buffers at the North and East of the site to

protect the appearance and ecological importance of the two ancient woodlands (Cleve Wood and Crossways Wood). The allotments and POS are provided in locations in accordance with the outline parameters.

The Design and Access Statement (DAS) and associated plans approved with the outline consent provide the parameters within which the RM is to be considered in urban design terms. The layout of the scheme was revised in response to officer comments and provides an improved response which generally accords with the principles outlined in the DAS and the approved parameter plans. There are areas where the Reserved Matters differ from the outline parameters and these are discussed below.

The extent of the developed area, at the edges, has been increased slightly in places but pulled back in others overall to allow for levels changes and plot depths that were unknown at the outline stage. It is considered that these minor deviations are acceptable in balancing the urban design requirements and the landscape and public open space provisions. The impacts of any minor changes have been minimised following negotiations with officers on the detailed scheme design.

The Urban Design Officer commented on the layout submitted and requested key changes to address the issues with the scheme. The layout has been redesigned in response to address the issues raised including the configuration of the parking, the width and configuration of the woodland corridor through the scheme, layout of the units and flatted blocks and relationship with the Public Open Space and the road frontage.

The layout and street hierarchy follow a logical approach in accordance with the outline approval. The scheme has been the subject of ongoing negotiations with officers, resulting in significant improvements. Officers consider the layout is now acceptable as a result of submitting the revisions.

Character and Detailed Design

The character of the development looks to respond to the surrounding area. The DAS outlined 4 character areas, the Reserved Matters submission outlines 5 character areas with broadly the same design principles. The exception is the inclusion of 'Cleve Meadow', a small area of larger detached dwellings that fronts onto the green link. This new character area was mainly contained within the previous 'Cleve Park Centre and Spine' and was characterised by apartments and terraces. This new character area includes the following: Large Detached dwellings, Contemporary forms of construction with vast amount of glazing to help provide a more bespoke feel, Materials – Stone Cedral Black Weatherboarding and brick an Boundary Treatment – Hedgerow. The change reduces density in the central section of the site and overall the scheme has a reduced density in the southern area. The Urban Design Officer considered the changes to the character areas as follows

“some parts of the scheme do not wholly conform to the DAS, such as the 'lower density' southern area, therefore in order that the scheme as a whole, (in the planning balance) can be considered acceptable then it is necessary that all other elements are considered satisfactory and meet Local and national planning policy objectives”

The Urban Design Officer has summarised the issues as follows:

“In terms of character, the scheme includes some distinct ‘pockets of interest’ similar to the aspirations of the outline DAS aimed at injecting some identity into the development. The principal features include: natural stone gateway houses either side of the principal access points and repeating gable fronted dwellings along Morton Way, set back ‘garden’ terraced houses on the spine road, a row of small detached 2 bed market homes, green street and ‘square’ at the centre of the development, and distinct rendered gable fronted dwellings framing the spine route as one enters the southern part of site and provide the backdrop to the formal pocket park in the southern area (Central Green). The larger ‘Morton Green’ will be surrounded by alternating render and red brick dwellings, and bungalows front the southern POS area, also giving these spaces a distinctive feel. There are also a number of key dwellings and symmetrical/formal arrangements of dwellings throughout the scheme that also add to the quality of the development.”

Further focus of concern has been over the detailed design response in the Reserved Matters submission. The revised proposals have attempted to address these concerns responding to the majority of the detailed points raised in the Urban Design comments. The Design and Access Statement and parameter plans approved under the outline permission reviewed the character and design of housing in the locality and presented a framework to consider the reserved matters. The proposals are considered to conform to the outline consent, any deviations from the outline are considered to be justified. The detailed design of the units has been improved through the course of officer negotiations.

It is considered that the changes to the parameters in terms of character and detailed design are acceptable and accord with the principles of the outline permission.

Scale

There are two tools within the outline permission available to the decision maker, which can be used to control building heights within the development. Firstly, the scale Parameter Plan which zones the site into areas where maximum building heights should apply, including a 12m height zone. Secondly, the appeal Inspector attached a condition (48) to control the proportion of buildings measuring between 9-12m to be located within the 12m zone.

The storey heights of the proposed dwellings have some variance with the scale and massing phasing plan attached to the outline permission. Officers have sought various amendments throughout the course of the RM process and re-consultation, and some of these amendments have been provided.

Parameter Plan:

The building heights parameter plan (Building heights, 01123 PP_02 P4) approved under the outline permission shows a maximum 12m zone located within the Cleve Park Central Spine area centrally within the site, two further

zones moving out to the edges of the site then set lower building height limits down to maximum 5m at the southern edge where the wider visual impact is most sensitive.

As stated in the applicant's Compliance Statement, there is a building which exceed the 12m height stated on the parameter plan approved at outline stage. At the centre of the site within the 12m zone, the corner of the L-Shaped Block on the Central Square area would measure 12.5m in height. The steepening of the pitch of the roof to the corner of the unit was requested by the Urban Design Officer to improve the design quality and aesthetics of the block. This limited variance in building heights is considered acceptable from an Urban Design Perspective. The Landscape Officer considers the deviations would not be as significant in this area.

In summary considering the single building with height deviation of 0.5m, when viewed in the context a scheme comprising 336 dwelling, it would be difficult to justify this single deviation to be significantly harmful warrant refusal of the development. Additionally, the purpose of the 0.5m ridge increase was to provide a visual enhancement to the street in terms of design quality.

Condition 48:

In addition to the height thresholds specified in the parameter plan, the appeal Inspector attached Condition 48 of the outline consent which states, *'Within the 12m height zone, as shown on Parameter Plan - Building Heights (Drawing No. 01123 PP_02 Revision P4), no more than 35% of the area of the 'Up to 3 storeys (12m maximum ridge height from existing ground levels)' zone shall comprise buildings or parts of buildings that exceed 9m in height'.*

In response to concerns raised by the Parish Council, Landscape Officer and members of the public regarding storey heights and adherence to the outline parameters the applicants have made further changes to the proposal to address these specific concerns.

In line with condition 48, 32% of the dwellings in the zone would be 3 storey in scale, with another 11% being 2.5 storey. The remainder would be 2 storey. The applicant states that the scheme provides, *"betterment within this area, as the layout shows 57% of the units within this parameter as being under the 9m height zone, and in actual fact, the ridge height is generally 8.5m. So exceeding the limitation of the 35%."*

Within the 12m height zone, the majority of the dwellings are two storeys and have a ridge height of approximately 8.5m, with the exception of plots 55–60 (6 plots) which have a ridge height of 9.3m. These are 2.5 storey dwellings which have been placed around the central green, in line with place-making principles to frame the area and provide an end stop to road 6.

Considering the purpose of the appeal Inspector's condition (48), which is to control the proportion of 9-12m high buildings, this purpose is considered to be met in regard to percentages of height distribution in this area, as calculated by the applicant in their supporting statement above.

Beyond the 12m zone, there are some deviations to note within the southern area where the parameters specify a maximum ridge height above ground level, the majority of dwellings are single storey, with the exception of plots 109 and 110 which sit slightly above the agreed parameter.

Following review of plans the applicant provided the following, *“further reduce the heights of some of these areas to achieve greater alignment with the parameters plan through refinements to the limited number of affected units. In the course of this exercise, we were able to reduce the heights of a number of units, including a reduction to Unit 108 of 500mm and Unit 110 a further 750mm”*.

These reductions negotiated by Officers have resulted in a much improved design for these units and they are now considered to be acceptable.

In terms of scale and building heights, it is considered by officers that overall the proposal does not result in a departure from the aim and purpose of the Inspector's condition (48), and the small increase over and above the parameter plan and DAS Addendum would have no significant impact and this impact is offset by design quality benefits. The proposal is therefore considered to be acceptable in terms of scale and building heights.

Overall, the issues raised by the urban design officer have been addressed through the revisions.

Residential Amenity

The site lies opposite the existing housing development at Morton Way and residential properties along Hackett Lane to the north. Development would be a minimum distance of 34 metres, and 71 metres from properties along Morton Way and Hackett Lane respectively, which was assessed at outline stage and is an acceptable distance to ensure that existing occupiers would not be adversely affected in terms of loss of natural light, privacy or outlook.

Therefore, whilst the development may be visible from views from existing properties to the west of Morton Way, the level of separation, as well as the retention of trees and vegetation along the western boundary is such that that the resulting impacts would not be adversely harmful to the residential amenity of existing occupiers. The local residents and surrounding properties in Thornbury may be impacted in terms of residential amenity; in terms of increased traffic and noise during the construction period which is considered in detail below.

Given the existing hedging along the site boundaries the majority of which is proposed to be retained, and the proposed distances to existing and future dwellings, it is considered that there would be no adverse residential amenity impact of the proposal.

The site is appropriately laid out to ensure that none of the existing dwellings would be adversely impacted from unacceptable levels of loss of privacy, overbearing or overshadowing as a result of the proposal.

In terms of the design of the proposed dwellings and their plots, all have reasonably sized gardens, commensurate to the dwelling types to which the gardens relate, in accordance with Policy PSP43, and all dwellings are situated within walking distance to public open space.

Concerns have been raised by local residents regarding the construction phase of the development and residential amenity. The development may cause disruption to local neighbours in the construction phase. Condition 10 of the outline permission requires the approval of and compliance with a Construction and Environmental Management Plan (CEMP). The purpose of the CEMP is to ensure that disturbance experienced through the construction phase are minimised and mitigated. The Inspector on outline appeal decision conditioned the requirement for a CEMP, the trigger for submission was determined as prior to commencement of development. All development coming forward through RM submission is bound by this condition. As such the applicant is not required to provide a CEMP for consideration as part of any RM submission. However a CEMP is required and will be scrutinised by the Council prior to any development taking place.

