

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: 43/21

Date to Members: 29/10/2021

Member's Deadline: 04/11/2021 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

1. Application reference number:
2. Site Location:
3. Reasons for referral:

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

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

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE 29 October 2021

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/17557/F	Approve with Conditions	Land Off Bury Lane Doynton Bristol South Gloucestershire BS30 5SW	Boyd Valley	Doynton Parish Council
2	P21/01998/O	Approved Subject to Section 106	Plot 9000 Land Off Western Approach Distribution Park Severn Beach South Gloucestershire BS35 4GG	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
3	P21/02958/F	Approve with Conditions	Land At Hornbeam Close Bradley Stoke South Gloucestershire BS32 8FE	Bradley Stoke South	Bradley Stoke Town Council
4	P21/04480/F	Refusal	Parkside House Old Down Hill Tockington South Gloucestershire BS32 4PA	Severn Vale	Olveston Parish Council
5	P21/04797/F	Approve with Conditions	Bacon Cottage The Plain Hawkesbury Upton South Gloucestershire GL9 1AT	Chipping Sodbury And Cotswold Edge	Hawkesbury Parish Council
6	P21/05224/F	Refusal	The Willows Poolfield Farm Lane Charfield South Gloucestershire GL12 8HY	Charfield	Charfield Parish Council
7	P21/05893/F	Approve with Conditions	17 Shrubbery Road Downend South Gloucestershire BS16 5TA	Staple Hill And Mangotsfield	
8	P21/05927/F	Approve with Conditions	17 Common Road Hanham South Gloucestershire BS15 3LJ	Hanham	Hanham Abbots Parish Council
9	P21/06004/F	Approve with Conditions	15 Braemar Crescent Filton South Gloucestershire BS7 0TD	Filton	Filton Town Council
10	P21/06172/F	Approve with Conditions	46 Gloucester Road North Filton South Gloucestershire BS7 0SJ	Filton	Filton Town Council
11	P21/06231/F	Approve with Conditions	The Old School House 1 - 3 Station Road Wickwar South Gloucestershire GL12 8NB	Chipping Sodbury And Cotswold Edge	Wickwar Parish Council

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

App No.:	P19/17557/F	Applicant:	Kitchen Garden Farm Ltd
Site:	Land Off Bury Lane Doynton Bristol South Gloucestershire BS30 5SW	Date Reg:	6th December 2019
Proposal:	Erection of 2no propagation houses and 1no single storey equipment store building and one single storey staff welfare building and the construction of a gravel yard to access area.	Parish:	Doynton Parish Council
Map Ref:	371525 173423	Ward:	Boyd Valley
Application Category:	Major	Target Date:	28th February 2020



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N.T.S.

P19/17557/F

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

INTRODUCTION

This application appears on the Circulated Schedule as a result of comments received from local residents, and the two Parish Councils, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of 2no propagation houses and 1no single storey equipment store building and one single storey staff welfare building and the construction of a gravel yard to access area.
- 1.2 The site itself consists of an existing agricultural field of 4.49 hectares in size, located off Bury Lane, between Wick and Doynton. The field is located immediately to the east of Wick Quarry. The site is located within the Green Belt. The western boundary of the AONB adjoins the opposite (east) side of Bury Lane. The nearest residential properties are approximately 114 metres from the eastern corner of the site.
- 1.3 Amended plans have been submitted during the course of the application. The plans have been fully reconsulted. The revised proposals relocate the building group from the centre of the field site adjacent to the lane, to the north east corner of the site opposite the proposed new access off the lane. The former two storey staff welfare and equipment store has been replaced by two single storey buildings, and together with the two propagation houses will be grouped around a gravel surfaced courtyard. The staff welfare and equipment store buildings will have pitched roofs, with larch board cladding above random rubble limestone walls; The new kitchen garden beds and associated growing and compost areas will be arranged across the rest of the site.
- 1.4 A Preliminary Ecological Appraisal and Landscape and Visual Appraisal have also been submitted.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development

CS9 Managing the Environment and Heritage

CS34 Rural Areas

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

PSP7 – Development in the Green Belt
PSP8 – Residential Amenity
PSP12 – Development Related Transport Impact Management
PSP17 – Parking Standards
PSP20 – Wider Biodiversity
PSP28 – Rural Economy

2.3 Supplementary Planning Guidance
South Gloucestershire Green Belt SPD

3. RELEVANT PLANNING HISTORY

3.1 PK18/1743/PNA - Prior notification of the intention to relocate existing agricultural field access. Approved 08.05.2018.

4. CONSULTATION RESPONSES

4.1 Doynton Parish Council

This field is in Wick, used to be in Doynton but the boundaries changed in the late 70s. The Parish object as follows:

Members of Doynton Parish Council feel the two storey building will be too dominant given the elevated position of this site and inappropriate within the green belt and adjacent to the AONB.

There are no buildings on site at all at present and never have been. It is also on the skyline and, the access is poor to.

'Upon re-consultation of amended details, further comments were received as follows:

The two storey "Welfare" building has been replaced with and they have been moved to the corner of the field adjacent to the double bend. All to reduce.....

In regards to this revised planning application to reduce the visual impact of the development., we believe the entrance to the now Two single storey buildings appears to be on the double bend, this is dangerous in particular due to the traffic leaving and entering Doynton which is often going too fast on this road.

The development is also in the green belt.

We do not support the development and its revised plans.'

Wick and Abson Parish Council

We have concerns with regards to the primary access as both points are shown on a busy road and on a bend.

We also have concerns regarding the visual amenity outlook especially on the footpath and overall the height of the building for staff welfare.

4.2 Other Consultees

Landscape Officer

There is no landscape objection in principle to the proposals as revised. Conditions are recommended.

Ecology Officer

An ecological appraisal has been submitted. There are no ecological objections, conditions are recommended to secure mitigation and enhancement.

Sustainable Transportation

The main access to the site would be via a new access vehicle and pedestrian access point at the north east site corner in line with those documents submitted and approved under planning application no. PK18/1743/PNA. Traffic generation to and from this development would not significant nor would it represent any risk to highway safety particularly that the new access is located where there is adequate visibility from it onto the public highway. There is no transportation objection to this proposal.

Public Rights of Way

The proposals may affect bridleway LDN5 and public footpath LDN6.

The applicant needs to ensure that the fencing to the affected part of the bridleway does not reduce the bridleway to less than 4 metres as this is set out in the legal order when the bridleway was diverted.

The proposed planting adjacent to the footpath should be maintained at a low level (around 1.2 metres) to avoid enclosure and its width should not be impacted.

Lead Local Flood Authority

No objection

Wessex Water

No comments

Environmental Policy and Climate Change

The proposals to install roof mounted PV panels is supported. Additional information such as specification, details of appliances and energy services, hot water provision and energy consumption should also be considered.

Highways Structures

No comments

Other Representations

4.3 Local Residents

Three letters of objection have been raised by local residents, as follows:
- concerns over two storey building

- the field lies in the Green Belt and AONB and will be clearly visible on the horizon
- would spoil natural beauty of the area
- could be a 'back door route' for future development. Once one building has been allowed, more would follow
- Bury Lane is a dangerous road with speeding traffic, access for this proposals would increase the problem
- the field includes a public bridleway which many local horse owners use and the narrow lanes will not be able to sustain the heavy vehicles coming to and going from the site

Bury Lane is a narrow road with no pedestrian walkway and is already dangerous enough without an increase in traffic

The proposed buildings are not necessary and will encourage more applications on Green Belt land

Upon re-consultation of further and amended details, one further response was received, as follows:

'I wish to raise an objection to this proposed development which is on a beautiful site which does not have any existing buildings. I reiterate the points I raised in my earlier submission.

Access to this development would be extremely dangerous. The road inclines as you approach the gateway. At this point, the road is too narrow for vehicles to pass easily. It is often a 'pinch point' with cyclists & horse riders. The national speed limit is indicated, which is ludicrous on a country road.

I fear this development would be a blot on the landscape. Is no consideration being given to areas that are Green Belt/ AONB? Surely, such a development would be more suitable on a brown field site.'

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The National Planning Policy Framework, indicates a presumption in favour of sustainable development in the interests of wider economic, environmental and social provisions, except where it may compromise key sustainable development principles set out in national planning policy or where any adverse impacts would significantly and demonstrably outweigh the benefits.

Sustainable development includes 'an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity. The NPPF also suggests that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Planning policies and decisions should recognise and address the specific locational requirements of different sectors. To support a prosperous rural economy, planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

- 5.2 Policy PSP28 is supportive of sustainable new development which promotes a strong rural economy will be acceptable in rural areas; in the case of new buildings, where there are no existing suitable underused buildings reasonably available, or the proposed building is reasonably necessary for the purposes of the use and is clearly designed for that purpose and the development makes efficient use of land in relation to its location, layout, accessibility and surroundings. Policy CS34 seeks to, amongst other things, ensure that proposals protect, conserve and enhance rural areas, and the Green Belt, protect the best and most versatile agricultural land and opportunities for local food production and cultivation to provide for nearby urban areas and settlements and protect rural employment sites and facilities and support farm diversification.
- 5.3 The intention of the application for the site is establishing a kitchen garden style enterprise to organically farm a variety of crops to be sold locally to farm shops, restaurants and farmers' markets. No retail to the public will take place on-site, e.g. by way of a farm shop or farm-gate sales. The site is currently under-utilised in agricultural terms and, the applicants consider, has significant opportunity for intensified activity through production of organic produce while providing local employment and training opportunities.
- 5.4 The site is sufficiently large at 4.49 ha (11.1 ac), to accommodate a variety of crops farmed at a commercially viable level. The farm will grow salad crops, vegetables and herbs but with opportunity to adapt as environmental conditions and economics dictate. The applicant intends to operate under sustainable agricultural practices using no pesticides, fungicides or herbicides and operating a minimum tillage system for improved soil structure and reduced machinery and vehicle emissions. The applicant owns no adjoining or nearby land and therefore built accommodation is required for crop propagation and cultivation, to securely store farming equipment and materials, and to provide welfare facilities for staff and trainees. The proposals would be for production of organic produce while providing local employment and training opportunities. In addition to offering part-time employment opportunities, the applicant intends to work in association with colleges to offer practical training opportunities.
- 5.5 The proposals are for a rural use and promotes agriculture, which is a key and traditional part of the rural economy. There are not considered to be any suitable available buildings and the buildings are therefore reasonably necessary and necessarily designed specifically for the purpose proposed. The scale and layout of the buildings (which has been revised, and is discussed in more detail in the relevant sections below) has been reduced and designed, specific to the purpose proposed.
- 5.6 The proposals are however subject also to assessment against Green Belt policy and detailed development control policy considerations referred to in more detail in the relevant sections below.
- 5.7 Green Belt
The site is located within the designated Green Belt. The issue for consideration is whether or not the proposed development is appropriate in the

Green Belt and if not, whether very special circumstances exist such as to outweigh any policy presumption.

- 5.8 National Planning Policy Framework clearly states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns, and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 5.9 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved, except in very special circumstances. A Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, except for certain specifically identified exceptions. Of this exception criteria are buildings for agriculture and forestry. It is considered that the proposal falls within this category. PPS7 reiterates the NPPF in terms of Green Belt policy and criteria that may be considered as appropriate development within the Green Belt.

- 5.10 The site would to a large degree therefore remain as an agricultural field and the buildings proposed would be agricultural in nature specific to the use of the site as an individual agricultural unit and no change of use is proposed. As such the proposals are not considered inappropriate development in the Green Belt.

- 5.11 The proposals are however subject also to and must be considered to comply detailed development control policy considerations, including landscape and visual amenity, transportation and highways, residential amenity and ecology, referred to in more detail in the relevant sections below.

5.12 Landscape/Visual Amenity and Design

There were some initial landscape concerns regarding the size, scale, design and location of the scheme as originally submitted. Since then revised plans have been received. These have amended the scheme significantly and relocated the built element to the north east corner, and their scale and design revised. The originally proposed development scheme therefore had the potential to have an unacceptable adverse landscape and visual impact on its surroundings. However, the relocation of the proposed building courtyard to the north east corner of the site (Ref. Site Plan as Proposed 1088-220 Rev. B), reduced building heights, lower ground level location (some 5m) and enhanced landscape buffer planting, will appreciably help integrate the proposals into their rural surroundings.

- 5.13 The revised proposals relocate the building group from the centre of the site adjacent to the lane, to the north east corner of the site opposite the proposed access off the lane. The former two storey staff welfare and equipment store has been replaced by 2 No. single storey buildings, and together with the 2No. propagation houses will be grouped around a gravel surfaced courtyard. The staff welfare and equipment store buildings will have pitched roofs with roofing slates, with larch board cladding above random rubble limestone walls. The scale, design and materials of the proposals is considered to be acceptable to the site and surroundings and the rural context of the area, and will integrate acceptably. The new kitchen garden beds and associated growing and compost areas will be arranged across the rest of the site and would be acceptable in the rural context.
- 5.14 The northern site boundary is delineated by a 3-4m high native hedgerow, and a second hedgerow with intermittent trees runs along the eastern roadside boundary. A large area of woodland lies to the west of the site to provide separation between it and the quarry, with the River Boyd lying further west. The new buildings will be largely screened by small copse lying on adjacent section of Bury Lane, although there will be glimpses of the new building roofs from further north along the footpath route, but these will represent a very small element in the views from the AONB.

Views from other directions will not largely be discernible or materially impact upon the visual amenity of the area. The new 5 Year Landscape Master Plan and Planting Plan provide additional helpful information, and show how proposals will better fit in with the character of the site, as well as introducing some interesting features adjacent to both footpath routes and additional planting that will enhance screening and vis The revised proposals relocate the building group from the centre of the site adjacent to the lane, to the NE corner of the site opposite the proposed new access off the lane.

The former 2 storey staff welfare and equipment store has been replaced by 2 No. single storey buildings, and together with the 2No. propagation houses will be grouped around a gravel surfaced courtyard. The staff welfare and equipment store buildings will have pitched roofs, with larch board cladding above random rubble limestone walls; The new kitchen garden beds and associated growing and compost areas will be arranged across the rest of the site. There are now no landscape objections to the proposals, subject to conditions to secure the enhancement and mitigation proposed.

5.15 Local Amenity

The nearest residential properties are approximately 114 metres to the eastern corner of the site. The site will remain in agricultural use. The buildings themselves will be located in an area where there impact will be minimised and the use associated with the site and the buildings would not be considered to give rise to significant additional local amenity impact.

5.16 Transportation

- 5.17 It is stated that there will be no retail to the public e.g. by way of a farm shop or farm-gate sales and the applicant has confirmed that there will be no public

access to the site for any retail function. There is an existing access to the site located on southern end of the site. It is intended to retain this access for occasional use although the main access to the site would be via a new access vehicle and pedestrian access point at the north east site corner in line with those documents submitted and approved under planning application no. PK18/1743/PNA. There is a further existing access point midway along the hedgerow which the applicants have confirmed will be closed.

5.18 The Transport DC officer considers that traffic generation to and from this development would not be significant nor would it represent any risk to highway safety, particularly as the new access is located where there is adequate visibility from it onto the public highway.

5.19 There is sufficient area on site to meet the parking requirement for this development. Furthermore, it is considered that there is adequate manoeuvring area on site to ensure that vehicles can access and egress the site in forward gear safely. In view of all the above mentioned therefore, there is no highway objection to this application.

5.20 Public Rights Of Way

The PROW are safeguarded under Policies Sites and Places Policy PSP 10. Public Rights of Way exist in and around the site. The issue for consideration will be whether rights of way will be materially affected and whether any requirements can be successfully accommodated within the scheme and whether any mitigation measures are necessary.

The Council's PROW officer has stated that The proposals may affect bridleway LDN5 and public footpath LDN6. The applicant needs to ensure that the fencing to the affected part of the bridleway does not reduce the bridleway to less than 4 metres as this is set out in the legal order when the bridleway was diverted. The proposed planting adjacent to the footpath should be maintained at a low level (around 1.2 metres) to avoid enclosure and its width should not be impacted.

5.21 The routes of the rights of way will remain as existing and the use around them remains agricultural. It is considered that the relationship between the proposals and the rights of way will remain acceptable. The footpath is bound by palisade fencing along one side, where it is adjacent to the quarry, and field style fencing and planting along its other side. It is a legal requirement for these rights of way to remain as per their existing route and layouts and no changes to their route or diminution would be permitted without a subsequent diversion permission. No changes have been sought. It is considered that the proposals nearest recorded public right of way is on the opposite side of the road from the proposed development and is unlikely to be affected. There are no PROW objections to the proposals.

5.22 Ecology

The site is an open field in a rural location with associated trees and hedgerows on its periphery. An Ecological Assessment has been carried out to ascertain the level of ecological interest within the site. The issue for consideration is therefore the level of any impact and whether any mitigation measures are

possible or indeed necessary when assessing the change of use proposals, any built form and any impact upon habitat, trees and hedgerows.

5.23 The site is not covered by any statutory or non-statutory nature conservation designations. There are no objections to the development based on the proposals and submissions on ecological grounds. In accordance with the findings of the ecological appraisal conditions regarding mitigation and enhancement are to ensure maximum ecological benefit.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be granted subject to the conditions recommended.

CONDITIONS

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

Reason

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

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

Location and Site Plan (Ref. 200), received by the Council on the 24th November 2019, Planting Proposals (1417-02), Illustrative 5 year Masterplan (1417-01) and Proposed Plans and Elevations (Refs 220B, 300C, 301B, 303A, 304A, 305C, 306B, 400C, 401C, 403C, 404B, 405B, 406B and 407B), received by the Council on the 17th January 202, Landscape and Visual Appraisal, received by the Council on the 20th March 2021, Landscape and Visual Appraisal Addendum dated March 2021, and Preliminary Ecological Assessment, dated September 2021

Reason:

To define the terms and extent of the permission.

3. Details of lighting shall be submitted to the Local Planning Authority for written approval prior to occupation of the development hereby approved and thereafter implemented and retained as approved. The hedgerow to the east has potential for commuting/foraging bats along with other mammals. The lighting should be designed sensitively to minimise light spill onto the hedgerow.

Reason:

In the interests of the ecology of the area and in accordance with PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan.

4. Prior to the commencement of the works hereby approved, a plan detailing ecological enhancement outlined within Preliminary Ecological Appraisal (IES Consulting, September 2021), which is to include locations and specifications of native planting, bat and bird boxes and hedgehog holes, shall be submitted to the Local Planning Authority for written approval, and thereafter implemented prior to the first use of the buildings hereby approved, and retained as approved.

Reason:

In the interests of the ecology of the area and in accordance with PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan.

This is a pre-commencement condition to ensure that ecology enhancement is incorporated within the scheme at an early stage.

5. Prior to commencement of the development hereby approved, landscaping details shall be submitted and approved in writing by the Local Planning Authority. Such details shall comprise a plan detailing 1:500 scale planting plan(s), as outlined in the 5 year Landscape Master Plan and Planting Plan, specifying the location, species, stock size, planting centres and quantities of all proposed mitigation planting; supported by 5 Year management and maintenance schedule specifying annual scope and seasonal frequency of works designed to aid the establishment of the new planting; and confirmation of anticipated timing for new planting (including areas of advanced planting, and confirmation of min/max. managed growth heights for new screen planting). All such details as approved shall be implemented no later than the first planting season following the first use of the development hereby approved.

Reason:

In the interests of the visual amenity and ecology of the site and in accordance with CS1 of the South Gloucestershire Local Plan Core Strategy and PSP1, PSP2 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan.

This is a pre-commencement condition to ensure that planting is incorporated into the development at an early stage.

6. Prior to the commencement of the development thereby approved, details of all proposed boundary and hard landscape surface treatments, detailed design for the new pond and details including proposed levels and any soil retention/retaining walls that may be required, shall be submitted to the Local Planning Authority for written approval, and thereafter implemented prior to the first use of the buildings hereby approved, and retained as approved.

Reason:

In the interests of the visual amenity and ecology of the site and in accordance with CS1 of the South Gloucestershire Local Plan Core Strategy and PSP1, PSP2 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan.

This is a pre-commencement condition to ensure that planting is incorporated into the development at an early stage.

7. The tree/hedgerow protection plan as outlined in the tree survey information shall be to BS 5837:2012 standard and shall be implemented prior to the commencement of the development hereby approved.

Reason:

In the interests of the visual amenity and ecology of the site and in accordance with CS1 of the South Gloucestershire Local Plan Core Strategy and PSP1, PSP2 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan.

This is a pre-commencement condition to ensure that the trees and hedgerows are protected during construction works.

8. There will be no retail sales to the public e.g. by way of a farm shop or farm-gate sales and there will be no public access to the site for any retail or other function.

Reason:

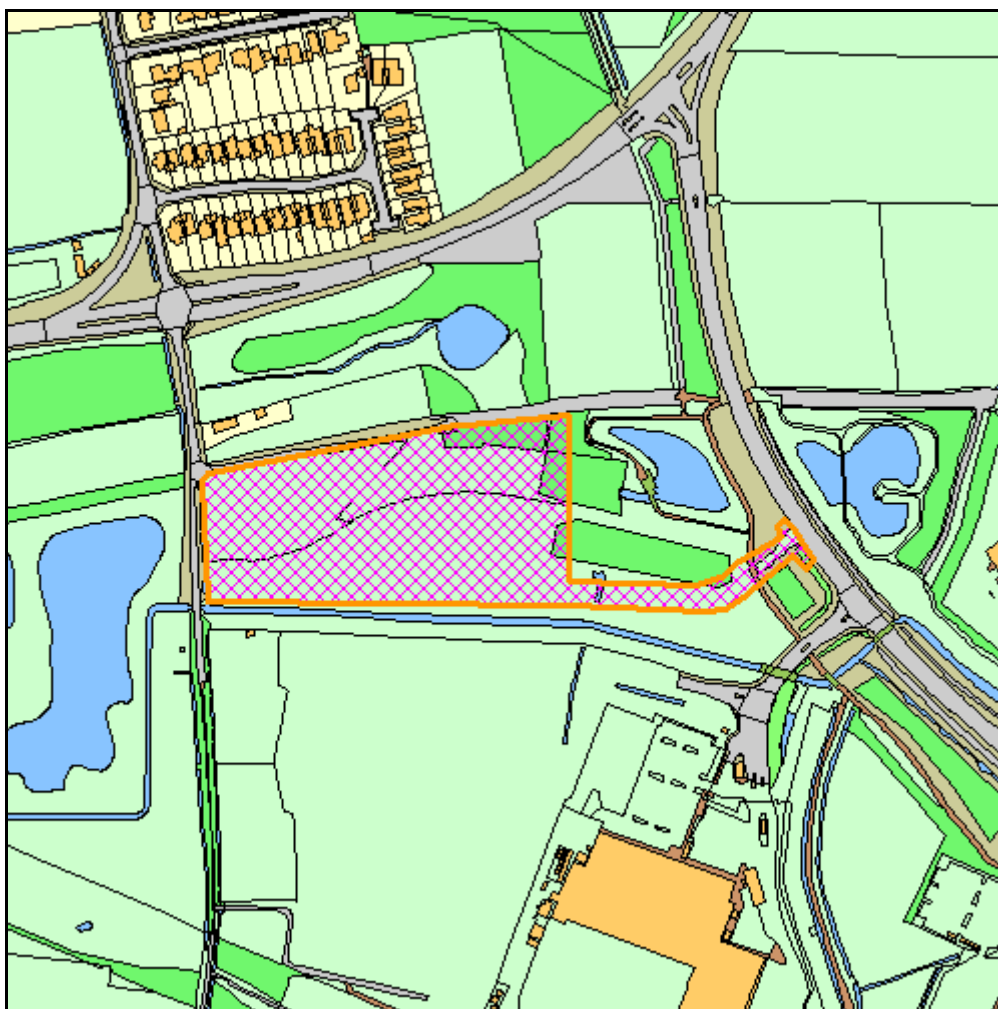
Having regard to the Green Belt location and In the interests of the amenity of the area, in accordance with the details submitted and to accord with CS1 and CS5 of the South Gloucestershire Local Plan Core Strategy and PSP7 and PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan, and the NPPF.

Case Officer: Simon Ford

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

App No.:	P21/01998/O	Applicant:	Forenza (Western Approach) Limited
Site:	Plot 9000 Land Off Western Approach Distribution Park Severn Beach South Gloucestershire BS35 4GG	Date Reg:	26th March 2021
Proposal:	Erection of 2 no. industrial (Class B2) and warehousing/distribution (Class B8) units (Outline) with access be determined, all other matters reserved.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	355074 183557	Ward:	Pilning And Severn Beach
Application Category:	Major	Target Date:	24th June 2021



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N.T.S.

P21/01998/O

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

INTRODUCTION

In accordance with the Council Scheme of Delegation (Constitution) this application is referred to the Circulated Schedule as objections have been received that are contrary to the officer recommendation

1. THE PROPOSAL

- 1.1 This report relates to an outline application for the erection of 2 industrial units (B2 – General Industrial and B8 – Storage and Distribution) as a flexible use. The outline application seeks only to determine the principle of development and the access, with scale, layout, appearance and landscaping for future consideration as reserved matters.
- 1.2 The indicative layout shows two warehouse buildings on a north-south axis with parking to the front and back of each and an estate management compound. Taken from the Design and Access Statement the proposal involves the provision of a maximum of 7788 sq.m within the two buildings. The buildings are indicatively shown as being 3427 sq.m and 4165 sq.m Maximum building height to the ridge would be 15.70 metres to the ridge from the natural ground level. Access will be provided via a new junction with an access road running close and parallel to the south boundary onto Govier Way.
- 1.3 The application 4.26 hectare site comprises grassland, scrub and trees. The site lies to the west of Govier Way. To the south the boundary is defined by a drainage channel (Rhine) which runs from the east to the west beyond which lies Plot 8020 of the Western Approach Distribution Park. To the east and west of the site there are small areas of landscaping. The context of the site is largely commercial on all sides except the north where a landscaped area separates the site from Ableton Road and residential properties beyond. The site has been identified as Plot 9000 by the applicant however this label has no official designation.
- 1.4 In terms of constraints, a public footpath and bridleway runs to the north of the site and through the site which is in Flood Zone 3 as set out on the Environment Agency Flood Map. The site is located approx. 0.8km from the Severn Estuary which is a Site of Special Scientific Interest (SSSI), a Special Protection Area (SPA), a Ramsar site under the Ramsar Convention on the Conservation of Wetlands of and is designated as a Special Area of Conservation (SAC) under European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora ('the Habitats Directive 1992').
- 1.5 In support of the application, aside from the Design and Access Statement, Planning Statement and plans/drawings the following supporting information has been submitted and viewed by officers:

Badger Survey
 Bat Activity Surveys/Ground level bat roost tree survey
 Economic Needs Assessment
 Flood Risk Assessment and Drainage Strategy
 Flood Risk Sequential Assessment
 Framework Ecological Mitigation Strategy
 Framework Travel Plan
 Great Crested New Habitat Document
 Noise Impact Assessment
 Contamination survey
 Primary Ecological Appraisal
 Shadow Habitats Regulations Assessment
 Transport Statement
 Sustainable Energy Statement
 Soft Landscape management/maintenance plan
 Winter bird survey
 Arboricultural Assessment and Impact Assessment

- 1.6 In addition to the above while the application has been under consideration/negotiation additional information has been submitted to support the economic case for the development and to demonstrate the current availability of sites and buildings within the South Gloucestershire allocated employment area. Additional/revised information relating to Archaeology, Transportation, Ecology, Drainage and Landscaping has also been received.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
 National Planning Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS11	Distribution of Economic Development Land
CS12	Safeguarded Areas for Economic Development
CS35	Sevenside

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP9	Health Impact Assessments

PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP26	Enterprise Areas
PSP27	B8 Storage and Distribution Uses

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
 South Gloucestershire Design Checklist (Adopted) 2007)
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
 SPD – (Adopted) March 2021
 South Gloucestershire Council Waste Collection: guidance for new
 developments SPD (Adopted) Jan 2015
 South Gloucestershire Council Biodiversity Action Plan 2016-2026
 South Gloucestershire Revised Landscape Character Assessment – Adopted
 November 2014 Area 15 Pilning Levels

3. RELEVANT PLANNING HISTORY

- 3.1 P94/0400/8 -Development of 87.9 hectares of land for the layout and construction of a distribution park (Class B8 as Defined in the Town and Country Planning (Use Classes) Order 1987). Approved 8th June 1995

Subsequent applications to extend the life of the above application were approved until 2005, when the site was identified for use in a Light Rail Transit which expired in 2016.

P21/011/SCR Screening opinion for planning application P21/01998/O. Erection of 2 no. industrial (Class B2) and warehousing/distribution (Class B8) units (Outline) with access be determined, all other matters reserved. EIA not required 6th April 2021

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish Council

Pilning & Severn Beach Parish Council strongly object to this application for the following reasons:

The Parish Council were told that there would be nothing closer than the development at Warburtons. This contravenes that statement.

1995 s106 agreement states that nothing will be built within 200 metres of Victoria on Ableton Lane. This development has no regard for that agreement.

This point is noted, however as a separate full planning application this proposal is not bound by that S106 agreement. However the point is noted and

the impact upon the amenity of neighbouring residential occupiers is noted and is assessed below.

ICI were sensitive to the needs of the parish and that each development would have landscaping.

This development runs through that agreement completely. A previous developer had talked to the Parish Council about putting a community orchard on this site.

This proposal has been screened and South Gloucestershire Council has agreed that the developer does not need to carry out an Environmental Impact Assessment (EIA) 6th April 2021. Therefore, South Gloucestershire Council considers that the development will have no impact on the environment, the Parish Council strongly disagrees with that statement. We refer the case officer to the Creswell Report of 2011.

Note Western Approaches was 1000 to 8000, 9000 does not have anything to do with Western Approaches permissions and appears to add a legitimacy to the project that it does not enjoy.

4.2 Consultation Responses

Archaeologist

Initial Comments (summary)

The application site is potentially significant and cannot be simply mitigated through condition. No archaeological desk-based assessment or the results of trial trenching and borehole surveys have been presented. The applicant is urged to do these as soon as possible. I recommend the refusal until such time as the above is presented.

Following the submission of a desk based assessment no objection is raised subject to a condition to secure appropriate investigation work and recording with the programme to be agreed prior to the commencement of work.

Arts and Development Officer (summary)

In the light of this policy basis and in line with other developments at Western Approach, if the application is approved, the Council should apply a planning condition for a public art programme that is relevant and specific to the development and its locality and benefits the wider community at Severn Beach. This application makes no reference to public art in its Design and Access statement nor has a specific document relating to public art. Therefore, the condition should require full details and designs to be agreed as part of reserve matters. The public art programme should be devised and managed by a public art professional to ensure a high quality scheme.

Environment Agency

Initial Comments (summary)

Objection raised. The submitted Flood Risk Assessment (FRA) does not:

Consider how people will be kept safe from the identified flood hazards.
The proposed finished floor level do not adequately demonstrate the impacts of climate change.

Consider how a range of flooding events (including extreme events) will affect people and property, including safe access and egress from the site.

Consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event.

Demonstrate that the proposed development will not increase flood risk elsewhere or where possible reduce flood risk.

A revised FRA is required. This proposal is classified as 'less vulnerable' within the National Planning Policy Framework (NPPF). Although commercial development is permissible in Flood Zone 3 the LPA also need to be satisfied that the requirements of the Sequential Test in accordance with the NPPF have been adequately covered.

Following the submission of the required information the following comment has been received:

The Flood Risk Assessment is acceptable, subject to the passing of the sequential test (undertaken by the LPA) and conditions recommended. The objection is withdrawn.

Lower Severn Drainage Board

The applicant is working with us to obtain the necessary drainage consents for the discharge of water. No objection.

Public Rights of Way Team

Initial Comments (summary)

Object – The application will affect two footpaths ORN56 and ORN77. The first has been the subject of a diversion order but awaits the completion of plot 8020. The developer will be required to come forward with something of equal value and discuss a diversion order for ORN77.

Discussion has taken place on an alternative route and a formal diversion order will be required.

Tree Officer

Initial Comments

The proposal requires a significant loss of vegetation. Mainly in the form of 11 native groups which provide native habitats and are good for biodiversity. The proposed loss of the A grade Oak tree T4 is significant loss to the site. The tree

conflicts with the footprint of the development which is the reason for its proposed removal. If the footprint of the building could be moved slightly to the west and the parking spaces within the RPA relocated or created by no-dig cellular confinement, the tree could be retained.

Following the submission of a revised indicative layout which shows the oak tree retained, the Tree Officer raises no objection to the proposed development subject to a revised arboricultural report and tree protection plan being submitted

Environmental Protection Team

Initial Comments re Contamination (Summary)

A Geo-environmental Report has been submitted. The conclusions and recommendations are not currently accepted for the following reasons:

A more robust gas risk assessment is required
Unclear laboratory results regarding soil analysis
Further information required regarding possible asbestos on site

Following the submission of the required information the following comment has been received (summary):

The revised report comprises an acceptable Desk Study and ground investigation. A potentially unacceptable risk from ground gas (carbon dioxide) has been identified. Preliminary outline remedial measures are included in the report however a detailed remedial scheme and verification plan should be provided. In order to ensure that the site is suitable for its proposed use and in accordance with The National Planning Policy Framework, a condition is recommended for inclusion on the decision notice.

Environmental Policy and Climate Change Team (summary)

A Revised Energy Statement will be required at the Reserved Matters Stage, to include further detail on the following:

Improved performance on the U value of windows and in fabric efficiency over that shown in the initial report.

To show that refrigeration is provided to the lowest global warming potential

To show that the roofs of the two units are designed to enable the installation of roof mounted solar panels

To show the use of passive measures to ensure that the building is not subject to overheating

To show the provision of 20% of spaces having EVC points with a minimum power output of 7kw.

Police (summary)

No objection.

At this early stage where only outline planning is sought, it is very difficult from a crime reduction/prevention point of view to give any detailed comments as the areas to be addressed such as access, layout and detailed design would normally be decided upon at Reserved Matters Stage. However in relation to the access having viewed the information as submitted I find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

Lead Local Flood Authority

The Environment Agency will need to be consulted to confirm their acceptance of the FRA. The proposal for managing surface water runoff as detailed in the Flood Risk Assessment and Drainage Strategy (FRA) document is to discharge into the existing local rhine network. The Lower Severn Internal Drainage Board (LSIDB) are the drainage authority for this part of South Gloucestershire and manage the local rhine network. Therefore, the LSIDB will need to be consulted on this application and provide approval of the proposed surface water drainage scheme.