Given the above, the residential amenity impacts for this RM submission are considered to be acceptable in accordance with Policies PSP8 and PSP43.

5.10 **Landscaping and Trees**

Policy CS1 of the Council's 2013 Core Strategy states that existing features of landscape should be safeguarded and enhanced through incorporation into a development. Policy CS9 of the Core Strategy states that landscape features such as woodland (including ancient woodland), trees and hedgerows should be incorporated into new development and given sufficient space for their longevity. Policy PSP2 Landscape Character Par.5.86

The site lies within the Severn Ridges character area within the South Gloucestershire Landscape Character Assessment (revised 2014). The area is dominated by the prominent north south running ridgeline and scarp slope which overlook the Severn Levels to the west.

Layout, Planting and Trees

The outline application included a Landscape and Visual Impact Assessment which outlines the mitigation measures proposed. The reserved matters submission generally accords with the green infrastructure plan approved at outline stage. There are a number of instances where variances can be identified. The scheme remains compliant with the S106 in terms of POS provision.

In order to address comments from the Landscape Officer the landscape plans have been revised and amended and the following positive changes are noted by the Landscape Officer:

- o the increase in tree sizes to street trees,
- o the provision of greater rooting area for trees close to hard surfacing
- o the improvement to surface materials in a number of locations which all help improve the quality of the street scene.

- o A minor amendment in the position of the northern swale has allowed for some woodland connectivity to be achieved on the eastern site boundary.

One of the main issues identified is compliance with building heights, which is discussed in detail above. The Landscape Officer identified that *“Deviations occur in a number of locations across the site including the extension of the 3 storey element westwards of the central road and on the eastern and southern parts of the site. In my opinion this is at its most significant where it affects the upper, most sensitive parts of the site, particularly in relation to plots 109/110 which are two storey units within the single storey zone but there are a number of two storey units within the single storey zone.”*

Concerns were also expressed over deviations from the open space parameter plan, these have been reduced by negotiation.

“The position of units 107/108 which lie forward of the development edge within the outline plans is still considered significant due to the sensitivity of this part of the development edge. The incursion of private drives along the Grovesend Road frontage is also considered harmful given the levels changes within this pinch point.”

At outline stage the Planning Inspector concluded in the appeal decision that the development would result in some limited harm to the character of the countryside. The principles of the development line and building heights were established in the outline approval.

In response to officer comments, the landscape scheme was revised to provide an improved response, more in-keeping with the outline parameters.

In order to address the comments of the landscape officer, amended plans were submitted showing a continuous woodland corridor, maintenance access for hedgerows and amendments to the swale.

Clarification was also provided over information pursuant to pre-commencement conditions 45 that sits outside the scope of this Reserved Matters submission, and provision of finished floor levels, further cross sections for review and reduction in building heights, which is discussed fully in the Urban Design section of this report.

- Changes to Plots 107 and 108 have been made. The positioning of the plots these are now in general conformity with the approved parameters plan, with the exception of the southernmost corner of plot 107.
- Some encroachment of private drives
- Plot 223 has been moved further away from the hedgerow, which now does not result in removal of hedgerow.
- Plots 10-18 are broadly in line with the parameters plan, however the private drive encroaches beyond the developed area of the original parameters plan, the applicant has stated that unachievable plots depths were identified at the outline stage which have necessitated changes but this area only represents a slight difference from the approved

parameters. In addition, within the southern area there are instances where the developable area has been 'paired back' from the parameters plan to create more Public Open Space to balance this across the scheme.

- The location of the LEAP was explored in further detail to seek to retain as much of the existing hedgerow (H94), however the current position of the LEAP is however considered the most optimal and is in full accordance with the location as shown on the approved parameters plans (urban design principles and landscape parameters) and the illustrative masterplan. Further hedgerow has been removed as a result of the requirement for a footpath/cyclepath in that position.
- Swale amendments were undertaken to provide a continuous woodland belt is now provided which is satisfactory to the ecologist, but not amended south of the play area as this was considered by the applicants to be unnecessary.

Conditions are recommended to ensure that the landscape scheme is implemented in the first planting season following occupation and that any planting which dies or is removed in the first 5 years is replaced.

Subject to these conditions, the landscape officer has not raised an objection to the proposals. There are outstanding issues relating to hedgerow removal and building heights. The Landscape Officer has not stated an objection based on the outstanding matters. In weighing the variations from the outline parameters and the overall landscape proposals in the balance and taking into account the revisions made to proposals the Reserved Matters submission is considered acceptable.

The Arboricultural Impact Assessment and Method Statement provides for the retention of mature trees and hedgerows on site. This is considered acceptable, subject to a condition to ensure protection of the existing trees and hedgerows prior to the commencement of development and for further details of tree pits to be provided. Condition 25 of the outline permission secured the requirements for development to be carried out in accordance with the Woodland Management Plan (prepared by AT Coombes Associates Ltd received by the Council on 22nd September 2016).

5.11 **Public Open Space**

At outline stage the Case Officer secured the following on site public open space (POS):

The following are the requirements set out in the S106:

- 82,500sq.m. of Informal recreational Open Space and Natural and Semi-natural Open Space (IROS & NSN)
- 2,300sq.m. of Provision for Children and Young People (PCYP)
- 280sq.m. of Outdoor Sports Facilities (OSF) – off site contribution (£842,092.61 indexed)
- Not less than 2,400sq.m. of Allotments

The proposal provides the following:

- 91,921sq.m. of IROS & NSN
- 2,523sq.m. of PCYP
- 3,444sq.m. of Allotments (incl. parking)
- 280sq. m. of OSF – off site contribution
- 9,747sq.m. of SWI

Spatially the above categories of POS are acceptable and in line with the outline parameters. The reserved matters accord with the above POS spatial requirements as secured in the s106 agreement.

Details of the allotment management and maintenance, fencing, water supply and storage are covered by outline conditions 23 and 34 and will be included within the Landscaping Management and Maintenance Scheme.

Revisions have been made to the overall layout of the scheme to ensure that incursions into the Public Open Space are minimised in response to comments received. The revised plans address these issues.

Officers have raised no objection subject to conditions, following the submission of revised plans, improvements to the scheme have been made. Officers are satisfied that subject to further details the revised proposals are acceptable.

An off-site financial contribution has been secured at outline stage through the Section 106 Agreement. Ongoing officer negotiations have led to the improvement of the on-site play provision, conditions have been attached to ensure high quality equipment and design of the play areas in line with the POS Officers requests.

5.12 **Transportation** **Access**

The main site accesses onto Morton Way gained detailed permission at outline stage, therefore the principle of the site access will not be revisited here. Street lighting was also secured by condition 12 and 30 attached to the outline consent and details shall be provided prior to occupation of any dwelling. Condition 30 requires a street lighting scheme to be submitted and agreed prior to commencement of the development.

Parking and Layout

The layout of the car parking throughout the scheme has been revised in response to comments from the Urban Design Officer and Transport Officer. The level of car parking proposed is accordance with the Residential Parking Standards SPD.

The movement and access parameter plan outlines the street hierarchy and the DAS provides standard widths for residential, community and shared surface streets in addition to those for private drives. The Site Wide Pedestrian and

Cycle and Movement Strategy and Highway Design Codes submitted in accordance with conditions 8 and 9 of the outline permission are considered to be acceptable by officers. The scheme as submitted is in accordance with the plans approved at outline.

A Stage 1 Road Safety Audit has been undertaken and officers are satisfied that the proposed layout is acceptable in highway safety terms.

The Transport Officer has raised no objection to the proposals subject to condition to secure some minor amendments to the layout plans.

Safe Routes to School

The primary routes through the site have a segregated footway and provide for safe walking routes along with all other shared surface routes within the development. The transport assessment approved with the outline permission dealt in detail with the proposed safe routes and these principles have been carried forward into the detailed layout design.

Public Rights of Way

There are three public rights of way (PROW) that cross the site, which provide access to the surrounding countryside from the edge of Thornbury. The PROW have been incorporated into the Public Open Space where possible to provide for an attractive green setting, safeguarding the amenity of the routes in line with the parameters, ensuring permeability and accessibility. The movement parameter plan has been designed to ensure that the PROW are central to the pedestrian access strategy for the site.

The treatment of the PROW that pass through the site have been improved and changes have been made to surfacing materials and the footpath onto Hackett Lane through submission of revised plans; the proposals are considered to be acceptable concerning the treatment of PROW, subject to condition.

5.13 Affordable Housing

Provision of affordable housing must be considered with the requirements set out in the Section 106 Agreement dated 17th April 2018 that accompanies the outline consent APP/P0119/W/17/3182296 (PT16/3565/O). There is some variance, however this has been negotiated with the housing enabling team as outlined below. Officers have secured through this process improvements to ensure affordable dwellings meet council standards including changes to house types, tenure split and clustering to bring proposal in closer conformity with the outline and S106 requirements.

Quantum

The Affordable Housing (AH) quantum has been provided in accordance with the S106 agreement. The application for 350 dwellings requires 35% of homes to be provided as affordable (122.5 rounded-up to 123): the proposal is for 123 affordable dwellings.

Tenure and Type

The application is in accordance with the tenure split of 73% social rent, 5% affordable rent and 22% intermediate housing as set out in the S106 agreement.

Whilst the range of house types proposed are not in accordance with the S106 agreement Schedule 5, Part 2, 2.7.4 – 2.7.7 and as set out in the tables below, the variance has been minimised and is accepted by the affordable housing officer.