Sustainable Transport

Initial Comments (summary full details on website)

No mitigations are proposed within the Transport Statement other than the off-site RSA recommendation for TROs to restrict on-street parking on Govier Way.

To make the development closer to acceptable in transport planning terms a footway from the site to Govier Way, with suitable crossing point and hardstanding and bus stop pole are recommended: officers note that there is a "virtual" bus stop on Govier Way almost directly opposite the site - there is no pole, nor hardstanding nor crossing point, but this location would help towards a more acceptable bus stop walking distance in PSP11 terms. A bus shelter and real time information would help with employees travel in this area and would ideally be located at this bus stop. However as ground conditions suggest challenges, a contribution for a shelter and real time information to be located further south on Govier Way would be sought.

The travel plan needs to include measures that can be triggered if the proposed marketing to encourage sustainable travel is not achieving the modal share set out. This could include for example help with travel to and from the train station, such as a minibus or taxi or negotiating a different public transport route; funding more cycle parking at the train station, working with other employers in the SEA area to provide better bus, walk and cycle linkages.

Following the submission of the required information the proposed development is considered acceptable in Transportation terms subject to conditions to secure an acceptable access, waiting restrictions, bus stop hardstanding and a pedestrian footway. These have been shown on plan and are considered acceptable in principle and will be required to be provided prior

to the first operation of the site. A legal agreement is required to secure a contribution towards a new bus shelter and real time information (£15000) with a further sum (£10000) towards a Traffic Regulation Order to consult, advertise and implement waiting restrictions on Western Approach.

Ecology

Initial Comments (Summary – full details on the website)

General

At present this application cannot be determined due to insufficient ecological information.

Further protected species surveys are required - the additional survey work is set out in Section 7 of the PEA, the Preliminary Ground Level Bat Roost Assessment, the Great Crested Newt Habitat Suitability Index Assessment and the Bat Activity Survey by Middlemarch Environmental (March, 2021). This information is required to inform the mitigation strategy and enable the Local Planning Authority to determine the three 'tests' under Regulations 53/56.

In addition, greater adherence to the ecological mitigation hierarchy is expected from this development proposal. A biodiversity net gain calculation result of -9.29 biodiversity units represents a significant negative effect on biodiversity. Further efforts to retain existing habitats (particularly Priority Habitats) and the creation of more new habitat as compensation is required and should be incorporated into the site layout and landscape plans for the site. Re-designing the green infrastructure (GI) for the site will also need to incorporate the future findings from the further survey work required for the protected species. It is recommended that discussions with the LPA regarding GI and potential biodiversity offsetting solution be taken forward without delay.

Habitat Regulations Assessment

The Shadow HRA/Appropriate Assessment describes how with appropriate mitigation, the proposed development (either alone or in combination with other projects and plans) will not result in significant harm to the qualifying habitats or species of European sites or impede the delivery of the conservation objectives of the European sites, via the pathways of disturbance (construction and operation) or water pollution (construction). However, further information is required to determine whether the operational use of the proposed development, in combination with other projects and plans, would have a 'likely significant effect' on the Severn Estuary SPA, Ramsar and SAC as a result of air pollution effects associated with increased traffic.

Prior to determination a detailed traffic modelling and air quality assessment needs to be completed. Prior to commencement of development a Construction Ecological Management Plan and Landscape and Ecological Management Plan is required along with a drainage strategy and lighting strategy.

Following the submission of the required information the following comment has been received (summary with the full response on the public website):

No objection subject to conditions and clarification off how the Biodiversity Net Gain (BNG) will be secured.

Landscape Officer

Initial Comments (full comments on website)

Prior to determination, the scheme should be amended to include a larger area of landscape and ecological mitigation, consistent with the original masterplan. We will also require existing and proposed levels and longitudinal site cross sections to demonstrate how the proposed FFL's relate to the surrounding area and in particular, where the development platform abuts retained existing vegetation, to demonstrate this vegetation can be successfully retained.

Following the submission of the required information the following comment has been received:

It is considered that considerable improvements to the layout have been secured and the land-raising limited to the building footprint, should allow for the successful retention of the existing vegetation indicated. We will require a 1:200 detailed planting plan with landscape specification notes, to be submitted as a condition of planning.

Lower Severn Internal Drainage Board

Initial Comments

The applicant will require Land Drainage Consent from the Board prior to the development taking place in order for us to assess the impacts of the development on the wider drainage network. I would recommend the applicant contact the Board at their earliest convenience.

Subsequently the Lower Severn Internal Drainage Board indicate that consultation has taken place and that they are content with the negotiation to secure the necessary consent for the discharge into the watercourse on the southern boundary.

Planning Policy Team (summary – full comments on website)

There remains a significant proportion of vacant land within Severnside (approx. 180Ha), part of which is not within the overage area of Westgate. However, the type of build that has been seen at Severnside is typically large B8 warehouses. Notwithstanding this, the proposal could form a logical extension to the employment area at Severnside. It would also offer a size of unit that has not been built out in Severnside and there would appear to be market demand for.

There are discrepancies provided in the information from the applicant (outlined above), however the Case Officer needs to assess whether development of the site would cause an overall harm. There are obvious merits to the scheme, and the ecological measures and overage clause does impact upon the deliverability of parts of the Severnside allocated employment site. As the applicant's site is to the north of Severnside, there is only one parcel of land remaining that separates the CS12 site, to the residential area; and this provides a valuable buffer.

Whilst the site is outside a CS12 allocation and in the open countryside, as long as all other material and sustainable matters can be met, there are no policy objections raised to the proposed development.

Economic Development Team (summary - full comments on website)

In summary, **the Economic Development Team support this proposal** as the scheme would generate economic benefit when compared to the existing (vacant) land-use. However, we also understand and accept the employment land supply position put forward by our Planning Policy colleagues and understand that the Council should follow a plan-led approach.

Other Representations

4.3 Local Residents

There have been 8 letters of objection. The grounds of objection can be summarised as follows:

- Plot 9000 does not exist
- There will be an impact upon ecology
- The site is not a development site in the Local Development Plan
- The site is within the Green Belt
(To clarify the site is not in the Green Belt)
- The proposal should be seen in the context of the Climate emergency declared by SGC and global warming
- The site is not accessible by public transport
- The history of the site should be seen in the context of being at the northern limit of development. The area to the South of Redwick and Pilning was historically seen as a landscape improvement area hence the masterplan for the western approach development allocated areas of buffer landscaping such as this and the site to the north.
- There are other areas that can be developed
- Development should not encroach closer to Ableton Lane
- The function of the site is as a landscape buffer, it is also not part of the 57 consent, it also forms part of the compensation for loss of ecology and biodiversity elsewhere
- Traffic Modelling is required
- There is an ample supply of development land
- Great care and attention has been given to the development of the plot to the south 8020

- Vacant areas of land should be given the priority for development before Greenfield Sites.
- The site is in a flood zone
- The development has implications for the layout and operation of Plot 8020

5. **ANALYSIS OF PROPOSAL**

This application seeks consent for the erection of 2 no. industrial (Class B2) and warehousing/distribution (Class B8) units (Outline) with access to be determined, all other matters reserved.

5.1 **Principle of Development**

5.2 As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 and Paragraph 2 of the National Planning Policy, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.3 **Site Allocation (Development Plan)**

The application site lies outside of settlement boundary limits as set out in Policy CS5 (Location of Development) of the South Gloucestershire Local Plan Core Strategy and outside of the boundary of the Severnside Development Area. The site lies outside of the area defined as a Safeguarded Area for Economic Development within Policy CS12.

The site therefore falls by definition into the category of a rural area and as such sits within the remit of Policy CS34 which states that *“within villages and other settlement boundaries, development will be strictly controlled in line with other relevant policies”*.

It is noted that the proposal has also been submitted to the Council as a Call for Site, to be considered as part of the council’s new Local Plan. This process is underway, but submission of a site to the ‘Call for Sites’ process, does not carry weight in determination of a planning application, until the new Local Plan is significantly advanced or adopted. Accordingly in policy framework terms this application should be considered as a windfall site as described above.

As such the proposed development is therefore contrary to the Council’s Adopted Local Plan.

5.4 **Other Material Considerations**

5.5 *Site Location/History*

The site formed part of a 1994 consent for Industrial development (P94/0400/8) which includes the land that has been developed around it. The plans indicated however that it was to be an informal open space/landscape buffer for the development. The land was later identified for use as part of a light rail transit scheme within the subsequent local plan but that did not materialise. The

application site also falls outside of the boundary of the main Severnside area (SG4244) which was permitted in 1957/58, also known as land within the ICI permission, or the 57/58 consent.

As set out above the application site is located outside of the designated settlement or employment boundaries and as such is not policy compliant.

It is considered material however that the site is not isolated from the wider employment area and immediately abuts this area being the first piece of land to the north of the boundary. Therefore any development of the site would have the effect of forming a small extension to the boundary of the allocation. While it is still necessary to assess other possible harms that might result from the proposal (as set out below in the report), on the ground it is considered that this extension could form a logical extension to the employment area at Severnside.

5.6 *Employment Land Availability at Severnside*

Policy CS11 of the Core Strategy sets out that the Council will maintain a supply of economic development land and in so far as Severnside is concerned that provision amounts to 635 Hectares for the period 2006 to 2027.

Economic Development is central to the aims and objectives of achieving sustainable development in the National Planning Policy Framework. Chapter 6 (Building a strong, competitive economy) sets out that:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

Maintaining sufficient economic development land and therefore how much is readily available is therefore material to the determination of this application.

The application includes an Economic Needs Assessment, which highlights that the annual build out rate of Severnside is approximately 26ha per year, and that there is only 1-2 years of employment land left at Severnside.

The council's published monitoring data does not support or align with this position.

Aerial photography of the whole district held by the Council indicates that since 2008, 184Ha of land has been developed on in the Severnside CS12 allocation, which equates to approximately 15Ha per year and not the 26ha as claimed by the applicant. On the basis of building out 15Ha of land per annum, should 140Ha of land be available (excluding the land closest to the gas storage plant), this would still equate to approximately 9.1 years to develop out the whole site. This therefore suggests that there is a range of years left for the development of Severnside- a position that both parties have not been able to reconcile.

A request has been made with the applicant to verify the basis and source of their data came from, however to date these have not been supplied to the council. Notwithstanding this and the differences between the applicants and the council's land supply positions, sufficient evidence has been provided by the applicant to indicate some of the allocated employment land within the CS12/45 is constrained by ecological mitigation measures and some land, is not available to the market currently due to legal restrictions.

The plan below (**Figure 1**) shows the employment area in Severnside as identified in CS35 of the Core Strategy.

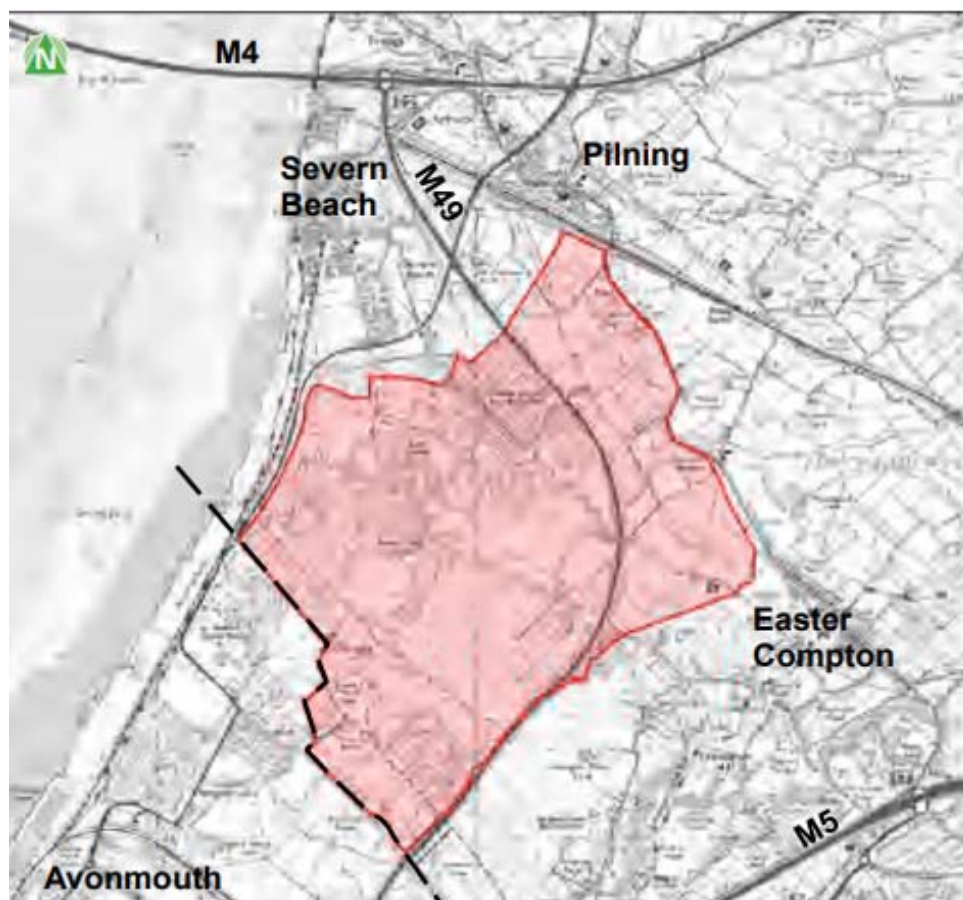


Figure 1

A survey carried out in June 2021 showed that out of the 635 hectares, approximately 180 hectares remains available to be developed.

There remains some uncertainty however as to how much of this land is actually available due to a number of factors including legal constraints, contamination, the need for additional highway connectivity, flood proofing and land set aside for ecological enhancements.

Furthermore both in terms of available buildings and where development has consent it is necessary to consider whether the buildings or the consented

buildings are of a size or use class compatible with the requirements of this proposal (B2 and B8).

It is considered appropriate to briefly examine the Severnside Area as set out in Figure 1 above with the aid of information that has been submitted to the Council which has been viewed by the Council Economic Development Officers and Policy Team. The purpose of doing so is to demonstrate that while the survey has indicated that there are 180 hectares available, the position is not as clear as this might show. Figures 2 and 3 below are the guide.

Overage Clause and Restrictive Covenant

Legal documentation has been submitted and viewed by officers that shows that there are parcels of land within the Severnside Area that are subject to what is known as an Overage Clause as well as a Restrictive Covenant, this land is situated to the east of M49.

Overage

Sites 1, 4, 5, 6, 7a, 7b, 8 and 9 as shown in **figure 2** below are subject to this overage clause as well as a restrictive covenant. Supporting legal documentation has been viewed and is accepted by Officers.

Briefly, the overage clause written into the sale of the land means that 30% of any increase in the land value (resulting from a development) above a base land value of £95,000 per acre x the increase in the retail price index i.e. inflation (taken from Aug 2006) must be paid by the current landowner to the original landowner.

This is a means by which the original landowner can secure additional money that reflects its value at the point it is developed by whosoever they have sold it to or their successors. This overage clause runs out/falls away in 2027.

It is understood that the landowner is perhaps understandably content to wait until 2027 before allowing the development of the land to take place to avoid having to pay 30% of their profit back to the original landowner. It should also be noted that this delay would also enable the landowner to benefit from the infrastructure for example the M49 junction and other infrastructure that may be put in place for other development.

Restrictive Covenant

When land was originally transferred from ICI there was a restrictive covenant that was in place that prohibited implementing the 1957 consent or changing the use from agricultural land in specific areas save for residential uses in specific areas.

In 2006 the Redrow Release Agreement varied the restrictive covenant and area covered to prohibit developing or building upon that part of the Property to the East of the M49 and extending the period of the restrictive covenant until 19 October 2027 (the area covered is identified in Figure 2 below).

Clearly any legal restrictions can be revised, varied or deleted albeit that could likely be a lengthy process and require the agreement of other parties than the current applicant. To conclude however as per the overage clause the effect of this restrictive covenant effectively means that at the time that this report is being written the area of land shown is not readily available to be developed.

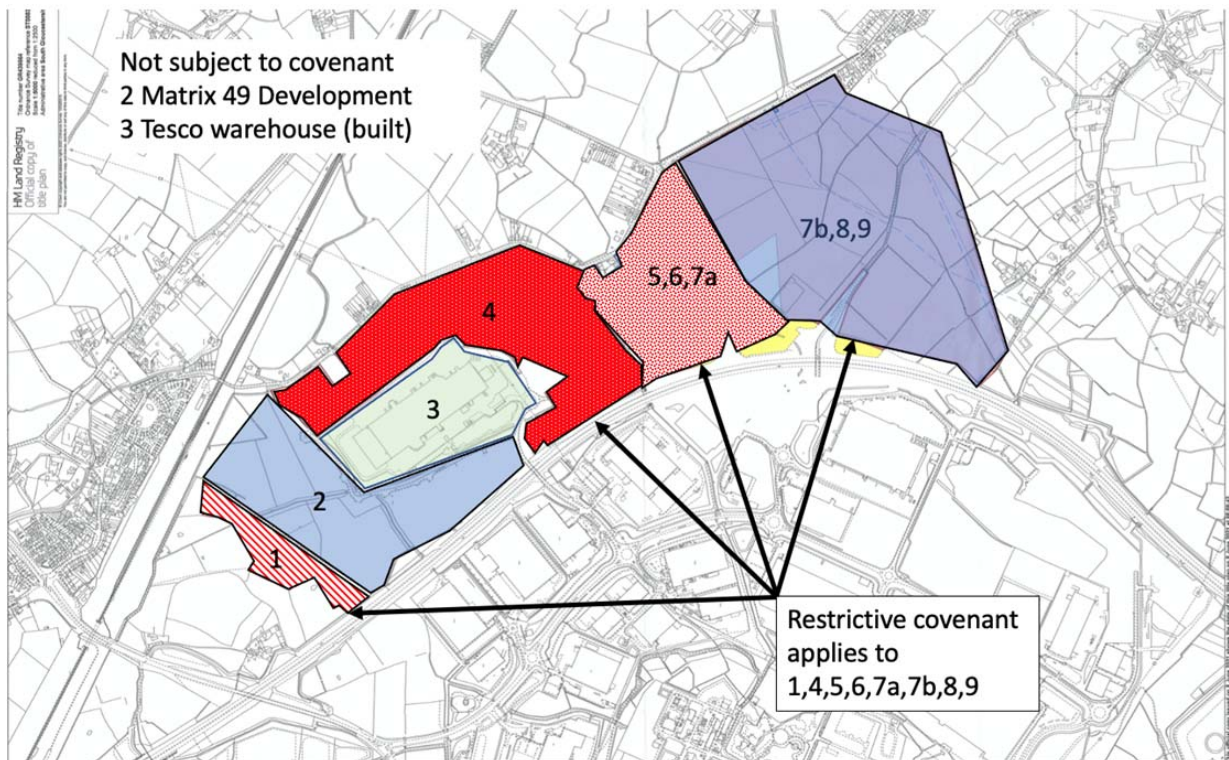


Figure 2 (Restrictive Covenant/Overage – Land to the East of the M49)



Figure 3

The report will now review the land that is available in an area that is largely on the western side of M49 with **Figure 3** above as a guide.

Site 1 (Matrix 49)

This is part of the 1957 consent (B8 use only). The buildings to be built will be as follows:

- Unit 1: 16014 sq.m (172,375 sq. ft.) will be speculatively built
- Unit 2: 12396 sq.m (133,440 sq. ft.) will be speculatively built
- Unit 3: 25,782 sq.m (277,520 sq. ft.) will be speculatively built
- Unit 4: 51400 sq.m (553,260 sq. ft.) under offer to Amazon

The application under consideration is for much smaller units with a total floor area shown of 3427 sq.m and 4165 sq.m. Furthermore the proposal is for B2 as well as B8.

Site 2 (Westgate Phase 2)

This is part of the 57/58 consent. The indicative layout shows two units of 9569sq.m and 28614 sq.m for B8 use only as per the 57 consent. Therefore as per Site 1 the current proposal is at variance with the outline consent.

This site is subject to a restrictive covenant and overage clause as set out in **figure 2**. The implications are set out above (see Overage Clause and Restrictive Covenant)

Site 3 (Azure Severnside Limited)

This building is 6030Sq.m and is a single structure of poor quality. The use is B8. This again is at variance with the requirements of the current application.

Site 4 Plot 8020

Has consent for two units of B2 and B8 use.

Unit 1 – 10498 Sq.m Under construction. The applicant has confirmed sub-division is not an option.

Unit 2 – 9940Sq.m – pre-let to Oxford Instruments

Site 5 (Mountpark XL)

This site is 35 hectares in area with approval for B8 storage.

The site has been subject to the following most relevant approved applications:

PT16/6695/RM -Erection of 4no. Distribution units (Class B2, B8 and ancillary B1 use). (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT10/2630/O).

Unit 1 – 22,761 sq.m; Unit 2; 25,177 sq.m; Unit 3 55713sq.m; Unit 4 15979sq.m

PT16/6658/RM - Erection of 4no. Distribution units (Class B2, B8 and ancillary B1 use). (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT10/2630/O). The outline application was an EIA application and an environmental Statement was submitted.

Unit 1 – 23690 sq.m; Unit 2 – 14,679 sq.m; Unit 3 44315 sq.m; Unit 4 – 15793 sq.m

PT16/6614/RM Erection of 2no. Distribution units (Class B2, B8 and ancillary B1 use). (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT10/2630/O)

Unit 1 – 37,718 sq.m; Unit 2 – 81,940 sq.m

PT10/2630/O Development of 31.96ha of B2, B8 and ancillary B1 uses, with highway infrastructure, car parking and associated works. Outline including access with all other matters reserved

The site is currently cleared, but development could take place for any of the above reserved matters approvals. It is important to note that the buildings proposed are all

substantial structures that are far in excess in terms of floor areas to those that are the subject of the current application.

Site 6 (Avalon works)

The site comprises 40 hectares of land. A pre-application enquiry has been received for the construction of a distribution centre (Use Class B8) with ancillary office accommodation, access, parking, landscaping and associated works. It is accepted that the site requires extensive demolition and remediation from contamination given the former use. It would appear that a major logistics development is likely.

Site 7 (Tristan Capital)

This building is 99300 sq.m and is available. However it is understood that the owner wants one leaseholder not two so subdivision may not be possible. The property is in a B2/B8 use.

Site 8 (Severnbanks)

This is a 40 hectare site with a history of open storage. Several hazardous substance applications have been given in relation to the storage of fertilizer, also use as a transport yard. Planning consent would be needed to raise levels for vertical development. This site could be developed but there are issues regarding contamination. One consent has been given for a B8 storage unit on 1.34 hectares of land (P21/00285/F)

Site 9 (Mountpark 360)

This is a single building which is under construction on a 8 hectare site. It has a B8 use and falls within the 1957 consent. It will be available in December 2021. It will be 109728 sq.m so is in excess of the requirements for the current application.

Site 10 (SSE)

The site is 20 hectares in area. This has consent under the 1957 consent but for open B8 storage. The site is currently under offer to be sold (the applicant has indicated that it is understood to be a waste related occupier). Until such time as it is sold the site could be developed however the 1957 consent is for B8 storage and limits vertical development on a 6 hectare area at the western end. The site has constraints relating to rhines (unable to build within 8 metres either side), a gas pipeline and overhead cables.

Site 11 (More+ Central Park)

The site is 16 hectares in area and is part of the 1957 consent for B8 Storage and Distribution uses. The site is divided into 11 separate units as follows:

Unit 1: 3886 sq.m (built) - let to Network Rail

Unit 2: 5223 sq.m (built) - let to SIG plc

Unit 3: 5843 sq.m - (under construction completion Q1 2022)

Unit 4: 5918 sq.m - (under construction completion Q1 2022)

Unit 5: 1926 sq.m - (under construction completion Q1 2022)
Unit 6: 4366 sq.m - (under construction completion Q1 2022)
Unit 7: 8779 sq.m - (under construction completion Q1 2022)
Unit 8: 8733 sq.m - (under construction completion Q1 2022)
Unit 9: 2937 sq.m (built) - let to CBS
Unit 10: 3062 sq.m built) - let to Huboo
Unit 11: 1279sq.m (built) - let to Pilkington Glass

With the application site comprising buildings of 3427 sq.m and 4165sq.m the buildings yet to be completed potentially be used however the consent is for B8 only (rather than the B2 General Industrial) and it would be presumed that the buildings are being built out accordingly.

Site 12

This site is 10 hectares in area. The site immediately to the west is occupied by Copart, a company specialising in the remarketing of vehicles often those damaged. The company wishes to expand its operation into the area shown as Site 12 on the above plan and there is currently an application for B8 storage from that Applicant with the Council pending consideration (P20/04470/F). The site is therefore not readily available for the current proposal.

Site 13 (Central Park II)

This site is part of the 1957 consent and thus has a B8 storage and distribution consent. The site is 18 hectares in area and is divided into 6 plots as follows:

Plot 1: 3.75 hectares currently under offer not yet sold
Plot 2: 2.88 hectares sold to Volvo Trucks
Plots 3: 3.24 hectares currently under offer not yet sold
Plot 4: 1.35 hectares sold to Wren Kitchens
Plot 5a: 2.53 hectares sold to Dawsons Retails
Plot 5b: 2.64 hectares sold to Bristol and Avon Transport
Plot 6: 3.7 hectares sold to CSG Waste Management

There are therefore two sites that have not been formally sold at the time of the consideration of this application although offers have been received.

Site 14 (Central Park III)

This site is 13 hectares in area and is covered by the 1957 outline consent for B8, but reserved matters consent will be required for the technical detail.

Plot A: 4046 sq.m – available
Plot B: 9307 sq.m – available
Plot C: 10076 sq.m – available
Plot D: 16753 sq.m – under offer
Plot E: 11897 sq.m – available
Plot F: 12140 sq.m – sold (commercial self-storage)
Plot G 4046 sq.m – sold
Plot H 7405 sq.m – sold

Plot J 17118 sq.m – site sold

Plot K 39052 sq.m – sold. 16187sq.m (waste management company at the front) and 22257 sq.m (Linton Limited at the rear)

There are therefore parts of this site that are available for development albeit the outline consent is for B8 use only.

Site 15 (Westgate Phase II South)

This site is 48 hectares in size and is covered by the 1957 consent for B8.

This site is subject to a restrictive covenant and overage clause as set out in figure 2. The implications are set out above (see Overage Clause and Restrictive Covenant)

Summary – Land Availability for the Development Proposal

The above survey demonstrates the availability of sites for development. It is not intended to show the exact amount of land available but to show that the overall picture is more complicated than just being able to state that there are 182 hectares available for development.

Some land is set aside for ecological enhancement. Some land has significant on site constraints such as contamination, water courses, pipelines. A large area of land to east of the M49 is subject to a restrictive covenant and overage clause that means that development is unlikely to come forward until after 19th October 2027 when the covenant terminates. In addition these areas and land to the south are dependent on the finalisation of the M49 junction from which there is currently no linkage.

Furthermore it should be noted that the application is for B2 and B8 units, which differs from the main consent granted in 57/58 which gave permission for warehouses. The CS12 allocation itself does not preclude other forms of employment development, and the Council is keen to diversify the employment offer within Severnside.

5.7 **Size of the Proposed Units**

In addition to the land supply as set out above, the size of the proposed units are a material consideration. The proposal is for two relatively small units of 3427 sq.m and 4165 sq.m. Officers have consulted the Industrial Agent's society and it has been confirmed that there is currently a shortage of "mid-box" units as they are known i.e. buildings around 4000 to 5000 sq.m. The analysis of sites that has been undertaken in 5.6 above, does indicate that much of the development that is coming forward "in the pipeline" comprises much larger units. There is also some evidence that there can be an unwillingness to sub-divide these larger units with a preference for their being one occupier when they are leased. It is therefore considered that there is considerably less land available for this form of development than might first appear to the case.

5.8 **Economic Benefits of the Proposal**

In their Economic Assessment the applicant makes the following claims:

- Directly create over £3 million GVA and a further £1 million through supply chain and induced economic activity.
- Generate employment of around 150 people (based on standard floorspace ratios). This is likely to create around 110 direct additional jobs and a further 40-45 supply chain and induced jobs.
- When operational, directly create around £9 million GVA per year and a further £2.4 million per year through supply chain and induced economic activity at the local level.
- When operational, provide around 190-195 net additional jobs and £11.7 million of GVA.
- Generate around £250,000 per year in business rates revenue.

No supporting information has been submitted with the application to support these “benefits”. The Council Business Rates Team indicate that the business rate revenue indicated is much higher than the amount they would consider likely. Notwithstanding whether the level of benefit is accurate, there is no doubt that the development of the site (which is currently vacant) would provide economic benefits.

The Council is committed to ensuring that the post-covid economic recovery is not hindered, and businesses are supported. The applicant notes that the site has interest from a specialist company that is looking for a smaller unit, and has provided a schedule listing other business interest in the possible development of the site. This uptake of course cannot be guaranteed, however it is considered very likely that the site could come forward and be developed quite quickly should approval be granted, and all other material planning considerations are met.

Accordingly, weight should be given to the potential economic benefit of the development (with evidence provided of prospective occupiers of a development of this size) and also its potential quick deliverability.

5.9 **Summary Principle of Development**

The application site is situated outside of the allocated employment area as set out in the Development Plan which as set out in the NPPF and legislation is the starting point for the determination of planning applications unless other material considerations indicate otherwise. There remains land available to development within Severnside, the exact extent of which is not agreed with the applicant. However much of the development land is subject to various constraints as set out above not least the legal restriction on the land to the east of the M49 where the completion of a junction is also required.

In addition the type of build that is proposed is far smaller than what can be seen in Severnside and what is coming forward as set out in the analysis above. The scheme will bring economic benefits although it is considered that is not on the scale indicated by the applicant and it is accepted that it would be deliverable quickly given its size. It is also noted that while outside of the allocated employment land the site immediately abuts this area, it is not isolated from it and can be read as an extension to it.

In the light of the above it is considered that there are “*other material considerations that indicate otherwise*” (NPPF para 2) when considered against the fact that it is contrary to the Development Plan and the principle of development can be accepted.

However for the development to be recommended for approval all other material considerations must be acceptable not least the impact upon ecology, flood risk, highways and residential amenity as discussed below in this report.

5.10 **Design**

The detailed design is for consideration at the reserved matters stage. The indicative details within the design and access statement indicate modern structures with contrasting colouring with the same elevation creating a horizontal emphasis, with canopies and glazing used effectively. The modern contemporary style would be in keeping with the form of development within the commercial area to which the site adjoins. It is appropriate to condition the scale parameters for the buildings that are set out in the submitted design and access and accompanying plan (the height of 15.7m is appropriate).

Policy CS1 (point 7) of the Core Strategy indicates that development proposals will be required to demonstrate that *“where the scale, location and/or significance of the development proposal warrants it, embed public art within the public realm or in a location where it can be viewed from public areas”*. This site if approved would form the edge to the employment area and it is considered appropriate to secure a site specific integrated public art scheme with the details including but not limited to detailed designs, timescales and triggers as a reserved matter to protect the character, distinctiveness and visual amenity of the site and the surrounding locality. An appropriate condition will therefore be recommended.

5.11 **Environmental Policy and Climate Change**

PPS 6 of the Policies Sites and Places Plan considers proactive strategies to mitigate and adapt to climate change. The Council will take *“positive account of and support development that provides energy reduction, efficiency, renewable and low carbon energy measures”*. The applicant has submitted an Energy Statement. The statement is quite broad in its assessment and officers consider that additional information is required in the following areas:

- To show that refrigeration is provided to the lowest global warming potential
- To show that the roofs of the two units are designed to enable the installation of roof mounted solar panels
- To show the use of passive measures to ensure that the building is not subject to overheating
- To show the provision of 20% of spaces having EVC points with a minimum power output of 7kw.

The submitted details are considered sufficient for the outline application, in so far as the parameters of what can be provided are shown however because the exact layout and form of the buildings is reserved for future consideration a more detailed document will need to be agreed as a reserved matter and an appropriate condition is therefore recommended to secure this document.

5.12 **Drainage/Flood Risk**

The site is located in Flood Zone 3 and as such a Flood Risk Assessment and Drainage Strategy (FRA) document has been submitted with the application.

The development falls within the less vulnerable category as set out in the NPPF (buildings for industry). Notwithstanding this for development outside of Flood Zone 1 it is necessary to apply a sequential approach to steer development away from the areas of highest risk.

Notwithstanding that the site lies outside of the employment area (albeit adjacent to it), Severnside is an area where commercial and industrial development has been deemed appropriate. It is an area where B8 uses in particular are considered acceptable. The availability of sites is very limited across the district and importantly in this locality Flood Zone 3 predominates. It is considered that the test is passed.

A detailed flood risk assessment has been submitted (which has been updated following comments received from the Environment Agency to the original version), which notes that the site benefits from the defences associated with the nearby River Severn. The average current ground level is 5.9m AOD such that the maximum predicted flood level is 7.4m AOD. It is proposed following guidance from the Environment Agency that the height of the finished floor level will be 7.7m AOD.

With respect to surface water drainage, this is managed through a network of ditches and rhines/ditches that are run/managed by the Lower Severn Internal Drainage Board (LSIDB) and it is noted that one of these rhines runs along the southern boundary of the site in an east to west direction. The LSIDB have been consulted on this application and have agreed the principle of run off from the development being directed into the rhine via a new drainage pond. The necessary consents are being worked on as a separate process between the applicant and the LSIDB who are happy with the progress.

Foul water drainage will be to a main that passes through the centre of the site and connection agreements will be required with Wessex Water the service provider.

Subject to conditions that the development takes place in accordance with the agreed Flood Risk Assessment, and condition to ensure the prevention of pollution to water courses the proposed development is considered acceptable.

5.13 **Public Rights of Way**

It is noted that the proposal would affect two public footpaths that runs across the site known as ORN56 and ORN77. The former is already the subject of a diversion order relating to the development of Ploy 8020 that lies to the south. The footpath ORN77 however will require a diversion order and in accordance with Policy PSP10 a route of equal value/amenity will need to be provided. Discussion between the Public Right of Way Team and the applicant has taken place. It is noted that a bridleway has been installed recently to the north of the site funded by Sustrans which is of benefit.

Discussion has taken place between the Council Public Rights of Way Team and the applicant and it is agreed that there are acceptable alternative solutions to ensure the relocation of the Public Right of Way, therefore no objection is now raised. Notwithstanding this in summary diversion order will be required although this is able to take place following the issue of any planning consent.

5.14 **Environmental Protection**

Given the location of the site, it is considered that contamination is most likely. A geo-environmental report was submitted with the application but further information was required by officers to include a more robust gas risk assessment, a clearer soil analysis and further information required regarding possible asbestos on site.