Social Rent: 90 homes Proposed: 90

S106 Percentage	SHMA compliant number of units	Offer JUNE '21	Variance	Type	Min Size m ²
15%	14	16	+2	1 bed 2 person flats / incl x 4 house-type flats (1M3)	50 or 58 (WC)
15%	14	12	-2	2 bed 4 person flats	70
28%	25	27	+2	2 bed 4 person houses	79
34%	30	28	-2	3 bed 5 person houses 2 storey	93
8%	7	7	-	4 bed 6 person houses 2 storey	106
Totals	90	90	-		

Affordable Rent: 6 homes Proposed: 6

S106 Percentage	SHMA compliant number of units	Offer July '21	Variance	Type	Min Size m ²
3%	0	0	0	1 bed 2 person flats incl house-type flat (1M3)	50
13%	1	0	-1	2 bed 4 person flats	70
30%	2	3	+1	2 bed 4 person houses	79
54%	3	3	-	3 bed 5 person houses 2 storey	93
0%	0	0	-	4 bed 6 person houses 2 storey	106
Totals	6	6			

Shared Ownership: 27 homes Proposed: 27

S106 Percentage	SHMA compliant number of units	Developer proposal	Variance	Type	Min Size m ²
8%	2	0	-2	1 bed 2 person flats	50
16%	4	6	+2	2 bed 4 person flats	70
35%	10	10	-	2 bed 4 person houses	79
41%	11	11	-	3 bed 5 person houses 2 storey	93
0%	0	0	-	4 bed 6 person houses 2 storey	106
Totals	27	27	-		

Size

An Affordable Housing Schedule (8.7.21 excel document) has confirmed that all the Affordable Housing units will meet the minimum size requirement.

Affordable Plots - Garden Gradients

Confirmation has been received that the external areas for all the AH homes will meet appropriate standards.

Design

The S106 states that the Affordable Homes are to be built to the same design standard as the market units and will meet Lifetime Homes, Secure by Design and 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)

Clustering

Following discussions with the applicant and in consideration of urban design constraints, it has been agreed to accept the proposed cluster involving the 2 x 9-flatted block for a reduction in the total number of affordable units in the central area.

Wheelchair Provision

The S106 agreement requires 8% of affordable dwellings to be provided as wheelchair accommodation for social rent: 8% of 118 is 9.4, rounded down to 9. It also states that the wheelchair units will meet the Council's Wheelchair Design Specification or "any other document that may supersede it or as agreed in writing by the Director of Environment and Community Services".

Whilst the Compliance Statement submitted as part of earlier RM application documents states that the wheelchair homes will be built to M4(3) standard, it is noted that the S106 refers to the South Glos Wheelchair Standard & it has been agreed to use this specification.

The amended proposed mix of wheelchair-adapted properties includes 3 x A850 2-bed house-type bungalows, 4 x 1-bed units and 2 x 3-bed homes. This mix of homes is accepted.

The detailed plans for the new 2 x 3-bed WC units at plots 161 & 163 have been viewed by the Occupational Therapist and there are outstanding issues identified. A condition has been agreed to provide detailed, updated plans prior to commencement of development for these 2 plots to be approved by the Council's Occupational Therapist.

Phasing

The revised phasing plan is accepted.

Extra Care Affordable Housing

With regard to the above development and specifically to Schedule 6 in the Section 106 signed on the 17th April 2018, the schedule contains the council's policy with regard to Use Class. In short, if the development brings forward an elderly care facility such as Extra care Housing, Policy CS20 would apply and Use Class will be determined based on the criteria laid out in the South Gloucestershire Affordable Housing and Extra care Supplementary Planning Document. Where a Use Class C2 application is made for the delivery of a residential or nursing care and the scheme proposals are clearly for Use Class C2 then the appropriate policy would be followed and there would not be a requirement to provide affordable housing. The details of the extra care affordable housing do not form part of this reserved matters.

In conclusion officers consider the scheme to be acceptable in its revised form in terms of affordable housing provision.

5.14 Self Build

Self-build and custom housebuilding is sought in line with national Planning Policy Guidance: Planning Obligations and other requirements under Policy PSP42 of the Council's adopted Policies Sites and Places Plan (PSP) and the Council's adopted Self-build and Custom Housebuilding SPD (2021).

This application generates a self and/or custom housebuilding requirement of 14no. serviced plots to be provided on site and in line with the principles / heads of terms as set out at outline stage. Following submission, the applicant has provided further detailed information and made amendments to the delivery statement and plot passports and rules of build/sales contract for the self and custom build plots. The self-build proposals are considered to be in line with the outline requirements and are considered to be acceptable by officers in accordance with policy PSP42 and the adopted Self-build and Custom Housebuilding SPD.

5.15 Drainage

The proposed drainage strategy is consistent with the Outline Planning Permission and in accordance with condition 21 of the outline planning permission. The principles of the Surface Water Drainage Masterplan and drainage scheme have been negotiated and agreed with officers who have raised no objections to the final scheme following revisions to the Surface Water Drainage Masterplan to alter planting and details of maintenance.

Detailed drainage design is covered by conditions 22 and 23 of the outline permission, which the appeal Inspector required submission and approval prior to commencement of development, post determination of the relevant RM. The proposed layout makes provision for a revised drainage scheme which has been agreed by the Council (as Lead Local Flood Authority).

The proposed drainage arrangements are consistent with the principles agreed at outline permission stage, including the Flood Risk Assessment (prepared by Cannon Consulting Engineers no. CCE/H801/FRA-05 dated May 2016) and are

to be designed in accordance with current standards, guidance and best practice. As such the drainage arrangements are considered acceptable.

5.16 **Ecology**

An Ecological Assessment was submitted with the outline application (dated May 2016 by Ecology Solutions Ltd), which provided an assessment of the ecological interests on and around the site. Additional information was requested and improvements made to the woodland ecological corridor to provide a continuous woodland link along the eastern side of the site to accord with the outline parameters along with changes to the path surfacing from tarmac both improving ecological functionality. This new native woodland was required to create an effective ecological corridor between the two woodland sites that will enable wildlife to move between the woods and across the wider landscape. Changes to the LEMP, further badger monitoring information and the addition of hedgehog mitigation to the boundary treatments were requested and have been provided. The Council's Ecology Officer has assessed the site and information submitted and has determined that there are no ecological constraints to granting consent.

Conditions 28 and 29 were attached to the outline permission to reflect further information required for consideration at the detailed design stage; including the submission of a Landscape and Ecological Management Plan prior to commencement of development; to include details of the existing habitat to be safeguarded (hedge woodland), the new habitat to be created (species-rich grassland, hedges, woodland, scrub and ponds) and its management. It shall also include a programme of monitoring of all works for a period of 5 years; and a programme of implementation. Conditions 28 and 29 were worded by the appeal Inspector to be submitted and approved prior to commencement of development and as such are for consideration following determination of the relevant Reserved Matters submission.

Officers consider that the proposals would not result in any significant ecological harm and that the reserved matters application is in line with the provisions of the NPPF, Policy CS9 of the Core Strategy and Policy PSP19 of the Policies, Sites and Places Development Plan Document (PSP DPD). The ecological mitigation measures approved at outline stage have been satisfactorily carried forward into the detailed design and the reserved matters are considered acceptable in terms of ecology.

5.17 **Heritage**

The conservation officer has raised no objection to the proposals and the scheme is considered to be compliant with the design and development parameters established at outline stage, in reference of both building heights and the separation distance between the grade II Hacket House and the closest part of the new development.

The conservation officer has confirmed that the impact of the proposed RM scheme will be in accordance with impact considered and approved at outline stage, which was that the setting of Hacket House and in turn the contribution it makes to the significance of the designated heritage asset would be preserved.

There are therefore no heritage objections to the development proposals and as such the proposal is considered to accord with Policy PSP17.

5.18 Archaeology

With regard to archaeology, no further issues have been identified following the outline approval, for which condition 15 required that investigation of the site is undertaken. Subject to compliance with the outline condition, the scheme is acceptable in terms of archaeology and conforms with the outline approval, the NPPF and Policy CS9 of the Core Strategy.

5.19 Arts and Development

The outline application set a requirement for the submission of a public art plan through condition 37 of the outline application. A plan has been submitted and is considered to be acceptable pending the commissioning of an artist. The agent has confirmed that further details will be submitted in due course and prior to construction on site, to discharge condition 24.

5.20 Waste

The proposed waste collection strategy and vehicle swept path analysis tracking for refuse vehicles provide details of the arrangements and are considered to be acceptable by officers.

Most dwellings have rear gardens with good access to the adopted road and the roads are passable by a refuse collection vehicle. A limited number of dwellings have an identified presentation point for the householder to take the bins to. The detailed issues regarding collection points raised by the transportation and waste officers have been addressed through revised plans and as such the proposal is considered to be acceptable in waste management terms.

5.21 Environmental Impacts

Air Quality

In terms of air quality, the reserved matters does not raise any further issues of significance than were considered and approved with the outline consent. The principle of development of the site for up to 350 units has been consented and the approved Air Quality Assessment no. J2428/1/F2 assessed and the associated air quality implications were considered acceptable subject to condition 10 on the outline consent which requires submission of a CEMP, this is outside the scope of the reserved matters.

Noise

The principle of up to 350 dwellings and the noise associated with their construction and future occupation is established through the original outline consent. The reserved matters raise no significant additional matters related to noise.

Condition 10 of the outline permission requires the submission of a Construction Environmental Management Plan prior to commencement of development. This application deals with the reserved matters and the

discharge of condition 10 (CEMP) is required prior to commencement of development as previously indicated in this report.