An amended report has been received and this has indeed identified an unacceptable risk from ground gas (carbon dioxide). Preliminary outline remedial measures in the report set out a remedial scheme and verification plan to ensure that the site is suitable for its proposed use and in accordance with the NPPF.

In the light of the above it is appropriate to apply a three part condition to any consent. Firstly that prior to the commencement of development a full remediation strategy is submitted for approval with full methodology with the scheme being carried out before the building is occupied. Secondly that a report is submitted prior to that occupation to demonstrate that necessary works have taken place. The third part of the condition will require that if contamination is found during the construction phase that work ceases and a risk assessment is carried out. Where unacceptable risks are found additional remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Subject to the above condition the development is considered acceptable.

5.15 **Ecology**

Policy CS9 of the Core Strategy and PSP19 of the Policies Sites and Places Plan consider the impact of development upon the natural environment and see where possible to secure “biodiversity gain” through on-site enhancements.

A Preliminary Ecological Appraisal by Middlemarch Environmental (March, 2021) along with a Preliminary Ground Level Bat Roost Assessment , a Great Crested Newt Habitat Suitability Index Assessment, a Bat Activity Survey, a Winter Bird Survey and Badger Survey has been submitted in support of this application.

A Shadow Habitats Regulations Assessment: Stage 1 Screening and Stage 2 Appropriate Assessment report has also been submitted.

Following the initial submission The applicant has submitted the additional survey work requested (roost and bat activity surveys, an updated reptile survey, otter and water vole survey and a Great Crested Newt Habitat Suitability Index Assessment) conducted by Middlemarch Environmental Ltd (survey reports September 2021).

5.15.1 **Context**

To place the site in context the Severn Estuary SPA/SAC/RAMSAR and SSSI is located 530 m from the application site and it therefore falls within an Impact Risk Zone associated with this designation. It is therefore a requirement that the decision maker review the “Appropriate Assessment” (prepared by Middlemarch Environmental) as part of Habitat Regulations Assessment to determine the impacts upon the European Site and any subsequent mitigation to ensure that the site and

features are not adversely impacted during the construction and operational phases of the proposed development.

Gypsies Platt SNCI is the closest non-statutory site and is located 150 m north of the application site. There is potential for it to be temporarily adversely impacted during the construction phase of the development as a result of a localised increase in air pollutants. Mitigation requirements will be incorporated into a Construction Ecological Management Plan.

5.15.2 **Site**

In terms of the site itself, it comprises open grassland, tall ruderal vegetation, dense scrub and semi-natural broad-leaved woodland with areas of recently cleared bare earth. The extended area also included amenity grassland and plantation woodland. A wet ditch runs along the southern boundary of the site.

The woodland is along the northern and eastern site boundaries and contained several broadleaved species (English oak, ash and hazel). Broadleaf woodland. This is a Priority Habitat and a South Gloucestershire Biodiversity Action Plan habitat.

Freshwater ponds are Priority Habitat and are a Local Priority Habitat for South Gloucestershire Council. This pond is located outside of the development site boundary and will not be directly impacted, however during the works there is the potential for the pond and the rhine along the southern site boundary to be impacted by increased siltation runoff and pollution. Amenity grassland, bare ground, dense scrub, introduced shrubs, semi-improved neutral grassland and tall ruderal vegetation – make up the remaining habitats on site.

5.15.3 **Protected Species and Conservation Species**

Bats - A Preliminary Ground Level Bat Roost Assessment was carried out.

Three trees (T3, T4 and T5) and one tree group (G1) within the development site boundary were classed as having high potential to support roosting bats. A further two trees (T1 and T2), located just outside of the development site boundary have also been classed as having high potential to support roosting bats. No impacts to these trees are anticipated. Originally tree T3 was to be removed but this has been retained. The remaining trees within the survey area were considered to have low or negligible potential for roosting bats. Although no evidence of bat presence or usage was identified, due to the height at which the roosting features were located, this also meant could not be fully inspected.

Further survey work was requested by officers. No bats were recorded emerging or re-entering from any features associated with the site, and it was concluded that the trees did not support any bat roosts. Activity levels were generally low during all timed searches, with foraging activity by common pipistrelle during the spring and summer timed searches tending to be focused just off-site to the north-east, and along the northern site boundary. Activity by other species was limited to single passes. The survey results suggest that the site is of generally low value to foraging and commuting bats. An operational lighting scheme or schemes will need to be designed to ensure that lighting installed within the site will not illuminate important roosting, foraging or commuting areas for bats.

Great Crested Newts - A GCN Habitat Suitability Index Assessment was undertaken on a total of four ponds (Ponds P3 to P6), and several ditches, along with the two waterbodies to the west of the site. Pond P3-4 (one large pond) and P5-6 (one large pond) were classed as having 'Good' suitability to support great crested newts. Pond P3-4 is located immediately north-east of the site development boundary, and there is good terrestrial connectivity between the site and the pond. Pond P5-6, whilst considered suitable to support great crested newts, but is separated from the site by Govier Way. The two large lagoons (WB1 and WB2) located to the west of the site were classed as having 'Poor' suitability to support great crested newts. Of the ditches surveyed, only two (D2 and D12) were considered to provide suitable habitat to support great crested newts.

The site contains suitable terrestrial habitat for great crested newts, offering opportunities for foraging, refuge and hibernation, as well as providing good connectivity to further suitable habitats in the area surrounding the site.

Additional survey work was requested to be undertaken for all ponds and wet ditches identified within 500 m of the edge of the proposed development site.

It is important to note that In Britain, Great Crested Newts and all species of bat are protected under the Wildlife & Countryside Act 1981 (as amended by the CROW Act 2000) and the EC Habitats Directive 1992, implemented in Britain by the Habitat Regulations 2010. As European Protected Species (EPS), a licence under Regulation 53/56 of the 2010 Habitat Regulations is required for development to be lawful.

The survey work confirmed that there are several ponds and ditches suitable to support great crested newts which are connected to the site via suitable terrestrial habitat. Based on the known presence of great crested newts within the local area and the results of Great Crested Newt Habitat Suitability Index Assessment (Report RT-MME-152659-06 Rev A), a precautionary approach has been adopted, and it is assumed that great crested newts are likely to be present within the site. The applicant has agreed to join Natural England's District Level Licensing scheme.

Water Vole and Otter - The ditches offer suitable habitat for water voles and otter. There are records of water vole from the area. A Water Vole Survey (including otter) of the ditch along the southern site boundary was requested by officers.

The ditch was found to provide low value habitat for otter lay-up or holt locations due to a lack of cover and high levels of disturbance from adjacent industrial areas to the south, although it may offer limited commuting opportunities. No evidence of otters (e.g., holts, footprints, spraint) was identified along the ditch or within the wider proposed development site during either of the survey visits. The wet ditch was found to provide suitable habitat for water voles with banks suitable for burrow construction and a variety of vegetation offering food sources and cover. Water vole latrines and feeding stations were recorded along the northern bank of the ditch. Based on the current proposals, involving the installation of one drainage headwall along the northern bank of the ditch, it is considered that displacement of water voles would be

a suitable approach to mitigation. This will need to be undertaken with a Licence from Natural England the ditch will be enhanced for water vole, through the seeding of a species-rich wet grassland mix and the planting of native marginal species.

Reptiles – Additional survey work was requested given that the grassland and tall ruderal vegetation provide suitable foraging, basking, and refuge and hibernation opportunities for reptiles. - A low population of grass snake (peak count of one adult and one juvenile) was identified, located in proximity to the wet ditch and dense scrub in the south-eastern part of the site.

Badgers – There is no sign of badger activity however they may pass across the site

Birds - The field surveys recorded a moderate selection of passerine species, the majority of which are considered to be common and widespread within the Bristol/Bath area and wider south-west region. Species such as blackbird, chaffinch, various tit species, robin and wren were all noted in low numbers. A selection of more notable species were identified within the survey area, including species of conservation concern. These species comprised black-headed gull, bullfinch, dunnock, green woodpecker, grey wagtail, mallard, redwing and song thrush. Landscape buffers around retained habitat should be implemented to restrict disturbance and increase the potential for continued use by notable bird species.

5.15.4 **Habitats Regulations Assessment (HRA)**

In 2011, a review of the 1957/58 Severn side Planning Consent (as required under The Conservation of Habitats and Species Regulations, 2010) was undertaken to enable the competent authority (SGC) to undertake an Appropriate Assessment.

This is often referred to as the **Creswell Report** and it assessed the impacts of likely development which could take place within the Avonmouth employment area. The report concluded that development would result in a significant effect on the conservation objectives of the Severn Estuary European Site (SPA/Ramsar); and that to negate this, at least 80.5ha of new wetland habitat will need to be created (this has now been undertaken). Some areas were not included as part of this mitigation package as they fell within the 'Estuary Buffer Zone' as identified within the Ecological and Estate Management Plan for the Western Approaches and were thought at the time to be fully protected from future development.

Plot 9000 does not lie within but is adjacent to the 'Estuary Buffer Zone', therefore mitigation for the direct habitat loss under the Habitats Regulations has already been compensated for.

A shadow HRA has more recently been prepared by Middlemarch Environmental Ltd. to assess other impacts of Plot 9000 on nearby Natura sites. The purpose of the work is to ascertain whether there will be an adverse effect as a result of the proposed development on the integrity of any Natura/Ramsar sites, either alone or in combination with other plans or projects.

The key points from the assessment have been collated by the Council Ecologist and are as follows:

Screening/Stage 1

Construction Phase

- Plot 9000 was not found to be functionally linked land due to the habitats not being considered suitable for qualifying bird species of SPA and Ramsar as well as no qualifying bird species being present during winter surveys.
- Plot 9000 was considered too distant at 500m from the SPA/Ramsar for disturbance of qualifying species in the SPA/Ramsar to be an issue. Orchard Pools to the west of Plot 9000 were found to support a small population (3 birds) of gadwall (a qualifying species of SPA and Ramsar); however, the waterbodies and associated habitat had been subject to disturbance from habitat clearance and construction works that were also ongoing, neither of which appeared to affect the gadwall present. No other qualifying species were present at Orchard Pools. Disturbance effects are considered further.
- Water pollution via interconnecting ditch network with Ramsar was considered possible although control measures to negate this will be implemented. This is considered further later.
- No significant effect of air pollution on the SAC/SPA/Ramsar was predicted due to the distance between these sites and Plot 9000.

Operational Phase

- Visual disturbance of gadwall at Orchard Pools during operational phase was considered very minimal due to screening from proposed building and retained vegetation. Possible effects of noise on nearby gadwall is considered further. No other qualifying species present.
- Water pollution at operational phase considered unlikely due to drainage strategy to be implemented
- Increased traffic during operational phase will lead to increased NO_x emissions and vegetation within 200m is susceptible to nitrogen deposits. The main habitat of concern when considering harmful effects from air pollution is the Atlantic salt meadows, which are found in the Severn Estuary. The A403 Severn Road is situated within 200m of Atlantic salt meadows and the predicted increase in annual average daily traffic (AADT) will lead to temporary increases in air pollution. Effects will be temporary due to the planned opening of M49, junction 1, which is predicted to reduce traffic on A403. As the junction opening before Plot 9000 becomes operational is not guaranteed, the effect of increased AADT is considered further. The projected increase in AADT along A403 from information provided by Integrated Transport Planning was predicted to be 361 car trips and 40 HGV trips and as such this would not meet or exceed the Natural England thresholds of 1000 domestic vehicles or 200 HGV.

Appropriate Assessment/Stage 2

Construction Phase

- Construction phase disturbance impacts are considered likely to be alleviated to some extent due to the presence of existing woodland, scattered trees and scrub along the western boundary of Plot 9000, which provides a natural 'buffer' between the site and the adjacent areas. This buffer is likely to have a dampening effect on noise and lessen the effects of visual disturbance. However, as this will not provide a completely impenetrable barrier to all types of noise and visual disturbance, an additional barrier is to be installed prior to the commencement of works which would remain in place throughout the construction period. This barrier will screen the works area from surrounding habitat, minimising any potential visual and noise disturbance on gadwalls using the waterbodies within 200 m of the site and reducing any effects to negligible. To minimise impacts of lighting on gadwall to negligible, the light spill upwards and onto the surrounding habitats at night will be kept to a minimum through careful placement, the use of directional low-level lights and only using lights within active work areas. Details regarding the barrier and construction phase lighting should be provided in a CEMP.
- The proposed development and associated works have the potential to result in significant harm to qualifying habitats, qualifying species and/or the habitats upon which the qualify species rely, via debris, accidental chemical spills, contaminated surface water run-off and the improper storage of environmentally harmful materials during site preparation and construction works. Should a pollution event occur the scope of harm is likely to be small and localised to the area surrounding the site, however certain substances that may be used during the construction phase may be highly toxic to aquatic life and habitats. This could result in a significant impact across the Severn Estuary SPA, SAC and Ramsar site, which are hydrologically connected to the Plot 9000 via a series of ditches. Therefore, mitigation measures must be put in place to address these potential impacts and detailed in the CEMP to ensure that pollution impacts can be avoided.

Operational Phase

- There will be an increase in noise within the site arising from people and vehicles, which could result in increased disturbance to the small population of gadwall in Orchard Pools. Given that the level of noise generated by vehicles within the site during operation is anticipated to be low and the existing line of vegetation already acts as a noise barrier to some extent, it is considered that strengthening the existing line of vegetation along the western site boundary (and installing temporary fencing while plants grow) will provide a sufficient barrier to reduce noise beyond the boundary to a level at which it is no longer significant. Details regarding the planting (and temporary barrier) should be provided in a in the CEMP and LEMP.
- Light spill onto the adjacent waterbodies may result in a negative impact on the small number of gadwalls present. As such, light spill upwards and onto the surrounding habitats at night will need to be kept to a minimum through careful placement, the use

of directional low-level lights and only using lights within active areas of the site, where they are required for health and safety. These measures are considered to be sufficient to reduce the impact of disturbance from operational phase lighting to negligible. Details should be provided in an Operational Lighting Strategy (which should be referenced in the CEMP).

Mitigation Measures and Residual Effects

Mitigation measures to address potential effects on qualifying habitats and species as a result of disturbance (during construction and operation) and water pollution (during construction) are provided below. These mitigation measures, if enacted, are considered sufficient to ensure that the proposed development of Plot 9000 will not result in significant harm to the qualifying habitats or species of the Severn Estuary SAC, SPA or Ramsar site or impede the delivery of the conservation objectives for these sites.

The CEMP should be produced prior to the commencement of construction works and should also be informed by updated ecological survey work. The CEMP should set out the necessary timings and safe working practices that will be implemented to minimise disturbance of qualifying species and avoid pollution of qualifying/supporting habitats during the construction phase of the proposed development. As a minimum, the CEMP should include the following measures:

- Details of materials and working methodology for the proposed rhine extension works to ensure adverse impacts on the existing rhine and connected watercourses are avoided;
- Details of protective fencing/barriers installed prior to construction to demarcate works areas and to safeguard sensitive ecological features to be retained, such woodland and trees around the site peripheries, which provide a 'buffer' between the site and surrounding areas;
- Any pre-construction checks required before the commencement of the construction phases (i.e. for nesting birds);
- Relevant pollution prevention guidelines and working practices to be adopted to prevent silt and contamination entering watercourses or waterbodies in the form of a Drainage Strategy as part of CEMP;
- Adherence to best practice guidelines to minimise noise disturbance, suppress dust and limit disturbance to retained areas of habitat;
- Outline of construction phase lighting measures to minimise light spill on sensitive habitat areas; and
- An Operational Lighting Strategy should be produced as part of CEMP and implemented. This should detail the specification and location of lighting, selected to minimise illumination of adjacent habitats (including the waterbodies to the west of the site).
- Contractors to be given toolbox talks prior to work commencing on site.

The LEMP should be produced prior to commencement and implemented. This document should detail how all retained and created habitats, including those providing a vegetated buffer along the western site boundary, will be managed in the

long-term. The LEMP should also include proposals for monitoring, to allow the success of management to be assessed and to inform requirements for any changes in management practices. The LEMP should ensure positive biodiversity net gain.

5.15.5 **Biodiversity Net Gain**

Paragraph 179 b of the National Planning Policy Framework states that plans should protect and enhance biodiversity and geodiversity, plans should:

“Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity”.

Paragraph 180 d states:

“development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

PSP19 states:

“Development proposals where they would result in significant harm to sites of value for local biodiversity which cannot be avoided by locating it on an alternative site with less harmful impacts, adequately mitigated or as a last result compensated for will be refused”

It is considered by Officers that the development layout has been designed to ensure that the more valuable habitats (semi-natural broadleaved woodland, plantation woodland and scattered trees) are retained where possible and that a series of new habitats will be created, including species-rich grassland and native thicket/scrub, which will, to some extent, compensate for the loss of habitats within the site to facilitate the scheme. Notwithstanding this there will be taking into account the retained areas and their enhancement a 32.43% loss of habitat. As such to accord with policy appropriate offsetting or compensation as PSP19 refers to it will need to be sought.