Sustainable Energy

PSP6 of the PSP DPD deals with energy generation and requirements for larger developments on Greenfield sites. Conditions 42 of the outline permission required the development to be carried out in accordance with the Energy Statement and Addendum approved at outline stage. The Energy Statement submitted has been revised in response to officer comments and additional information has been provided. Officers note that the Energy Statement complies with the % requirement in compliance with the measures as set out in Section 2 of the approved Energy Statement Addendum 1 V3, dated February 2017. The condition refers to emission reductions assessed against Building Regulations and this is now 9.02% and therefore the statement meets the revised requirement. In addition to the Energy Statement the applicant has submitted a note confirming that with the impending changes to Part L of the Building Regulations, in accordance with the new Regulations approximately 60-70% of the dwellings on site will be achieving a 31% reduction in CO₂.

The Energy Statement is considered by officers to be acceptable in line with the outline condition requirements, provided conditions are attached in respect of detailed design as outlined below.

5.22 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 **approve** reserved matters has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan

(Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

7.1 Reserved matters are APPROVED with conditions in accordance with conditions 1 and 2 attached to outline approval (APP/P0119/W/17/3182296).

CONDITIONS

1. 1. No dwelling hereby approved shall be constructed beyond damp proof course until samples of the roofing and external facing materials proposed to be used on all external surfaces have been first 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 Dec 2013); and the National Planning Policy Statement.

2. 2. All hard and soft landscaping works shall be carried out in accordance with the details hereby approved. The works shall be carried out prior to the occupation of the relevant part of the development or in accordance with the programme agreed with the Local Planning Authority prior to first occupation of any dwelling as a residential dwelling. Any trees or plants shown on the approved landscaping scheme to be planted or retained 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 visual amenity of the scheme and in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted 2013.

3. 3. The development hereby approved shall be carried out in accordance with the Soft Landscape Management and Maintenance Plan MILL22804manH and Management Plan MILL22804-50G (dated June 2021) submitted with the application.

Reason

In the interests of the character and visual amenity and ecological interest of the site and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

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

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and amenity of the area, and to accord with Policies CS1, CS8 and CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted Dec 2013) and the South Gloucestershire Residential Parking Standards SPD (Adopted December 2013).

5. 5. The bin storage shown on the drawings hereby approved shall be provided before the plots to which the bin storage relates are first occupied, and thereafter the bin storage area shall be retained for that purpose.

Reason

In the interests of the amenities of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted December 2013).

6. 6. Prior to commencement of development the following list of further details shall be first submitted to and approved in writing by the Local Planning Authority:
- o Detailed drawings of the LEAP and NEAP
 - o Detailed specification of all play equipment, boundary treatments, surfacing and tree planting to POS areas
 - o Details of the width of paths and fence openings in POS areas
 - o Detailed allotment design, management and maintenance

The detail thereby approved shall be carried out in accordance with that approval and thereafter retained for those purposes.

Reason: To ensure appropriate local standards of provision in terms of quantity, quality and accessibility of public open space provision in accordance with Policy CS24 of the South Gloucestershire Local Plan: Core Strategy (adopted Dec 2013).

This is a pre-commencement condition to ensure that the information is submitted with the maintenance and management information required by the S106 Agreement attached to the outline permission to ensure that these existing requirements can be met.

7. 7. No development shall commence including any ground clearance until the protective fencing as detailed on Arboricultural Survey, Impact Assessment (AIA) & Method Statement (AMS) (dated June 2021) has been erected in full and the erected fencing approved in writing by the Local Planning Authority. The protective fencing shall remain in place and fully intact until all dwellings are complete and occupiable or other timescale to be first agreed in writing with the Local Planning Authority. The approved arboricultural method statement shall be adhered to at all times.

Reason

To protect trees and landscape features within the site to protect the character and appearance of the area in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (adopted Dec 2013).

This pre commencement condition is required in order to ensure protection of the trees throughout the development process.

8. 8. Prior to commencement of development tree pit details are required. These details shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details and thereafter retained for those purposes only.

Reason

To protect trees and landscape features within the site to protect the character and appearance of the area in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (adopted Dec 2013).

This pre commencement condition is required in order to ensure protection of the trees throughout the development process.

9. 9. Notwithstanding the approved landscaping details, the location of any tree within 3m of the adopted highway is indicative and subject to adjustment, but not removal/deletion, in conjunction with the street lighting design. Any changes to the location/position of any street trees shall be submitted to and approved in writing by the Local Planning Authority prior to the first planting season following approval of the amended tree location(s).

Reason: In the interest of highway safety and to accord with Policy PSP11.

10. 10. Prior to first occupation of any dwelling within this reserved matters parcel a SuDS Management and Maintenance document and details of the Private Management Company who will be responsible for the management and maintenance of the surface water drainage infrastructure, including the swale, culvert and infiltration basins will be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved document and details.

Reason: To ensure management and maintenance of the surface water drainage infrastructure is secured in accordance with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20.

11. 11. Prior to the occupation of the first dwelling within the reserved matters parcel hereby approved a scheme and timetable for the delivery of the footpaths and cyclepaths across the development as detailed within the approved Site Wide Pedestrian and Cycle Movement Strategy shall be first submitted to and approved in writing by the Local Planning Authority. The approved scheme to be implemented in accordance with the agreed timetable, unless otherwise agreed in writing

Reason

In the interest of Highway safety and to accord with the Outline planning consent and Policy PSP11.

12. 12. Prior to occupation of any dwelling within this reserved matters parcel for residential purposes, details of the proposed PV system including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO2 emissions shall be provided in accordance with an Energy Statement to be first submitted to agreed in writing by the Local Planning Authority.

Prior to occupation of any dwelling within this reserved matters parcel for residential purposes, the following information shall be provided and agreed in writing by the Local Planning Authority:

- o Evidence that the PV system has been installed as per the approved Energy Statement (e.g. a copy of the MCS installer's certificate), including exact location, technical specification and projected annual energy yield of the system (kWh/year).
- o A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO2 emissions by 9% as stated in the approved Energy Statement.

Development shall be carried out in accordance with the approved details.

Reason

To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

13. 13. Notwithstanding the approved drawings no development shall commence until the following details have been first submitted to and approved in writing by the Local Planning Authority.

- o General - Planning Drawing amended to remove reference to street lighting.
- o Road 2 - Planning Drawing amended to show carriageway alignment adjacent to landscaped area opposite road 4 the same as that shown on the Highway Design Codes Drawing.
- o Road 6 - Planning Drawing amended to relocate gate and fence from the footway to the side of plots 192-197.
- o Road 7 - The landscaped build-out opposite plots 260 and 261 to be widened a further two metres into the road.
- o Planning Drawing amended to show splayed accesses to all driveways.
- o Planning Drawing amended to show block paved surface between plots 227 and 230.
- o Planning Drawing amended to show landscaping to the side of plot 269.
- o Road 8A - Rear gate and footpath to rear access road from plot 223.
- o Trees - All trees located within 3m of the highway are shown as indicative and subject to adjustment in conjunction the provision of a street lighting scheme.
- o Tree pit details including root barriers where trees are located adjacent to the highway.
- o Public Open Space Path surfacing details.

The approved details are to be completed in accordance with the scale and sequence of build out provided in the approved phasing plan.

Reason: In the interest of Highway safety and to accord with Policy PSP11.

This is a pre-commencement condition to ensure that layout changes can be made if required.

14. 14. Prior to the commencement of development detailed drawings of the wheelchair adaptable homes at plots 161 & 163 will be first 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 wheelchair units accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted Dec 2013).

This is a pre-commencement condition to ensure that external layout changes can be made if required.

15. 15. As per the Affordable Housing Layout TH/AFF/01F all Affordable Dwellings 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 and those affordable homes required 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 adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan.

16. 16. The development must be completed exactly in accordance with the following plans:

Submitted May 2020

- o Site Location Plan TH RLP 01
- o Badger Survey Report, dated April 2020
- o Openreach BT Phase 1 Plan TCH/171 Issue: 1
- o Openreach BT Phase 2 Plan TCH/172 Issue: 1
- o Virgin Media Plan VM/NBU.192022

Submitted November 2020

- o Site Context - Pedestrian and Cycle Connections AAH5637-RPS-20_XX-00DR-A-003_P02
- o Garages (Floor Plans and Elevations)
- o Section 278 General Arrangement 11764-106F(3)
- o Additional Street Scenes TH/S SS02
- o Highway Design Code Plan AAH5637-RPS-XX-XX-RP-A-004_P01

Submitted 26th April 2021

- o Northern Site Cross Section CPT/NSS/SS02
- o Southern Site Cross Section CPT/SS/S03
- o EVWSPD-V05-R2 WallPod EV Socketed - Data Sheet
- o EVAD3000 Keyswitch
- o EVAD3000 Keyswitch up to 32A for WallPod AutoCharge BasicCharge

Submitted 24th May 2021

- o Southern Site Section CPT/SS/S02, Rev. A
- o Cleve Park Spine Plots 266 - 277 Street Scene

Submitted 24th June 2021

- o Morton Way North Housetype Pack June 21
- o Cleve Park Centre Housetype Pack June 21
- o Morton Way South Housetype Pack June 21
- o Southern Slopes Housetype Pack June 21
- o Cleve Park Spine Housetype Pack June 21
- o Cleve Meadow Housetype Pack June 21
- o Refuse Vehicle Swept Path Analysis 11764H-315M
- o Tracking Layout 11764H -401(N)
- o Rigid Truck Swept Path Analysis 11764 - SK10(1H)
- o Attenuation Basin Details (Sheet 1 of 2) 11764H-104(1)G
- o Attenuation Basin Details (Sheet 2 of 2) 11764H-104(2)G
- o Affordable Housing Layout TH/AFF/01F
- o Refuse Layout TH/RL/01D
- o Bin and Cycle Storage TH-BIN-01, Rev. A
- o Phasing Plan TH/PH/01
- o Soft Landscape Proposals MILL22804-11H (Sheet 1 of 11)
- o Soft Landscape Proposals MILL22804-11H (Sheet 2 of 11)
- o Soft Landscape Proposals MILL22804-11H (Sheet 4 of 11)
- o Soft Landscape Proposals MILL22804-11H (Sheet 5 of 11)
- o Soft Landscape Proposals MILL22804-11H (Sheet 6 of 11)
- o Soft Landscape Proposals MILL22804-11H (Sheet 7 of 11)
- o Soft Landscape Proposals MILL22804-11H (Sheet 8 of 11)
- o Soft Landscape Proposals MILL22804-11H (Sheet 9 of 11)
- o Soft Landscape Proposals MILL22804-11H (Sheet 10 of 11)
- o Soft Landscape Proposals MILL22804-11H (Sheet 11 of 11)
- o MILL22804-15A
- o MILL22804-15A
- o Soft Landscape Management and Maintenance Plan MILL22804manH
- o Management Plan MILL22804-50G
- o 1764-SK24 Site Sections AA - BB - CC
- o 1764-SK24 Site Sections DD - EE - FF - GG
- o Landscape Comprehensive Plan MILL22804-13A Sheet 1 of 3
- o Landscape Comprehensive Plan MILL22804-13A Sheet 2 of 3
- o Landscape Comprehensive Plan MILL22804-13A Sheet 3 of 3
- o 11764H - 326(1B) Site Composite Plan
- o 11764H - 326(2B) Site Composite Plan

Submitted 14th July 2021

- o Materials Layout TH MAT 01G
- o Boundary Treatments Layout TH BT/L01F
- o Parking and Cycling Provision Plan TH/CPP/01G
- o Drainage Masterplan 11764H-100(L)
- o Soft Landscape Proposals MILL22804-11H (Sheet 3 of 11)
- o Soft Landscape Proposals MILL22804-11H (Sheet 3 of 11)
- o Open Space Proposals MILL22804-21J (Sheet 1 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 2 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 3 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 4 of 21)

- o Open Space Proposals MILL22804-21J (Sheet 5 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 6 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 7 of 21)
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- o Open Space Proposals MILL22804-21J (Sheet 9 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 10 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 11 of 21)
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- o Open Space Proposals MILL22804-21J (Sheet 15 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 16 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 17 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 18 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 20 of 21)
- o Open Space Proposals MILL22804-21J (Sheet 21 of 21)

Submitted 20th July 2021

- o Highway Design Code Plan (Sheet 1 of 2) 11764H-400(1S)
- o Highway Design Code Plan (Sheet 2 of 2) 11764H-401(2S)
- o Site Wide Pedestrian and Cycle Movement Plan AAH5637-RPS-20_XX-00DR-A-002_P10
- o 11764H - 326(1C) Site Composite Plan
- o 11764H - 326(2C) Site Composite Plan
- o Detailed Planning Layout TH/DPL/01J
- o Overall Planning Layout TH/OL/01H
- o S106 POS Areas TH/POS/01, Rev. B
- o Surfaces Treatments Plan, TH/STP/01, Rev. E

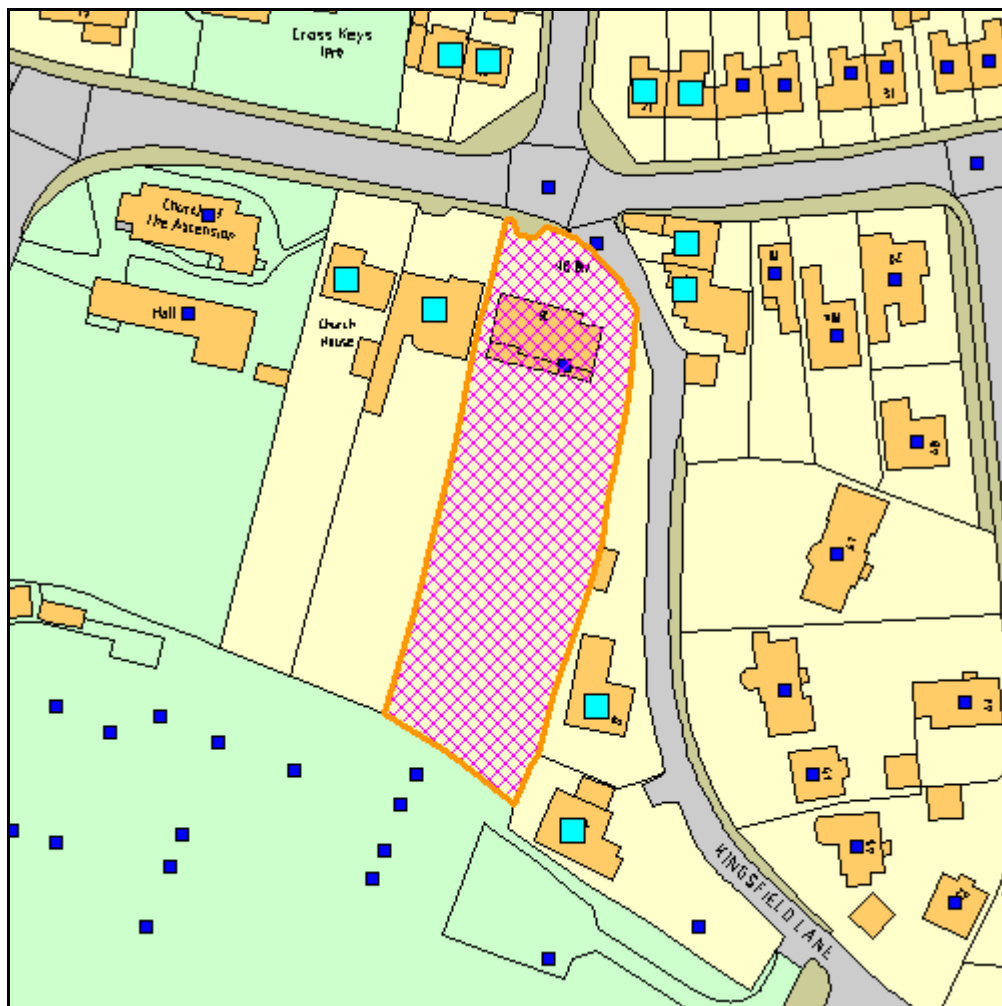
Reason

In the interests of completeness.

Case Officer: Catherine Loveday
Authorising Officer: Sean Herbert

CIRCULATED SCHEDULE NO. 29/21 -26th July 2021

App No.:	P21/01166/F	Applicant:	C Ludwell
Site:	Broadlands 16 Hollyguest Road Hanham South Gloucestershire BS15 9NT	Date Reg:	9th March 2021
Proposal:	Erection of 4no dwellings with access and associated works.	Parish:	Hanham Parish Council
Map Ref:	365021 172511	Ward:	Hanham
Application Category:	Minor	Target Date:	3rd May 2021



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N.T.S.

P21/01166/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application appears on the circulated schedule following receipt of more than 3no. representations, which are contrary to the findings of this report and officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of 4no. detached dwellings with access and associated works.
- 1.2 The application site is the large rear garden associated with the property known as Broadlands, which fronts on the Hollyguest Road, and is bounded to the East by Kingsfield Lane.
- 1.3 The application site is located within the East Fringe of Bristol Urban Area settlement boundary and is in an area that is affected by past coal mining activity.
- 1.4 During the application's consideration, revised plans have been sought in response to officer concerns. A period of public re-consultation has been carried out following these amendments, which are to the design of the rear two plots (3 and 4). This change reduced the massing of plots 3 and 4, the resultant appearance being closer to that of a dormer bungalow.

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
CS9	Managing the Environment and Heritage
CS10	Minerals
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

CIL and S106 SPD (Adopted) March 2015

Waste Collection SPD (Adopted) January 2015 (updated March 2017)

Householder Design Guide SPD (Adopted) March 2021

Sustainable Drainage Systems (SuDS) SPD (Adopted) April 2021

Trees and Development Sites SPD (Adopted) April 2021

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/6217/NMA (No objection 08/12/2016):
Non-Material Amendment to planning permission PK16/2148/F to make approved drawings the subject of a planning condition.
- 3.2 PK17/0053/RVC (approved 01/03/2017):
Variation of condition to PK16/2148/F (added by non-material amendment PK16/6217/NMA) to substitute approved drawing number PLN-1.
- 3.3 PK15/3975/CLP (approved 08/10/2015):
Application for a certificate of lawfulness for the proposed installation of a rear dormer to facilitate loft conversion.
- 3.4 PK15/3976/F (approved 27/10/2015):
Demolition of existing garage and erection of side extension to form garage with loft space over, and single storey rear extension to form additional living accommodation.
- 3.5 PK16/0482/F (approved 31/03/2016):
Erection of side extension to form garage with loft space over, and single storey rear extension to form additional living accommodation. Installation of front and rear dormer windows to facilitate loft conversion. (Resubmission of PK15/3976/F)
- 3.6 PK16/2148/F (approved 14/06/2016):

Erection of a single storey front extension and two storey side and single storey rear extensions to form additional living accommodation. Installation of 4no front dormers to facilitate loft conversion. Creation of integral garage and construction of raised decking area to rear.

4. **CONSULTATION RESPONSES**

4.1 Hanham Parish Council

No objection

4.2 DC Transport

Initial response

No objection, subject to conditions and informative

Updated response

No further comments

4.3 Highway Structures

No comment (x2)

4.4 Coal Authority

Initial response

No objection, subject to conditions

Updated response

No further observations

4.5 Tree Officer

No objection or conditions recommended. This is because of the location of development and lack of important trees in the locality anticipated for development activities.