Officers would wish to see a minimum net gain of 10%. This would need to be achieved off-site (as this is not possible on site an area off-site) is set out in the ecology report submission. Arable land of 2.65 hectares would need to be converted to:

0.85 hectares of neutral grassland
0.7 hectares of mixed scrub
0.05 hectares of ponds
0.95 hectares of lowland mixed deciduous woodland
0.1 hectares of other broadleaf woodland

This equates to an overall gain of 2.28 habitat units using the Defra scale or a net gain of 10.67% in biodiversity. Each habitat unit as defined by Defra would cost £20000

(The Habitat Bank unit cost is based on real world habitat creation costs and includes land procurement / rental, 30 year management fee and insurance / contingency contribution). Therefore a contribution of £ £45,600 for provision of bio-diversity net gain off-set to include management, monitoring and reporting, with works to be undertaken by South Gloucestershire Council on Council Land would be secured through a S106 legal agreement.

5.15.6 **Ecology (Conclusion)**

The Shadow HRA demonstrates that, with appropriate mitigation, the proposed development will not result in significant harm to the qualifying habitats or species of European sites or impede the delivery of the conservation objectives of the European sites, via the pathways of disturbance (construction and operation) or water pollution (construction).

Signed impact assessments and Conservation Payment Certificates have been received from Natural England

The proposed development is considered acceptable in Ecological Terms subject to conditions to secure

- (i) A Construction Environmental Management Plan
- (ii) A Landscape and Ecological Management Plan
- (iii) A contribution of £45,600 for provision of bio-diversity net gain off-set to include management, monitoring and reporting, with works to be undertaken by South Gloucestershire Council on Council Land through a S106 legal agreement

5.16 **Landscaping**

The site lies to the immediate east of the Orchard Pools site and lies within the Western Approach Distribution Centre, Masterplan area, but outside the safeguarded employment area and 1957/58 consent area. The proposals comprise the development of 2 business units, with each unit having its own dedicated car-park. Development Plan Policies CS2 of the Core Strategy, PSP1, PSP2, PSP3 and PSP19 all seek both the protection of existing landscape features and enhancement.

In considering the landscape the key considerations are the requirements for the site to be retained as part of the landscape and ecological buffer which formed part of the overall masterplan the area; views from the wider landscape; existing trees and hedgerows within the site and lastly existing rhines and ponds on and adjacent to the site.

The buffer provided as part of the masterplan included swales and rhines as well as attenuation ponds and was proportionate to the built form. The whole ethos of the Severnside area has been to provide this balance between the landscape (and ecological) protection/enhancement and the employment use. Thus should the economic development/employment need be demonstrated, and development of the site be deemed acceptable, the layout should include a substantial landscape framework of an appropriate scale for the size of development, and consistent with the policy and Landscape Character Assessment guidance.

The Landscape character assessment states (for new development):

“The growth in warehouse buildings and extent of development is likely to increase the visual prominence of the site within local views from the adjacent roads and footpaths and in longer views from the Severn Ridges and South Wales. Future development of this area will result in a further significant change in character, with inevitable increased prominence of built features spread over an extensive area. This has the potential to affect the rural character of the adjacent Severn Ridges character area, as well as that of the local area”.

Where such development is accommodated within the existing landscape framework, physical disturbance to drainage and landscape structure will be lessened. However, large scale development over the consented area will inevitably result in the erosion of the present simple, open structure of the agricultural landscape. Such development will require a new landscape framework, of a scale appropriate to that of the proposed development, in order to integrate the built forms into the landscape.’

As submitted originally the proposal would have removed almost all the landscaping along the western edge of the site. The current proposal has the detailed landscaping reserved for future consideration however the indicative landscape concept plan negotiated by officers is much improved, with the western compound and northern section of parking removed, allowing a wider landscape buffer, with an additional pond and planting. The units have been reduced in size, which allows better landscape mitigation, which is welcome. The planting along the northern site boundary has been narrowed, but the large oak previously to be lost has been incorporated into the layout, as requested.

It is noted that a 10 year draft landscape maintenance plan and concept landscape sections have been submitted and these are welcomed by officers.

The FRA states that the finished floor level is proposed as 7.70m AOD. As the average levels in the area are approx.5.0m AOD, presumably the levels are being raised by 2.7m across the site. This will have implications for the successful retention of existing vegetation and we will need to see site cross sections and detailed cross sections, where the development platform abuts retained trees and hedgerows. The landscape sections submitted demonstrate that the land raising will be immediate to the building footprint, so should allow the retention of the existing vegetation indicated on the plans. Section D demonstrates that there will be no ground level change in the vicinity of the important oak tree or the group of trees retained around the site.

As well as the Landscape Team, the proposals have been viewed by the Council Tree Officer who has indicated the need for a Tree Protection Plan and Arboricultural method statement in accordance with BS:5837:2012 and this will be a condition attached any decision notice.

The proposed development is considered acceptable in landscaping terms providing both protection to existing features and enhancement through planting. While a concept planting scheme has been submitted and the broad concepts are agreed some of the planting is considered quite ornamental and the use of more native species is required. For this reason it is considered appropriate to apply a condition as

part of the reserved matters application a detailed planting plan with landscape specification notes will need to be submitted at that stage.

5.17 **Transportation**

As set out in Section 4.2 above initial concerns were raised to the current proposal on highway grounds however the applicant has submitted a Transport Statement which has been updated to address concerns regarding sustainable accessibility and other issues raised. Additional information has been received that summarises the further work undertaken, including traffic impact assessment at the access junction; a review of mode share assumptions; more details on surrounding walking and cycling infrastructure and routes; updated parking information including EV charging; and updated plans and proposed S106 funding towards bus infrastructure and a traffic regulation order.

Site Access and New Bus Stop

A drawing has been submitted to officers (WG/3268/001 Revision D) that shows the proposed access on Western Approach. The drawing includes the requested new bus stop (hardstanding and pole with dropped kerb) opposite the site access, with added footway leading from the site and the shared walking / cycling path that runs alongside Govier Way and Western Approach to and from the new bus stop.

There are concerns however that if vehicles were to park alongside the access visibility might be impaired so in order to prevent the informal parking of HGVs alongside the access (given the concern over visibility as well as the potential to blocking part of the on-road cycle lane), it is considered that a Traffic Regulation Order will be needed that will follow the appropriate Council approval procedures including the costs of consultation, design and implementation.

It is considered appropriate to apply a condition to the decision notice to secure the new site access road and junction; waiting restrictions; bus stop hardstanding; and pedestrian footway links shown in principle on Drawing DWG/3268/001 Revision D.

Officers note that works have recently been undertaken to implement the Severnside Walking and Cycling - Improvements to National Cycleway Network Route 4 between Cribbs Causeway and Severn Beach following consultation in 2019. This includes formalised *parallel crossings* for walking and cycling along NCN4. Thus such a crossing will be required for the access road which crosses this route. A parallel crossing is similar to a zebra crossing but affords the same priority to cyclists. This crossing will need to be incorporated in the access design and completed to the appropriate standards. A condition will secure this facility and a traffic regulation order (TRO) will be required to enable its legal implementation.

It is considered appropriate to secure a legal agreement to ensure the provision of the bus stop which will allow for access to the site by means other than the private moto. The sum of £15000 is required for the bus shelter and "real time information" provision. Furthermore the sum of £10000 is required to ensure the required Traffic Regulation Order (TRO) and this will also be secured through the same legal agreement and £5000 for the TRO required in relation to the parallel crossing discussed above.

Traffic Impact

Following a request by the Sustainable Transport Team a Traffic Count was undertaken by the applicant. A week long traffic survey was undertaken in July 2021 confirming the current traffic flows on Western Approach, the traffic composition and speeds. Officers are satisfied that the traffic modelling confirms that the new access has no capacity issues and should make no perceptible difference to traffic movements in the area.

Travel Plan

The Framework Travel Plan that has been submitted proposes targets to increase walking to 7%; cycling to 7%; public transport to 15% and car sharing to 15% within five years. These ambitions are accepted and welcomed. The provision of the bus shelter will aid this also.

It is considered that the travel plan needs to include measures that can be triggered if the proposed marketing to encourage sustainable travel is not achieving the modal share set out set out above. It is considered that this could include for example help with travel to and from the train station, such as a minibus or taxi or negotiating a different public transport route; funding more cycle parking at the train station, working with other employers in the Severnside Enterprise Area (SEA) to provide better bus, walk and cycle linkages, noting that this development will add a bus stop and fund a nearby bus shelter with real time information.

While the framework travel plan is accepted it is considered appropriate to attach a condition to the decision notice to require a detailed working travel plan that will include but not be limited to the following:

- Base travel mode surveys for staff and customers;
- Targets for shift to sustainable modes;
- Measures and incentives for travelling sustainably, such as cycle parking, cycle purchase schemes and shower facilities;
- Managing, monitoring and reporting arrangements;
- Remedial measures should targets not be achieved.

On Site Vehicle Parking

Submitted details show 74 no. car parking spaces and 9 no. spaces for HGV parking. It should be noted that South Gloucestershire adopted policy does not include parking standards for non-residential development and the seemingly generous proposed parking provision was questioned by officers while considering this application. The developer has undertaken a benchmarking exercise from developments around the local area in Sevenside and Avonmouth and confirms the proposed indicative parking to be mid-range and is therefore accepted in principle. The main concern relates to modal share and encouraging sustainable travel which the travel plan will help address.

Cycle Parking

Cycle parking is being provided in accordance with PSP16 for B2 use, and proposes secure and covered parking for 16 bicycles. This is accepted as the minimum required and officers have also noted that the Design and Access statement under section 5 suggests there will be "shower rooms with changing and locker areas ...providing for those who choose to cycle to work". The buildings operated together or independently will need appropriate secure and covered cycle parking and areas to expand that cycle parking should there be need, as well as shower and locker facilities with capacity for those using that mode.

A condition is considered appropriate to secure full details prior to the first operation of the site of both car (discussed above) and cycle parking provision and the condition will also require that this agreed provision is maintained satisfactorily thereafter.

Electric Vehicle Charging

An indicative level of these facilities is shown. A condition will be attached to the decision notice as follows:

Prior to the first use of the site full details of Electric Vehicle Charging Points shall be submitted to, and approved in writing by, the Local Planning Authority, and implemented and maintained satisfactorily thereafter.

For the avoidance of doubt the minimum requirement will be for 20% of the total car parking spaces to have active charging points provided with at least (unless otherwise agreed in writing) 7Kw / 32Amp adjacent to the proposed car parking spaces, with ducting infrastructure provided to enable the remaining car parking area to be converted to provide charging points without the need to break ground to lay cable in the future.

Given the scale of the proposal in the interests of the amenity of the area it is considered appropriate to apply a condition to secure a full Construction Environmental Management Plan.

Subject to the conditions discussed above and the legal agreement to secure the Bus facilities and Traffic Regulation Orders the proposed development is considered acceptable in transportation terms and to accord with CS8 of the South Gloucestershire Local Plan Core Strategy and PSP11 and PSP16 of the South Gloucestershire Local Plan Policies Sites and Places Plan.

5.18 Archaeology

A request was made for a desk-based archaeological assessment. The submitted document assesses the potential for archaeology and indicates that there are no designated archaeological heritage assets of national significance within the study area or one kilometre. The summary states:

"The proposed development could have a physical impact on any buried archaeological remains present within the study site, through the construction process. No non-designated archaeological heritage assets are identified within the study site. As a result, no potential impacts on any known buried archaeological remains have been identified. It is considered that the potential for significant impact

on the buried archaeological element of the historic environment would be very low within the study site.”

Officers accept the findings however it is considered necessary to apply a precautionary condition to require the submission of a programme of archaeological investigation and recording prior to the commencement of work (to include borehole sampling and a watching brief of construction activity).

5.19 Consideration of likely impact on Equalities

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

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

5.20 Planning Balance

This section will summarise the harms that result from the development and the benefits to apply a “balanced judgement”.

As set out above the application site lies outside of settlement boundary limits as set out in Policy CS5 (Location of Development) of the South Gloucestershire Local Plan Core Strategy and outside of the boundary of the Severnside Development Area. The site lies outside of the area defined as a Safeguarded Area for Economic Development within Policy CS12. The site therefore falls by definition into the category of a rural area and as such sits within the remit of Policy CS34 which states that *“within villages and other settlement boundaries, development will be strictly controlled in line with other relevant policies”*. The development plan is the starting point for decision, this therefore represents a key harm from the proposal.

The development of a currently undeveloped site would result in additional built form, (notwithstanding mitigating measures) and this would represent a harm as would a development that would be closer to the existing nearby residential development to the north although given the intervening buffer this impact is considered limited.

It is considered an important factor that while outside the defined employment area, the application site does lie immediately to the north/adjacent to it and while by definition it results in encroachment upon the countryside it does form a natural extension to it. This is considered to distinguish it from other potential sites.

As set out above in the report, while there is a clearly defined employment area, for a number of reasons the available employment land that is readily available for this

small scale B2/B8 development is quite significantly restricted however that is not to say the development could not be located elsewhere within the employment area.

Evidence has been provided that there are “end users” who would welcome the development and that the development would provide within a relatively short space of time economic/employment benefits at a time when economic growth is a priority.

There is an opportunity to achieve biodiversity net gain off-site to compensate for the loss of habitat on-site, the proposal is considered acceptable in ecological terms. The proposal would also secure some wider limited public transport infrastructure as set out above.

Through negotiation other impacts such as highway impacts, landscape, archaeology and impacts upon public rights of way are subject to conditions considered neutral.

Taking into account the above factors it is considered that the benefits from the proposal outweigh the harms and therefore the recommendation as set out below is that the development should be granted.

6. CONCLUSION

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

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

7 RECOMMENDATION

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

a) Highways Works and Infrastructure

- A contribution of £15,000 for the provision of a bus shelter (as shown on DWG/3268/001 Revision D and Real Time Information and inclusion of an appropriate connection to electricity supply.
- A contribution of £10000 for a Traffic Regulation Order for consultation, advertisement and implementation of waiting restrictions on the access.
- £5000 for the Traffic Regulation Order to consult and advertise to legally permit the parallel crossing on the shared walk/cycleway (NCN4)

Reason:

To accord with Policy CS8 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2013.

b) Biodiversity Net Gain

A contribution of £ £45,600 for provision of bio-diversity net gain off-set to include management, monitoring and reporting, with works to be undertaken by South Gloucestershire Council on Council Land

Reason:

To secure biodiversity net gain and to conserve and enhance the Natural Environment to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017, the South Gloucestershire Biodiversity Action Plan and the provisions of the National Planning Policy Framework.

- 7.2 That should the agreement not be completed within 6 months of the date of the Committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

For the avoidance of doubt the layout shall include full details of car and cycle parking

Plans and particulars of these reserved matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

4. Scale Parameters

Application for the approval of the reserved matters shall be in accordance with the scale parameters described in the design and access statement hereby approved and Drawing No.19010 P0001 Rev F.

Reason

To ensure that the proposed development remains of an appropriate scale, in keeping with the character of the surrounding area, in accordance with the requirements of Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

5. Public Art

The reserved matters details referred to in condition 1 shall include full details for a unique site specific integrated public art scheme including but not limited to detailed designs, timescales and triggers. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note

Reason:

To protect the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policy CS23 - Community Infrastructure and Cultural Activity and Policy CS1 - High Quality Design Point 7 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

6. Energy Statement

The reserved matters details referred to in condition 1 shall include a Revised Energy Statement which shall include the following details:

Improved performance on the U value of windows and in fabric efficiency over that shown in the initial report.

To show that refrigeration is provided to the lowest global warming potential

To show that the roofs of the two units are designed to enable the installation of roof mounted solar panels

To show the use of passive measures to ensure that the building is not subject to overheating

To show the provision of 20% of spaces having EVC points with a minimum power output of 7kw.

Reason

To reduce the environmental impact of development and to accord with Policy CS3 and CS4 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP6 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework, July 2021.

7. Flood Risk Assessment

The development shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy Issue V4 dated May 2021 by Bradbrook Consultancy and the mitigation measures it details. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the life time of the development.

Reason:

To prevent the increased risk from flooding and in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013, PSP20 of the Policies Sites and Places Plan 2017 and the provisions of the National Planning Policy Framework 2021

8. Prevention of Pollution

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

1. Site security.
2. Fuel oil storage, bunding, delivery and use.
3. How both minor and major spillage will be dealt with.
4. Containment of silt/soil contaminated run-off.
5. Disposal of contaminated drainage, including water pumped from excavations.
6. Site induction for workforce highlighting pollution prevention and awareness.

Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

Reason:

In order to prevent the pollution of the water environment and in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

9. Contamination

A) Remediation Strategy - The submitted Bradbrook Consulting Geo-environmental Investigation has identified a potential risk from ground gas (carbon dioxide). Prior to commencement of the development a remediation strategy should be submitted for approval by the local planning authority. The report shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of

the works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed.

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

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

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

Reason:

To ensure appropriate mitigation measures, that the site is suitable for the proposed use and that there is no unacceptable risk from contamination within the site or surrounding areas in accordance with Policy CS9 of the South Gloucestershire Council Local Plan Core Strategy 2013 and Policy PSP21 of the South Gloucestershire Council Local Plan: Policies Sites and Places Plan 2017

A pre-commencement condition is required to avoid the need for future remedial action

10. Electric Vehicle Charging Points

Prior to the first use of the site full details of Electric Vehicle Charging Points shall be submitted to, and approved in writing by, the Local Planning Authority, and implemented and maintained satisfactorily thereafter.

For the avoidance of doubt the minimum requirement will be for 20% of the total car parking spaces to have active charging points provided with at least (unless otherwise agreed in writing) 7Kw / 32Amp adjacent to the proposed car parking spaces, with ducting infrastructure provided to enable the remaining car parking area to be converted to provide charging points without the need to break ground to lay cable in the future.

Reason

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

11. Highway Works

Prior to the first occupation/use of the proposed development, the new site access road and junction; bus stop hardstanding; and pedestrian footway links shown in principle on Drawing DWG/3268/001 Revision D, and subject to amendment to enable the Parallel Crossing for NCN4, will be constructed to the Council's standards of construction detail and be complete prior to the first occupation/use of the site.

The applicant should note for the avoidance of doubt that any works on or immediately adjacent to the public highway would need to be fully approved by this Council before, during and after their construction and that to fulfil the above condition the Applicant would then need to enter into a highway works agreement with the Local Highway Authority to carry out the works. Further information is available at the following link:

<https://www.southglos.gov.uk/transport-and-streets/streets/adoption-of-new-roads/roads-6-modifying-existing-highway/>

Reason: In the interest of highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017

12. Car and Cycle Parking Details

Prior to the working operation of the site: car and cycle parking details shall be submitted to, and approved in writing by, the Local Planning Authority, and implemented and maintained satisfactorily thereafter.

Reason:

In the interest of highway safety, to promote sustainable travel and to accord with CS8 of the South Gloucestershire Local Plan Core Strategy and PSP11 and PSP16 of the South Gloucestershire Local Plan Policies Sites and Places Plan.

PSP11, PSP16 and CS8.

13. Travel Plan

The development shall not be occupied until a working Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be based on the Framework Travel Plan and include but not necessarily be limited to the following information:

- Base travel mode surveys for staff and customers;
- Targets for shift to sustainable modes;
- Measures and incentives for travelling sustainably, such as cycle parking, cycle purchase schemes and shower facilities;
- Managing, monitoring and reporting arrangements;
- Remedial measures should targets not be achieved.

Reason:

To promote sustainable travel and to accord with Policy CS8 of the South Gloucestershire Local Plan Core Strategy and PSP11 and PSP16 of the South Gloucestershire Local Plan Policies Sites and Places Plan.

14. Construction Management Plan:

A full Construction Management Plan (Highways) shall be submitted and approved by the Council before work commences. As is normal, the construction management plan must cover the following highways and transportation matters:

- a. In the interests of highway safety, it must contain full details of the regime to be implemented to access the site during construction particularly for large construction related vehicles. This must be submitted to and approved in writing by South Gloucestershire Council before the access is brought into use and construction commences.
- b. These details must also include, not only the intended access route, but also the proposed construction period, its hours of operation, the number of vehicles (delivery and workers transport) associated with this process, the measures to be implemented to ensure that mud is not carried onto the adjoining road network (wheel washing facilities), provision for on-site worker parking and any other information which will help us ensure road safety is maintained for all users.
- c. Moreover, if access by large indivisible units is required, this should include computer track plotting to ensure that this is possible.
- d. The submitted Construction Traffic Management Plan must be implemented and adhered to throughout the construction phase of the development.
- e. No development shall commence until a highway condition survey (including photographs) of the adjoining road network (area to be agreed) is submitted to and approved in writing by South Gloucestershire Council.
- f. Pursuant with Section 59 of the 1980 Highway Act, South Gloucestershire Council will wish to recover the cost of any damage caused to the highway by construction traffic. To this end, on completion of the site's construction work, a second highway condition survey shall be submitted to and approved in writing by the Council. This will enable the extent of any repairs will be assessed at a meeting with the Developer on completion of the construction work.

Reason:

In the interest of highway safety and to ensure the implementation of development will not result in a significant impact on the amenity of existing local residents to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy

A pre-commencement condition is required to avoid the need for future remedial action.

15. Parallel Crossing

Prior to the commencement of works on the site access road full details of a formalised "parallel crossing" to encourage the priority for pedestrians and cyclists using NCN4 shall be submitted to and approved in writing by the Local Planning Authority (with the design and implementation works to be agreed with the Council). The crossing shall be installed prior to the first use of the access road.

Reason: To promote sustainable travel and to accord with Core Strategy Policy CS8

A pre-commencement condition is required to avoid the need for future remedial action.

16. Planting

The reserved matters details referred to in condition 1 (with respect to landscaping) shall include but not be limited to a 1:200 detailed planting plan with landscape specification notes. All works will then be carried out in accordance with the approved details.

Reason

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

17. Tree Protection

Prior to the commencement of development a Tree Protection Plan and Arboricultural method statement in accordance with BS:5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason

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

A pre-commencement condition is required to avoid the need for future remedial action.

18. Construction Environmental Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP)

Prior to the commencement of works a final CEMP (to include an Operational Lighting Strategy and Drainage Strategy) and LEMP based on the Framework Ecological Mitigation Strategy (FEMS, Report RT-MME-152659-11 Rev A) and the Shadow HRA recommendations included above (both prepared by Middlemarch Environmental Ltd) (September 2021) shall be submitted to and approved in writing by the Local Planning Authority. All works shall take place in accordance with the approved details.

Reason:

In the interests of the Ecology of the Site and Biodiversity and in accordance with Policy CS9 of the Core Strategy 2013 and Policy PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

A pre-commencement condition is required to avoid the need for future remedial action.

19. Archaeology

Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation. For the avoidance of doubt this would take the form of borehole sampling and a watching brief of construction activity.

Reason:

To allow an assessment of the Archaeology of the Site and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017

A pre-commencement condition is required to avoid the need for remedial action, if indeed that would be possible.

20. Approved Plans

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

Received 22nd September 2021

19010 P0001	REV H	PARAMETERS PLAN
19010 P0002	REV C	SITE PLAN
2111-20-01	REV E	LANDSCAPE CONCEPT PLAN

Received 22nd March 2021

19010 F0020	A	LOCATION PLAN
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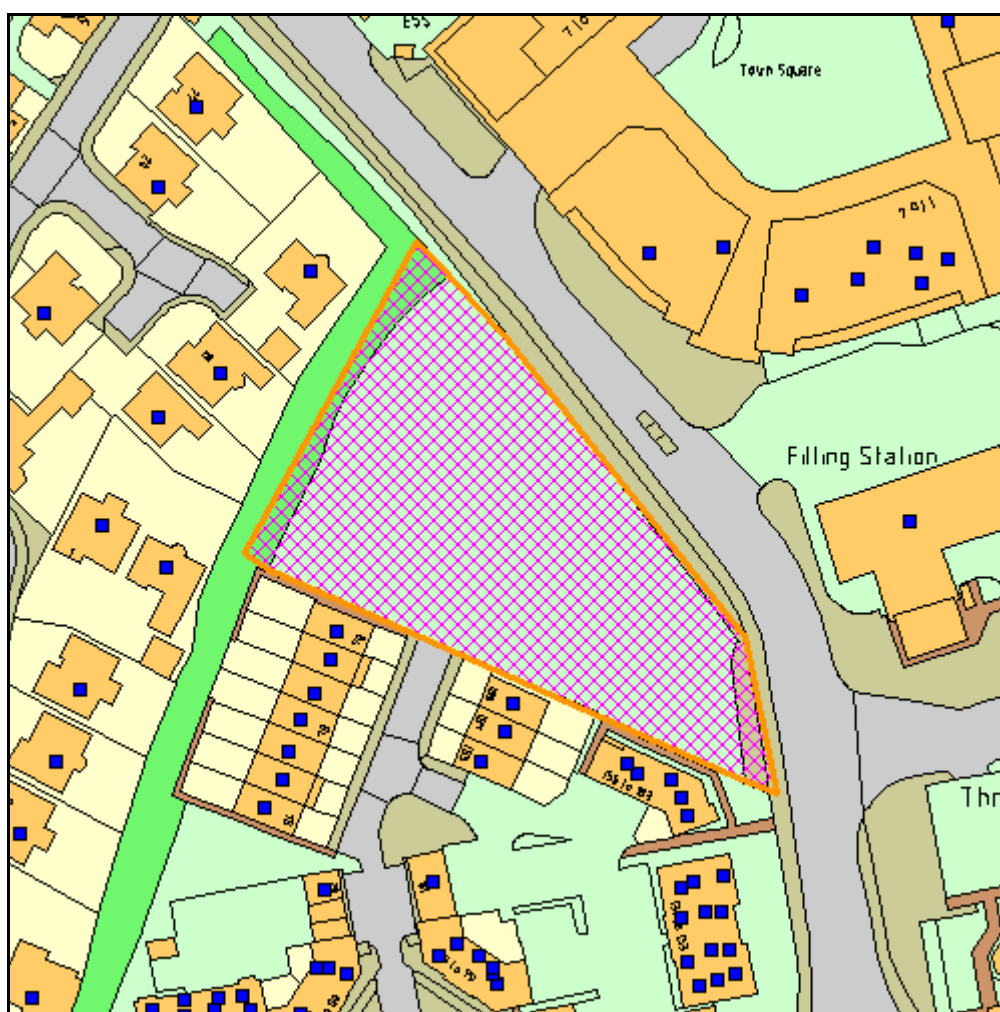
Reason:

For the avoidance of doubt

Case Officer: David Stockdale
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

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



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P21/02958/F

INTRODUCTION

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

1. THE PROPOSAL

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

with some minor landscape changes to accommodate this. A wider access to accommodate wheelchair access at Plot 21. A change of Plot 9 to a socially rented property and Unit 1 to an Affordable Rent. The scheme will continue to provide 100% Affordable Housing. It is considered that these changes are quite minor and a re-consultation has therefore not taken place in this instance.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021

National Planning Practice Guidance

2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) 2013

CS1 - High Quality Design

CS2 - Green Infrastructure

CS4A - Presumption in Favour of Sustainable Development

CS5 - Location of Development

CS6 - Infrastructure and Developer Contributions

CS7 - Strategic Transport Infrastructure

CS8 - Improving Accessibility

CS9 - Managing the Environment and Heritage

CS15 - Housing Distribution

CS16 - Housing Density

CS17 - Housing Diversity

CS18 - Affordable Housing

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

PSP1 - Local Distinctiveness

PSP2 - Landscape

PSP3 - Trees and Woodland

PSP6 - On Site Renewable and Low Carbon Energy

PSP8 - Residential Amenity

PSP11 - Transport Impact Management

PSP16 - Parking Standards

PSP17 - Heritage Assets and the Historic Environment

PSP19 - Wider Biodiversity

PSP20 - Flood Risk, Surface Water and Watercourse Management

PSP21 - Environmental Pollution and Impacts

PSP22 – Unstable Land

PSP43 - Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Check List (SPD)

Trees on Development Sites SPG (Adopted) Nov. 2005

South Gloucestershire Council Residential Parking Standards (SPD) Adopted

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

Affordable Housing and extra care SPD (Adopted) 2021

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide.

3. **RELEVANT PLANNING HISTORY**

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

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

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

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

4. **CONSULTATION RESPONSES**

4.1 **Bradley Stoke Town Council**

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

4.2 **Other Consultees**

Archaeology

Initial Comments

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

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

Community Infrastructure Officer

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

Environmental Policy Team

Initial Comments

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

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

Tree Officer

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

Avon and Somerset Police

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

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

Lead Local Flood Authority

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

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

Housing Enabling

Initial Comments

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

Social Rent

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

Affordable Rent

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

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

Landscape Officer

Initial Comments

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

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

Sustainable Transport

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

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

Arts and Development Officer

No comment

Other Representations

4.3 Local Residents

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

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

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

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

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

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

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

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

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

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

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

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

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

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

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

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

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

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

2018 – 131%
2019 – 134%
2020 – 125%

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

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

CS17 of the Core Strategy sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities. Policy CS18 supports the provision of affordable housing as part of the drive to provide mixed and inclusive communities and as this scheme will provide 100% Affordable

Housing to accord with the Council's full design and tenure requirements including wheelchair access the proposal is in accordance with policy.

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

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

5.2 **Archaeology**

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

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

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

5.3 **Environmental Policy**

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

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

Modelling of the proposed building fabric performance characteristics have concluded that energy efficiency measures, will deliver reductions in CO2 emissions, associate with energy use, of over 7%; when compared with an identical development constructed to the Notional Building parameters.

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

5.3 **Landscape/Trees**

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

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

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

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

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

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

5.4 Drainage

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

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

5.5 Design

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

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

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

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

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

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

5.6 **Ecology**

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

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

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

Bats

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

Great Crested Newts

Newts are not considered to be present on the site.

Birds

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

Reptiles

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

Badgers and Hedgehog

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

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

5.7 Transportation Issues

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

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

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

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

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

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

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

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

Parking

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

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

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

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

5.8 Residential Amenity

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

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

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

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

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

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

5.9 Environmental Protection

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

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

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

5.10 Other Issues

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

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

5.11 **PLANNING OBLIGATIONS**

5.11.1 **Affordable Housing**

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

Quantum

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

Tenure

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

Social Rent:

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

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

Affordable Rent

- Units 10 & 11 – 1 bed 2 person flats (wheelchair) – 66 sqm

- Unit 12 – 1 bed 2 person flat – 54 sqm
- Unit 21 – 2 bed 3 person bungalow – 76 sqm

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

5.11.2 Affordable Housing Design Standards

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

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

Wheelchair Provision

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

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

Delivery and Phasing

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

Rent Levels and Affordability

Social Rent homes to be let at Target Rent (Rent Standard Direction 2014). Shared Ownership homes to be sold at no more than 40% of market value, and annual rent on the equity retained by the RP should be no more than 1.5%. Affordable Rent homes to be let up to 80% local market rents including service charges, but not exceeding LHA. Service charges will be capped at £650 per

annum (base date to be date of resolution and linked to CPI) to ensure that all housing costs are affordable to future occupants.

5.11.3 **Public Open Space Provision**

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

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

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

The justification for the provision is as follows:

Necessary to make the development acceptable in planning terms

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

Directly related to the development

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

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

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

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

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

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

Fairly and reasonably related in scale and kind to the development

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

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

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

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

5.12 Community Infrastructure Levy (CIL)

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

5.13 Consideration of likely impact on Equalities

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

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

5.14 Planning Balance

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

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

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

6. CONCLUSION

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

7. RECOMMENDATION

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

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

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

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

Reason:

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

b) Affordable Housing

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

Social Rent

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

Affordable Rent

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

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

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

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

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

Reason

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

2. Archaeology

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

Reason:

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

3. Ecological Mitigation

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

Reason:

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

4. Lighting Design (Ecology)

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

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

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

Reason:

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

5. Construction Environmental Management Plan (Biodiversity)

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

Reason:

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

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

6. Landscape and Ecological Management Plan (LEMP)

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. This shall cover a 10 year period identifying the scope and frequency of annual and seasonal operations. The LEMP shall be written in accordance with

BS42020. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

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

7. Energy Statement

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

Reason:

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

8. Tree Protection

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

Reason:

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

9. Boundary/Hard Landscaping

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

Reason

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

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

10. Construction Management Plan

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

The CMP shall address the following matters:

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

Reason:

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

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

11. Construction Hours

The hours of working on site during the period of construction shall be restricted to
Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

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

Reason

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

12. Drainage

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

DRAINAGE_STRATEGY-6972675
GA_OF_PROPOSED_FOUL_WATER_DRAINAGE_SYSTEM-6978662
2062 Wessex Response - Confirmation of Connection Point (FW+SW)
MicroDrainage Model - 200105 F&S 03 Model - Received 24/09/2021
200105 101 C Drainage - Flood Exceedance Plan

Reason:

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

13. Materials

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

Reason

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

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

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

Received 28th April 2021

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

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

Received 25th June 2021

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

Received 11th August 2021

2100 02 Proposed Terrace Plots 1-9 Floor Plans

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

Received 17th September 2021

2000 07 Proposed Site Plan

Received 24th September 2021

1465-01 B Soft Landscaping Proposals

Reason:

For the avoidance of doubt

15. Access Gate

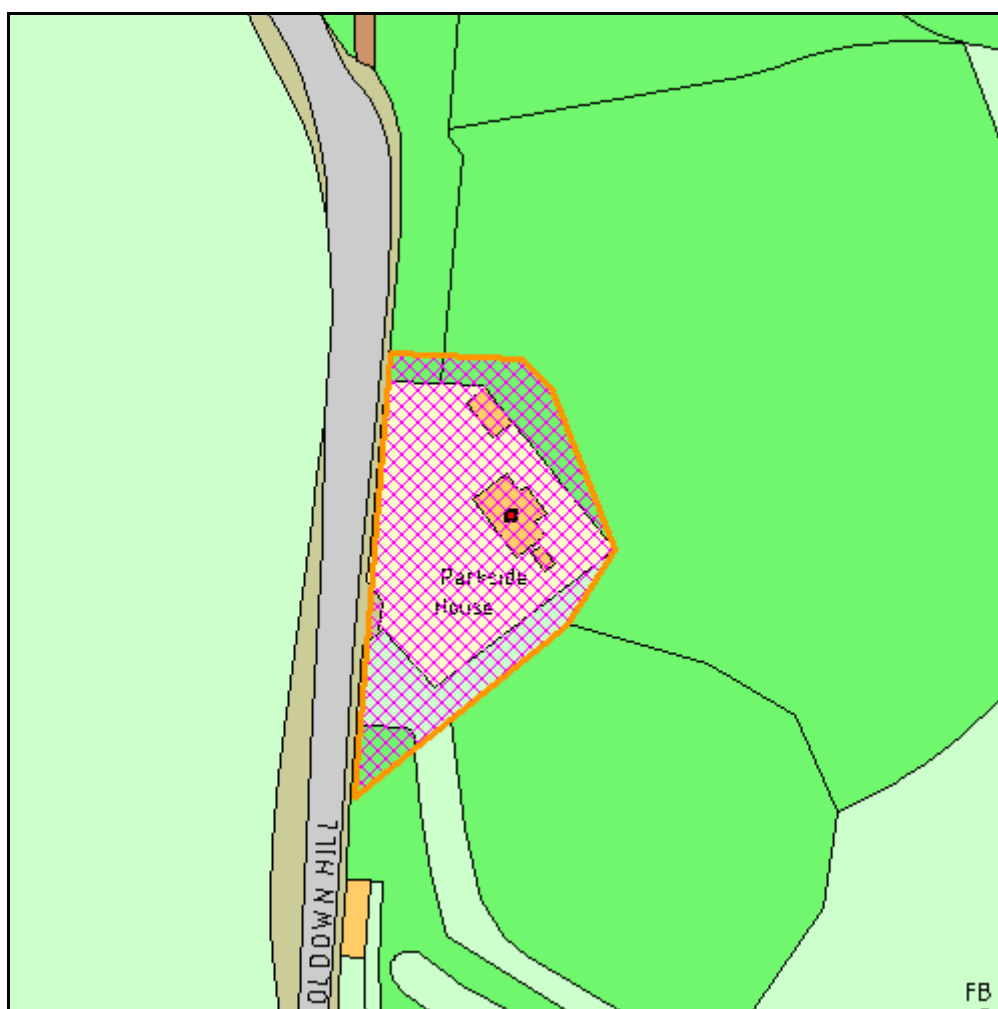
The proposed gate on the north-east boundary of the site (onto the Willow Brook Centre access road) as shown on Drg 2000 07 Site Plan shall be kept locked and used for maintenance access only.