4.6 Ecology Officer

Initial comments:

Further information is required prior to determination in the form of a reptile survey due to potential slow worm being present. Conditions recommended once outstanding information is received.

Updated comments:

No objections, conditions and informative recommended.

4.7 Planning Enforcement

No comments have been received

4.8 Drainage (LLFA)

Initial response

Query the method of sustainable drainage systems (SuDS) that are to be utilised for surface water disposal

Updated response

No objection, subject to conditions

4.9 Local Residents

A total of 17no. objection comments have been received during the application's consideration, which are summarised as follows:

- Disruption during construction
- Noise and dust
- Disruption caused by access (outside bedroom)
- Site too small
- Access dangerous/inadequate
- Insufficient parking
- Highway safety concern
- Overlooking
- Density too high
- More space given to calls than for children to play
- Garages will be used for storage
- Impact on emergency vehicles
- Trees in plots may be removed in future for more parking
- Delivery vehicles not catered for
- Visitors and 2nd/3rd cars will park on Hollyguest Road
- Cumulative impact concerns with customers parking for the pub and church
- Ecology report insufficient – proposal will result in loss of habitat
- Block paving will increase flooding
- More greenspace needed
- Wildlife pond adjacent (impact on GCN)
- Overdevelopment
- Gardens too small
- Junction is dangerous
- Impact on pedestrian safety
- Road is a 'rat run'
- Cross Keys pub not mentioned in traffic statement
- Eradication of semi-rural area
- Impacts already caused by neighbouring development
- Impacts on views
- Impacts on lights
- Not been informed of the development
- Increased on street parking
- Accident waiting to happen
- No visitor parking
- Noise and pollution
- Reduction in green space
- Detriment to character and amenity

- Opportunistic creeping urbanisation
- Impact on visual amenity
- Will deny peaceful enjoyment of neighbouring properties
- Trees have been removed
- Overbearing
- Neighbouring house not shown on plans
- Please identify petrol interceptor
- Previous objection applied to revised proposals

1no. further representation has been received in conjunction with one of the submitted objections, providing photographs to support said objection.

5. **ANALYSIS OF PROPOSAL**

- 5.1 The proposal seeks to erect 4no detached dwellings with access and associated works.

Principle of Development

- 5.2 The site is within the East Fringe of Bristol Urban Area. Policy CS5 sets out the Council's spatial strategy and submits that new residential development will be directed to within the Northern and Eastern fringes of Bristol in the first instance, and then at smaller scales to within settlement boundaries as defined by the policies map. As the site is within the East Fringe of Bristol, the principle of residential development on this site can be considered acceptable in principle.
- 5.3 Moreover, the site is within the curtilage of an existing dwelling. Therefore, PSP38 is relevant. PSP38 permits development within existing residential curtilages (including new dwellings) where they are acceptable in terms of design, residential amenity, and parking.
- 5.4 Good design is a key requirement for any development, and policy CS1 sets out that developments should demonstrate the highest standards of design and site planning. This means that proposals should demonstrate that siting, form, scale, height, massing, detailing, colour and materials should be informed by respect and enhance the character, distinctiveness and amenity of both the site and its context. The NPPF also sets out that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking in to account any local design guidance and supplementary planning documents.
- 5.5 Having regard to the above, the proposed residential development can be considered acceptable in principle in this location. The main planning issues that now need to be considered are design, layout, and visual amenity, impacts on residential amenity, parking and highway safety and ecology. Matters of drainage and coal mining legacy also need to be considered.
- 5.6 Design, Layout and Visual Amenity

The host dwelling, Broadlands, is understood to have once been a detached chalet style dwelling, which has been subject to renovation and extension in recent years. The property now has a chalet style appearance to the front, but more of a two-storey appearance to the rear. The immediate neighbour to the West is a dormer style bungalow, and there is a semi-detached pair of dormer bungalows opposite. Elsewhere within the locality is a mixture of two storey detached and semi-detached dwellings, mostly two storeys, but some bungalows, such as no.12 Kingsfield Lane to the East of the site.

- 5.7 The proposal would result in a backland development of 4no. detached dwellings in the large rear garden of the host property. The access and parking/turning area would run along the Western boundary of the site and would then turn to the East, creating an 'L' shape. Plots 1 and 2 would be towards the front of the site and would face West to the front and East to the rear. Meanwhile, plots 3 and 4 would be towards the rear of the site and would face North to the front and South to the Rear.
- 5.8 Plots 1 and 2 would be two storey dwellings with a predominantly 'L' shaped footprint, which would have front and rear facing gables, with a lower side projecting gable and front and rear dormers above the garage and study. The ridge heights would be c.7.9 metres and the height to the eaves would be c.4.8 metres. The materials would be a mixture of render and bradstone rough dressed stone walling, with brown tiles and cedar cladding to the dormers.
- 5.9 Plots 3 and 4 would take an appearance perhaps closer aligned to that of a chalet or dormer style bungalow, with a ridge height of c.7.7 metres and height to the eaves of c.3.8 metres. The verges would be coped and the front and rear roof slope would be provided with full length dormers, clad with cedar cladding. Materials would be the same as plots 1 and 2, but the footprints would be square, as opposed to 'L' shaped.
- 5.10 The local area is varied in character and there is no one distinctive style or prevailing vernacular. Whilst many of the properties front directly on to the highway, there are examples of where this is not the case, which makes it difficult to resist a backland development in principle in this location. Moreover, the creation of a backland development in this location would not, in officers' views, result in any material harm to the character of the mature residential area.
- 5.11 The introduction of two storey dwellings in an area characterised by (in part) two storey dwellings would also not be out of keeping with the area. The design of plots 1 and 2 themselves can be regarded as being to a degree standard large two storey detached dwellings which appear to be designed to have a modern appearance, using glazed gables and cedar cladding, but also taking some of their cues in terms of their form from the surrounding built environment.
- 5.12 The dwellings proposed for plots 3 and 4 which appear more as chalet dwellings or dormer bungalows would also not be out of keeping with the character of the area, when considering that there is a pair of chalet bungalows opposite the site and the host property appears as one to the front. Again plot 3

and 4 also have something of a modern appearance with the use of material such as Cedar cladding and flat roof sections, but also appearing to take some of their design cues in terms of their overall form as dormer bungalows, from the surrounding locality.

- 5.13 Following the above consideration, officers do not consider there to be any material design grounds in which the dwellings themselves or the layout could be refused on and defended at an appeal. Moreover, whilst it is accepted that the amount of development is perhaps at the upper limit of what could be achieved on this site, the overall layout and amount of development does not lend itself to an unduly cramped or overdeveloped appearance, which has been aided by amendments to the proposals to reduce the massing of the two rear plots (3 and 4).
- 5.14 In terms of landscaping, the access/parking and turning area would be paved with brick paving and the gardens to the properties laid to lawn with paved patio areas, and several trees are proposed both in the gardens and on the frontages of the properties, which are welcomed. A full and detailed landscaping plan has been provided with the application. The proposed landscaping plan is considered to be acceptable, subject to an appropriately worded condition to ensure that its provision and to ensure the retention of trees post development. Details should also be obtained of the proposed paving and hard landscaping features, which can also be dealt with by an appropriately worded planning condition, should permission be granted.
- 5.15 Following the above consideration, officers consider the proposed development to be acceptable, in terms of design and layout. In light of the size of the plots, and relationship with neighbouring occupiers, officers would however consider the imposition of a condition to removed permitted development rights as necessary on this occasion, having regard to paragraph 54 of the NPPF, which states that these rights should not be removed unless there is clear justification to do so.
- 5.16 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.

Neighbouring occupiers

- 5.17 The site is adjacent to a number of residential properties. To the West is Hollyhead House (no.14 Hollyguest Road), which has its garden running along the entire Western boundary of the site. To the East, bounded by the site and Kingsfield Lane is 12 Kingsfield Lane and 14 Kingsfield Lane. Finally, to the South is 11 Faithfields Close, which forms part of the new residential development due South of the site. Officers note that the site is in a slightly elevated position compared to Kingsfield Lane and the two properties bounded by the site and Kingsfield Lane (no.12 and 14).

Overbearing/overshadowing

- 5.18 Plots 1 and 2 are sited in such a way that they are not liable to present any overbearing issues with respect to neighbouring occupiers. Plots 3 and 4 to the rear are closer to neighbouring properties, though plot 3 is sited such that it is c.3 metres away from the Western boundary with the garden of no. 14 Hollyguest Road, which is a large elongated garden. Whilst plot 3 would have more presence towards the end of this garden, given the size of the garden officers would not consider there to be any material overbearing issues.
- 5.19 Plot 4 would have a more noticeable presence from the gardens of no.12 Kingsfield Lane and no.14 Kingsfield Lane. However, plot 4 would only be stepped back from the rear of no.12 by c.3 metres and would be 2.5 metres from the boundary and closer to 5.3 metres from the rear of no.12. This relationship is not one that officers would consider as presenting an unacceptable level of overbearing with respect to no.12. The separation between plot 4 and no.14 is also considered sufficient to allay any overbearing concerns. Moreover, as dormer bungalow style dwellings, they would be lower than the front two plots.

Privacy

- 5.20 Plots 1 and 2 towards the front would face towards the boundary with no.14 Hollyguest Road and the boundary with 12 Kingsfield Lane, albeit they would face the front driveway area of no.12. The Household Design Guide SPD sets out a '7 metre rule', which is a test that aims to protect the amenities of neighbouring properties by ensuring existing levels of overlooking are not increased materially or by perception. Per this test, no primary room windows should be less than 7 metres from any facing garden boundary. Whilst this test is predominantly applied to two storey extensions, it is a useful guide in this case given that the proposal for two storey dwellings.
- 5.21 The front elevations and front windows of plots 1 and 2 are at least 8 metres away from the Eastern boundary of no.14 Hollyguest Road's Garden. Moreover, the windows would be at right angle to the rear windows of no.14 and over 20 metres away. The rear of plots 1 and 2 would face part of no.12 Kingsfield Lane's curtilage, although this is the front parking/turning area for this property, which is seldom private as is. Moreover, the distances between the rear windows of plots 1 and 2 are at least 7 metres from the Eastern boundary of the site. Distances between the rear of plots 1 and 2 and the rear of the properties on Tyler Close on the opposite side of Kingsfield Lane are 40+ metres away. Given the separation distances noted, officers are satisfied that there would be no unacceptable degree of overlooking caused by plots 1 and 2, beyond what could be reasonably expected in a built-up urban location. This takes in to account the fact that a separation distance of 20 metres between two storey buildings where windows face each other is usually required.
- 5.22 Plots 3 and 4 to the rear of the site are perhaps the two that need to be more carefully considered. The rear of plot 3 would face the North Side elevation of 11 Faithfields Close for the most part, which would mean there would be concern about intervisibility and any unacceptable degree of overlooking would be largely impossible.

- 5.23 Plot 4 would have the most overlooking potential, as the rear windows would be directed to the garden boundary with 11 Faithfields Close, 14 Kingsfield Lane and to a lesser extent, 12 Kingsfield Lane. As noted in the SPD however, the normal window-window separation distances can be reduced where properties would face each other at an angle (typically 30 degrees or more).
- 5.24 The rear elevation of 11 Faithfields Close is essentially at right angle to the rear elevation of plot 4. No.14 Kingsfield Lane, whilst not quite right angles, is also angled well over 30 degrees away from the rear windows of plot 4. Whilst therefore plot 4 is under the usual 20 metre separation distance in terms of window-window distances (c.11.5 metres min. for 11 Faithfields Close and c.12 metres min. for 14 Kingsfield Lane), the oblique relationship means intervisibility between windows will not go beyond an unacceptable level.
- 5.25 The rear first floor windows of plot 4 are at least 8.5 metres away from the rear garden boundary with 11 Faithfields Close, which is considered acceptable. The rear windows of plot 4 at first floor are for the most part at least 7 metres away from the garden boundary with no.14 Kingsfield Lane. This drops below 7 metres around the boundary of no.14 and no.12 Kingsfield Lane, however the relationship with the rear of plot 4 at this point is almost at right angles, meaning there is unlikely to be any unacceptable level of overlooking possible.
- 5.26 The above being said, officers acknowledge that the relationship between plot 4 and no's 12 and 14 Kingsfield Lane is close, and the siting of plot 4 is perhaps on the borderline of what could be acceptable in terms of overbearing and overlooking considerations.

Other amenity issues

- 5.27 Officers note concerns regarding impacts and disruption caused by the construction phase of the development. Whilst there will inevitably be some disruption as a result of the development being implemented, this would be temporary in nature. Whilst noise and disturbance are material residential amenity considerations, they are not something that the development could be resisted on when they are a result of the construction phase and not the resultant use of the land. That being said, given the scale of development and proximity to neighbouring properties, a condition requiring a restriction on working hours should be applied, should permission be granted, in defence of neighbouring residential amenities.
- 5.28 Whilst there would be some increase in noise as a result of the 4no. dwellings and the access, this would be unlikely to be to an extent that would warrant refusal on amenity grounds, given that the resultant use would be residential, within a residential area.

Occupiers of the development

- 5.29 All of the four 4 bed dwellings exceed the relevant nationally described space standards. Plots 3 and 4 would have a slightly restricted outlook to the front. This is because the side of plot 2 is less than 12 metres away from these windows (c.9 metres in the case of plot 3 and c.10.65 metres in the case of plot 4). However, the impact would be localised and would not result in an unacceptably oppressive outlook. Plot 3 would be slightly closer to 11

- Faithfields than would be desirable to the rear, at 10 metres as opposed the standard 12 metre 'window-wall test' distance. But it would be unlikely that this slight deficiency would be such that a refusal could be sustained on the grounds of impacts on the occupiers of the development itself. On balance therefore, whilst it is still not completely desired to breach the '12 metre rule', it would not be considered that this would be sufficient to justify a refusal on the grounds of impacts on the amenity of future occupiers.
- 5.30 Officers are satisfied that the relationships between each of the proposed dwellings would not result in any overbearing or overshadowing issues between the units.
- 5.31 PSP43 sets out the levels of private amenity spaced required for new developments. The standard for a 4+ bed dwelling is 70sqm, which should be of sufficient quality, should be sufficiently useable and should not include parking and turning areas.
- 5.32 Each of the four dwellings would benefit from at least 70sqm private amenity space that does not comprise parking and turning areas. Plot 4 would have the most at c.128sqm and plot 2 would have the least, at c.77sqm. But each plot has a policy complaint level of private amenity space and officers do not consider there to be any reasons why the proposed gardens would not be sufficiently useable or indeed pleasant to spend time in.
- 5.33 The host dwelling, Broadlands, would benefit still from c.253sqm private amenity space, which is well in excess of the PSP43 standard for a 4+ bed dwelling. Plot 1 would be closest to Broadlands but would be in excess of 12 metres from the rear windows and would not enclose the entire rear aspect. Officers are therefore satisfied that the development would not unduly impact the amenities of the host property, either.
- 5.34 Transportation and Parking
PSP16 sets out the parking standards that are to be expected of residential development, which is based upon the number of bedrooms in a property. CS8 sets out that developments should provide and promote sustainable travel options, be located near existing public transport infrastructure and services/facilities and parking and access should be well integrated and situated so it supports the street scene and does not compromise walking, cycling, public transport and highway safety. PSP11 sets out that development should be close to key services and facilities, be accessible by all mode trips (other than private car) and should not impact highway and road safety.
- 5.35 Starting with parking, each dwelling would have 4 bedrooms. Per PSP16, this means each dwelling needs to provide 2no. parking spaces which meet the dimensional requirements of PSP16. Parking should not solely be garages, and garages should meet the minimum size requirements in order to be counted.
- 5.36 Each dwelling is correctly provided with 1no. parking space and 1no. garage that meets PSP16 size requirements, which means each dwelling would benefit from 2no. parking spaces and is therefore policy compliant. PSP16 sets out that 0.2 spaces should be provided per dwelling for visitors on a development.

This means that in order to trigger the need for visitor parking, a proposal would need to be for at least 5no. dwellings. Swept path analysis has been provided to demonstrate the useability of the proposed parking. Having considered the proposal in terms of parking, the specialist highways officers do not raise objection, subject to conditions to ensure the provision of the parking (and access/turning areas) and the provision of electric vehicle charging facilities for each dwelling.

- 5.37 Given that the garages form part of the parking provision, an appropriately worded condition would also be required, should permission be granted, to ensure that the garages are retained as such, in the interest of ensuring a satisfactory level of parking provision is retained for the development.
- 5.38 Access would be via an existing access point on to Hollyguest Road, which would be subject to some alteration to improve the visibility to the left and right, of which is not objected to by the Council's specialist highways officers. The access would utilise an existing access point, albeit subject to some improvement works. Whilst it would be intensified in use, given the appropriate level of visibility and lack of objection raised by the highways officers, any refusal on highway safety grounds would be unlikely to be able to be sustained in an appeal situation.
- 5.39 It would be necessary to apply an appropriately worded condition to ensure that the highway improvement works take place, should permission be granted. Subject to this and in light of the lack of objection from the highway's officers, the means of access can be considered to be acceptable.
- 5.40 In terms of location, the site is within an urban area with good access to key services and facilities by means other than the private car and as such, is considered to comply with the location requirements of PSP11 in terms of juxtaposition with key services and facilities.

5.41 Ecology

The application has been furnished with an ecological assessment, prepared by Wessex Ecological Consultancy (January 2021). Following initial comments from the Council's Ecologist, a reptile survey (Wessex Ecological Consultancy, April 2021) has been provided. The findings below are provided by the Council's Ecologist, having reviewed the submitted ecological information:

Designated sites for Nature Conservation (European Sites, SSSI's and local sites (Sites of Nature Conservation Interest or Regionally Important Geological Sites)

The site is not covered by any designated sites.

Habitats (including habitats of principle importance (Priority Habitats) Section 41 Natural Environment and Rural Communities (NERC) Act 2006:

The species found on site are mainly common species and do not provide high ecological value.

Species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended):

Bats

There are no buildings on site and no trees with potential bat features were recorded.

The site lacks features that are suitable for foraging and commuting bats. Though there are lack of features for bats, any additional external lighting proposed is to be designed sensitively in order not deter bats they may pass through and that may use the post-development habitats.

Great crested newt (GCN)

There are no waterbodies within close proximity of the site and the site also lacks suitable terrestrial habitat and is isolated from the wider landscape.

Species protected under the Wildlife and Countryside Act 1981 (as amended):

Birds

There are suitable features for nesting birds within the site, appropriate mitigation has been recommended and also enhancements which are welcomed.

Reptiles

The site has potential to support common reptiles such as slow worms, reptile surveys have been recommended and these are to be undertaken from April under suitable weather conditions. The surveys are to be completed and supported by appropriate mitigation prior to determination.

No reptiles were recorded during the surveys and it is unlikely that they are present on site.

Badgers protected under the Badger Act 1992:

No signs of badger were recorded, however they may commute through the site and consideration is required during development.

Species of principle importance (Priority Species) Section 41 Natural Environment and Rural Communities (NERC) Act and Local Biodiversity Action Plan Species:

Hedgehog

The site has the potential to support hedgehogs, consideration is required during works and enhancements/mitigation has been recommended.

Invertebrates

The site in general is unlikely to provide suitable resources for notable invertebrates, the fallow will resources early in the season which are important. Ideally this would be retained, however if not possible, a replacement tree is to be planted that would provide similar services.

- 5.42 The Council's ecologist does not raise any objection to the proposed development, subject to a number of conditions which should be imposed, should permission be granted. These should include a standard compliance condition to ensure works are carried out in accordance with the submitted mitigation measures, a lighting condition to ensure that external lighting does not have an adverse impact on biodiversity and a habitat enhancement scheme, which is to expand on the recommendations in the submitted ecological report.
- 5.43 Coal Mining Legacy
The application site is within an area that is affected by previous coal mining activities, known as the development high risk area. The NPPF requires planning decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from instability, which includes risks arising from former activities, such as mining. PSP22 requires development proposals on land affected by instability to provide adequate remedial, mitigation and treatment measures to ensure that site is safe, stable, and suitable for the development and will remain so. As part of the application, The Coal Authority have been consulted, and their findings are incorporated below.
- 5.44 The application has been provided with a Coal Mining Risk Assessment (Bristol Coal Mining Archives Ltd, October 2020), which correctly identifies that the site may have been subject to past mining activities.
- 5.45 Based on a review of the existing mining information the report confirms the possibility of crop workings and acknowledges that the Coal Authority data confirms recorded workings in the southern part of the site. However, and presumably from a review of the relevant abandonment plan, the report goes on to confirm that the actual workings do not extend under the site. Recommendations are therefore made for intrusive site investigation works to establish any areas where shallow coalmine workings may pose a risk to the development. It will be the responsibility of the competent person to ensure the most appropriate intrusive investigations are undertaken, along with appropriate remediation, if deemed to be necessary.
- 5.46 Having considered the application and submitted information, The Coal Authority do not raise any objection, however they recommend conditions be applied, in the event that permission is granted. Such conditions relate to the need for a scheme of intrusive investigations and remediation if necessary to address any land instability arising from coal mining legacy. A second condition should also be applied, to require a declaration prepared by a suitably competent person that confirms that the site is, or has been made safe and

stable for the approved development, which would then require approval in writing.

5.47 Drainage

The Council's technical drainage officers do not raise any objections to the proposed development, following clarification on the method of sustainable drainage systems (SuDS) to be utilised for surface water dispersal. An appropriately worded condition will be required, should permission be granted, to secure full details of the proposed surface and foul drainage methods, to include SuDS where ground conditions are satisfactory.

Impact on Equalities

5.48 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.

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

Other Matters

5.50 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.

5.51 Highways impacts created by other premises nearby should not form grounds to resist the development, as the proposal caters for its own parking requirements per adopted policy. This planning application is not the appropriate forum to address other parking issues in the locality, when the development itself is policy compliant.

5.52 Impacts on private views are not a material planning consideration.

Planning Balance

5.53 The proposed development would have a socio-economic benefit of the provision of 4no. new dwellings to the housing supply within the district. Albeit a development on this scale would result in only a modest socio-economic benefit. Nevertheless, this still weights in favour of the proposal.

5.54 The proposed development would be acceptable in terms of impacts on the amenity of adjoining occupiers and would provide acceptable levels of parking in accordance with policy and is considered to be acceptable in terms of

highway safety, with no objection in this regard being raised by the Council's specialist highways officers. The proposal would also be acceptable in terms of drainage, coal mining legacy and ecology. These matters all attract a neutral weight, as they are the expectation of any development in the first instance.

- 5.55 The development also presents an acceptable standard of design, which also attracts a neutral weight as it is an expectation of any development.
- 5.56 Officers have some concern about some of the separation distances between some of the plots, and between the development and the new residential development to the South in the case of Plot 4, as set out in the residential amenity section of this report. Whilst however officers have some disquiet about these matters, a balanced judgement needs to be taken as to whether these issues alone would be sufficient to warrant refusal of an otherwise policy compliant scheme. In this case, given the few minor infractions of the guidance on separation distances, officers would consider the benefits of the scheme to outweigh this matter, and in any event would consider this issue to be unlikely to be sufficient to sustain a refusal in an appeal situation.

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. Standard Time Limit

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. Highway Improvements

The dwellings hereby approved shall not be occupied until the proposed highway improvements to the alignment of the road edge at the site access have been completed in accordance with the submitted details.

Reason

In the interest of highway safety and to accord with PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

3. Parking and Access

The dwellings hereby approved shall not be occupied until the access, parking and turning areas have been provided in accordance with the submitted details and retained thereafter.

Reason

In the interest of highway safety and to ensure a satisfactory level of parking is provided in accordance with PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

4. EVCP Condition

The dwellings hereby approved shall not be occupied until a 7Kw 32 Amp (minimum) Electric Vehicle Charging Point has been provided at each dwelling, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to first occupation. The charging points shall be retained thereafter in working order.

Reason

To promote sustainable travel options in accordance with Council's climate change objectives and to accord with CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

5. Drainage Details

No development shall commence until surface water and foul sewage 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.

Full planning application - A detailed development layout showing surface water and SUDS proposals is required as part of this submission.

For the avoidance of doubt, we would expect to see the following details when discharging the above conditions:

- o A clearly labelled drainage layout plan showing the exact location of any foul water connection points and soakaways.

- o Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal
- o Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
- o Drainage design should reflect no flooding on site in 1 in 30 year storm events; and no flooding of buildings or off site in 1 in 100 year plus 40% climate change allowance. Any flows of 100 year events or over must be contained on site and flood exceedance routes must be identified by the submission of an appropriate plan
- o Sp. Note; - Soakaways must be located 5 Metres from any structure including the Public Highway
- o Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.
- o Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and soakaway infiltration system below the private permeable paving access road/drive and its components for the lifetime of the development.

As this arrangement is proposed to be a jointly shared drainage asset, we require this information to be submitted as an industry standard legally binding document which sets out how each dwelling owner will be made aware of the extents of its shared responsibility in relation to ownership and maintenance of the infiltration network and its components for the lifetime of the development.

The document should also consider any future sale scenarios and how tentative purchasers will also be made aware of their jointly vested drainage asset.

Reason

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2018.

6. Coal Mining Legacy - Investigations

No development shall commence until;

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

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

Reason

The undertaking of intrusive site investigations, prior to the commencement of development, is considered necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

7. Coal Mining Legacy - Declaration

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

Reason

In order to ensure that the investigation and remediation and/or mitigation (where so required) required by condition 6 are undertaken and to ensure that the site is safe for its use and will remain so in accordance with PSP22 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017 and the relevant provisions of the National Planning Policy Framework.

8. Ecology - Mitigation

The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Assessment (Wessex Ecological Consultancy, January 2021).

Reason

To ensure that the development does not have an adverse impact on biodiversity and any protected species on site where present, and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017).

9. Ecology - Lighting

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

- o Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- o Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly

demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason

To ensure that any external lighting as a result of the proposed development does not have any adverse impacts on biodiversity and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017).

10. Ecology - Habitat Enhancement

Prior to commencement of works a habitat enhancement scheme is to be submitted to the local authority for review, this is to expand on the recommendations within the Ecological Assessment (Wessex Ecological Consultancy, January 2021) which includes native planting, bird boxes, bat boxes and hedgehogs highways.

Reason

To ensure that appropriate ecological enhancements are made to the site and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017).

11. Working Hours Condition

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

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

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

No working shall take place on Sundays or Public Holidays.

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

Reason

To protect the amenities from adjoining occupiers during the construction phase of the development and to accord with PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

12. Soft Landscaping Implementation

All soft landscape works as indicated on plan 000-01 rev.C (as received 14th June 2021) shall be carried out in accordance with the approved details. The soft landscaping works shall be carried out no later than in the first planting season following first occupation of the first dwelling on the development. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of

the development being completed, die, are removed, or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. The soft landscaping features shall be retained thereafter.

Reason

In the interest of ensuring a satisfactory standard of external appearance for the development in accordance with CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013

13. Hard Landscape - Details

Prior to the first occupation of any of the dwellings hereby approved, details and representative samples of the proposed hard landscaping features to include the paving for the access and turning areas, patio areas and boundary treatments shall be submitted to the Local Planning Authority for Approval in writing. The hard landscaping shall be implemented prior to the first occupation of the development hereby approved. The hard landscape features shall be retained thereafter.

Reason

In the interest of ensuring a satisfactory standard of external appearance for the development in accordance with CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013

14. Permitted Development Rights

Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, AA, B, D and E), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In light of the plot sizes and relationship to neighbouring occupiers, the removal or permitted development rights is considered necessary in the interest of visual amenity, and in defence of the residential amenity of adjoining occupiers per PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November

15. Garage Use Restriction

Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the internal garages serving each dwelling shall be retained at all times only for the purpose of garaging of private motor vehicles and ancillary domestic storage.

Reason

The internal garages form part of the parking provision for each dwelling. It is therefore necessary to restrict their use in the interest of ensuring a satisfactory level of

parking provision in accordance with PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

16. Plans Condition

Development shall proceed in strict accordance with the following plans:

001 - Site location plan

As received 3rd March 2021

010 - Existing topographical site survey drawing

As received 8th March 2021

01 C - Landscaping plan

100 A - Proposed plans and elevations plots 1 and 2

105 A - Proposed plans and elevation plots 3 and 4

110 A - Existing and proposed cross sections

120 A - Existing and proposed cross sections

130 A - Proposed site plan (1:200)

140 A - Proposed site plan (1:100)

As received 14th June 2021

Reason

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

Case Officer: Alex Hemming

Authorising Officer: Marie Bath