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

Case Officer: David Stockdale
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

App No.:	P21/04480/F	Applicant:	Mr and Mrs Grocott
Site:	Parkside House Old Down Hill Tockington South Gloucestershire BS32 4PA	Date Reg:	23rd June 2021
Proposal:	Change of use from land associated with Tockington Manor School to residential (Class C3) at Parkside House, as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), and erection of timber fence to new boundary.	Parish:	Olveston Parish Council
Map Ref:	361025 186760	Ward:	Severn Vale
Application Category:	Minor	Target Date:	13th August 2021



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100023410, 2008.

N.T.S.

P21/04480/F

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

Reason for Referring to the Circulated Schedule

This application has been referred to the Circulated Schedule because representations have been received from 3no. local residents that are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Parkside House is a detached, four bedroom dwelling, located in a somewhat isolated position in the open countryside, to the North of the settlement boundary of Tockington village. The property and its curtilage lie within the Bristol & Bath Green Belt and is bounded to the North, East and South by the Playing Field of Tockington Manor School. The School building, which lies some 150m to the South-East is Grade II listed and lies within the Tockington Conservation Area; Parkside House however lies just North of the Conservation Area boundary.
- 1.2 The application seeks a full planning permission for the change of use, of two parcels of land that currently bound the garden of Parkside House immediately to the North & South; to residential garden land for Parkside House. It is proposed to enclose the parcels of land within a 1.2m high picket fence.
- 1.3 Planning permission P20/12627/F was recently granted for the “Erection of a first floor side extension and two-storey front extension to form porch and additional living accommodation”. The permission is soon to be implemented.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
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 (inc. Green Belt)
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP7 Development in the Green Belt

PSP8 Residential Amenity
 PSP11 Transport Impact Management
 PSP16 Parking Standards
 PSP17 Heritage Assets and the Historic Environment
 PSP19 Wider Biodiversity
 PSP20 Flood Risk, Surface Water and Watercourse Management
 PSP21 Environmental Pollution and Impacts
 PSP43 Private Amenity Space Standards
 PSP44 Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
 Development in the Green Belt SPD (Adopted) 2007
 South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014
 Trees and Development Sites: Guidance for New Development SPD (Adopted) April 2021
 Residential Parking Standards SPD – adopted Dec 3013
 Technical Advice Note (TAN) – Assessing Residential Amenity (June 2016)

In terms of local plan policy, South Gloucestershire Council can demonstrate that it currently has a 5.28 year housing land supply. As such the development plan policies are considered to be up to date and for the purposes of decision taking, sustainable development proposals that accord with an up-to-date development should be approved (see NPPF para 11).

3. RELEVANT PLANNING HISTORY

- 3.1 P99/2083 - Erection of first floor and single-storey extension together with conservatory.
 Approved 07th Feb. 2000
- 3.2 PT03/1375/F - Erection of two-storey side and rear extension to form shower room, breakfast area, kitchen, garden room and extended living room with 3 no. bedrooms and en-suite facilities over.
 Refused 16th June 2003
- 3.3 PT03/3663/F - Erection of two storey side and rear extension to form shower room, breakfast area, kitchen, garden room and extended living room with 3 no. bedrooms over. (Resubmission of PT03/1375/F).
 Refused 09th Feb. 2004
- 3.4 PT04/1236/F - Erection of two storey front extension to form porch with bedroom over and two-storey rear extension to form living room with bedroom over. Erection of single-storey side and rear extension to form breakfast area, kitchen and garden room.
 Approved 10th May 2004
- 3.5 P19/17101/F - Erection of a two-storey front and a first floor side extension to form porch and additional living accommodation.
 Refused 3rd Feb. 2020

- 3.6 P20/12627/F - Erection of a first floor side extension and two-storey front extension to form porch and additional living accommodation (resubmission of P19/17101/F).
Approved 27th Nov. 2020 – *Not yet implemented.*

4. **CONSULTATION RESPONSES**

- 4.1 Olveston Parish Council
No response

- 4.2 Other Consultees

Transportation D.M.
No objection

The Tree Team
No objections subject to the development being carried out in strict accordance with the Arboricultural Method Statement.

Sport England
No objection

Other Representations

- 4.3 Local Residents
3no. responses have been received from local residents, all supporting the proposal. The comments made are summarised as follows:
- The land involved is not currently used by the school for anything let alone sporting activities.
 - The designated area does not impinge on any areas currently used for sports, in fact it has been designed to avoid them.
 - The vast majority of the area under query is not tended, and has been overgrown for years. Granting this application would bring this overgrown and untidy area into a tended garden.
 - Given the location and proximity of Parkside House, using the area as additional garden makes sense for the plot, and its function. It will undoubtedly improve the setting.
 - Planning permission has recently been granted to extend the house and this particular application means it's logical and appropriate to extend the curtilage.
 - The additional land would be extremely useful in helping to improve vehicular access and manoeuvrability around the property.
 - Tockington Manor School has 28 acres of woodland, parkland and sporting area. This application relates to a tiny proportion of the whole school area - significantly less than 1%.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the Bristol/Bath Green Belt. The main issues to consider are therefore:

- Whether the proposed development would be inappropriate development in the Green Belt having regard to the NPPF and any relevant development plan policies.
- The effect of the proposed development on the character and appearance of the area.
- If the proposed development is inappropriate development within the Green Belt, whether the harm by reason of inappropriateness, and any other harm, is outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Inappropriate Development

5.2 The NPPF at para. 137 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

5.3 Para. 147 of the NPPF states that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5.4 Para. 150 of the Framework sets out at sub para. e) that material changes in the use of land are not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it.

5.5 The purposes of including land within the Green Belt are listed at para. 138 of the NPPF and these are as follows:

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

5.6 Policy CS34 of the South Gloucestershire Core Strategy 2006-2027 (CS) relating to development in rural areas indicates, amongst other things, that the designated Green Belt will be protected. CS Policy CS5 (6e) indicates that development in the Green Belt will need to comply with the provisions of the NPPF or relevant local plan policies in the Core Strategy.

5.7 Policy PSP7 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (2017) sets out that “inappropriate development is harmful to the Green Belt and will not be acceptable unless very special circumstances can be demonstrated that clearly outweigh the harm to the Green Belt, and any other harm”. Both Policy CS5 of the Core Strategy and Policy PSP7 of the

PSPP are therefore consistent with the Framework in their approach to development within the Green Belt.

- 5.8 The two areas of land the subject of this application, although forming part of the Tockington Manor School Playing Field, lie within the open countryside and this is accepted as such in the applicant's covering letter (see image 6). The northernmost parcel of land is partially wooded whilst the southernmost parcel is devoid of trees and more open. At the time of the case officer's site visit, neither parcel was being used for sporting activities but the grass was neatly mown as for the rest of the playing field. It is understood that the southernmost parcel has in the past been used for the storage of tree/hedge cuttings before being composted.
- 5.9 In order to incorporate the land within the garden of Parkside House, it is proposed to enclose both parcels of land within a 1.2m high picket fence. It is noted at this point that the use of land for outdoor sport and recreation is not inappropriate development within the Green Belt and by definition is not harmful to the openness of the Green Belt.
- 5.10 By incorporating the land within the residential curtilage of Parkside House, both the use and the character of the land would inevitably change. Even without outbuildings (which could be prevented by imposing a condition to remove permitted development rights) the land would be subject to urbanisation by taking on a more manicured and formal garden-like appearance with most likely the inclusion of domestic paraphernalia and even possibly additional parking areas. This in officer opinion would represent an encroachment into the open countryside, contrary to one of the purposes of including land within the Green Belt.
- 5.11 The proposal is therefore inappropriate development, which by definition is harmful to the openness of the Green Belt.

Effect on Character and Appearance of the Area

- 5.12 The existing school playing field lies in the open countryside and the parcels of land the subject of this application, are peripheral to the playing field; as such they are not used for much other than some occasional storage of hedge/tree clippings. The land does however contribute to the general open, almost parkland aspect of the wider playing field; albeit in a relatively small way.
- 5.13 As part of an enclosed garden, the open character of the land would be lost but viewed against the back-drop of the existing house and enclosed by the picket fence, any harm to the character of the area would not be significant, such that only minor weight could be afforded the level of harm.

Heritage Issues

- 5.14 Tockington Manor School is Grade II Listed; the parcels of land the subject of this application however lie some 150m away and given its scale and nature, the proposal would not harm the setting of the Listed Building. Only the very southern tip of the southern parcel of land lies within the Tockington Conservation Area so any harm to the character and setting of the

Conservation Area would be insignificant. Very little weight can be afforded this harm.

Loss of Playing Field

5.15 The land has already been sold by the school to the applicant. A letter from the Headmaster of the school has confirmed that prior to the sale, Tockington Manor School embarked on a due diligence process including:

- A legal obligation to refer to Sport England, the outcome of which that sale approval was granted,
- A review confirming that the land was surplus to school requirements, and critically that it had no impact on children's sporting or other activities,
- Confirmation that there was no impingement on the school running track, a small part of which is adjacent to the legacy land boundary of Parkside House.
- The school running track remains unaffected by the new boundary, and actually sees increased space as the new boundary takes centre line of the legacy hedgerow,
- The land involved isn't capable of forming part of a playing pitch,
- It doesn't reduce the size of any playing pitch,
- It doesn't result in any inability to use a playing pitch,
- There is no reduction in the sporting capacity of the playing field,
- There is no resulting loss of any other sporting provision or ancillary facilities on the school estate
- There is no prejudice to the use of any other playing areas on the site.

5.16 Sport England is satisfied that the proposed development meets exception 3 (E3) of their playing fields policy, in that:

The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site;
or
- prejudice the use of any remaining areas of playing field on the site.

5.17 There is therefore no objection from Sport England and no significant loss of playing pitch which would be contrary to Policy PSP44.

Transportation Issues

5.18 The proposal would not impact upon the existing access and parking arrangements which were considered to be acceptable under application P20/12627/F for the house extension. There are therefore no transportation objections to the proposal.

Trees and Landscape Issues

5.19 There are trees within the northern parcel of land which could be affected by the proposed picket fence. At the request of the Council's Tree Officer an Arboricultural Method Statement by WTC has been submitted. The Tree Officer is satisfied that subject to the picket fence being erected in accordance with the Arboricultural Method Statement there no objections to the proposal; this can be secured by condition.

5.20 Consideration of likely impact on Equalities

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

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

Very Special Circumstances

5.22 It has been established above that the proposed development represents inappropriate development within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF establishes that substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF para. 148).

5.23 In this case, in addition to the Green Belt harm, there would be some additional harm to the character and appearance of this rural location and to the character and setting of the Tockington Conservation Area; the level of this additional harm however would not be substantial and very little weight is afforded the harm.

5.24 The onus therefore falls on the applicant to demonstrate that 'very special circumstances' exist that overcome the harm by reason of inappropriateness and any other harm.

Applicant's Justification

There is no set or clear guidance in terms of what can be considered as VSC and each case needs to be assessed on its own merits. It is not the case that there needs to be one single factor which amounts to there being a very special circumstance; it can be a number of factors considered in combination. The case needs to be put forward to demonstrate that these factors outweigh the harm. There is case law that says that a number of factors, none of them "very

special” when considered in isolation, when combined together can amount to very special circumstances and goes on to say that “there is no reason why a number or factors ordinary in themselves cannot combine to create something very special”. This should be a qualitative rather than a quantitative assessment where the decision maker has a wide degree of latitude.

5.25 A Very Special Circumstances Statement has been submitted in support of the application that states the following:

1) The land subject of the change of use application has already been purchased by the applicant because it is surplus to requirement by the school. This has been demonstrated by the letter from the school Headmaster dated 18 October. As such, the land cannot revert to being used by the school as it is not within their ownership. Due to potential issues with insurance children from the school would not be able to use the land and it would therefore have to be fenced off, by installing a boundary fence of up to 2m in height under “permitted development”. The current proposed timber picket fence is only 1.2m in height and is therefore considered to be much more preferable in terms of GB impact. The current proposals would be less harmful than a 2m high fence and protect the openness of the GB. By approving the proposed scheme, the Council would retain control over proposed and future development on the site.

2) Parkside House has an extant permission (P20/12627/F) for the “Erection of a first floor side extension and two-storey front extension to form porch and additional living accommodation” on which work is due to commence shortly. The proposals mean the living accommodation and property is being increased in size putting pressure on the overall plot size. Utilising the land for Parkside House would therefore lead to a more efficient use of land;

3) Parking, including garaging, for the property is located to the north of the main building. The curtilage runs very tightly around the north-east and south-east sides of the house meaning that cars struggle to turn where the garaging and parking area is. As a result, vehicles are currently having to reverse along a long stretch of track to get to the parking area;

4) The amount of land subject of the application is not substantial and is considered a very reasonable size given the scale of the soon to be extended host dwelling;

5) The proposals would preserve the setting of the Conservation Area and Listed buildings to the south of the application site;

6) As already stated, the existing use of the land means it is maintained, manicured and used for the siting of paraphernalia as well as many permanent structures.

Green Belt Balance

5.26 Taking these six points in turn, officers consider the following:

1) It may well be that the land is surplus to requirements by the school but it seems premature of the applicant to have bought the land prior to gaining planning permission for the proposed change of use. Regardless of who owns the land, what is to be assessed is whether or not the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. What is before the Council is a proposed change of use to residential garden to be enclosed by a 1.2m

picket fence. The applicant's agent is attempting to force the Council's hand by introducing arguments that are pure supposition that in officer opinion carry very little weight.

- 2) Application P20/12627/F for the extension of Parkside House was approved Nov 2020 (see para. 3.6 above). At that time the case officer made an assessment of the private amenity space provision for the proposed extended dwelling and concluded as follows:

"PSP43 requires 4+ bed dwellings to provide at least 70 sq. m. of private amenity space. This would be readily available in the event of the proposal being implemented. Accordingly, officers do not consider the proposal to be unacceptable in this regard."

Whilst the applicant may desire a larger garden area, there is no Policy requirement to provide one. This is not therefore a very special circumstance.

- 3) Again, the access and parking arrangements were assessed under P20/12627/F and found to be acceptable. Whilst it may be desirable to improve the manoeuvring arrangements for cars on site, there is no policy requirement to do so, so this again cannot be considered a very special circumstance.
- 4) It is agreed that the two parcels of land the subject of this application are not large but as for point 2, the amount of amenity space proposed for P20/12627/F was previously considered to be acceptable.
- 5) It is agreed that the proposal would adequately preserve the setting of the Listed Building and Conservation Area, but that is a policy requirement in its own right and is not a very special circumstance.
- 6) This point is somewhat contradictory to the information previously provided by the applicant's agent, whereby he suggests the southern parcel of land has only been used to store hedge/tree clippings and the northern parcel is wooded. It is true that the land parcels are manicured but only in as much as they are mown like the rest of the playing field.

5.27 The relatively small scale of the land parcels does to some extent temper the level of harm, nevertheless substantial weight must be given to any harm to the Green Belt (NPPF para.148). The proposed change of use would result in an urbanising effect and encroachment into what is otherwise an open, almost parkland countryside setting within the Green Belt.

5.28 The applicant's agent has made the case that the site is not readily visible from the public realm. Officers do not dispute that there is limited visibility from the public realm and the garden would, for the most part be experienced from the neighbouring playing field. However, inspectors have noted that this lack of visibility does not mean there will not be impacts on the openness, which is after all a principle issue. An example of this would be APP/J1915/W/17/3188031 (dismissed 22nd March 2018), in which the inspector noted;

“The concept of openness is not related to visual appearance or the extent to which development can be seen but is an intrinsic quality which along with its permanence is an essential characteristic of the greenbelt”

- 5.29 On balance therefore, officers do not consider that the above constitute the very special circumstances required to overcome the harm to the openness of the Green Belt by reason of inappropriateness.

6. CONCLUSION

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

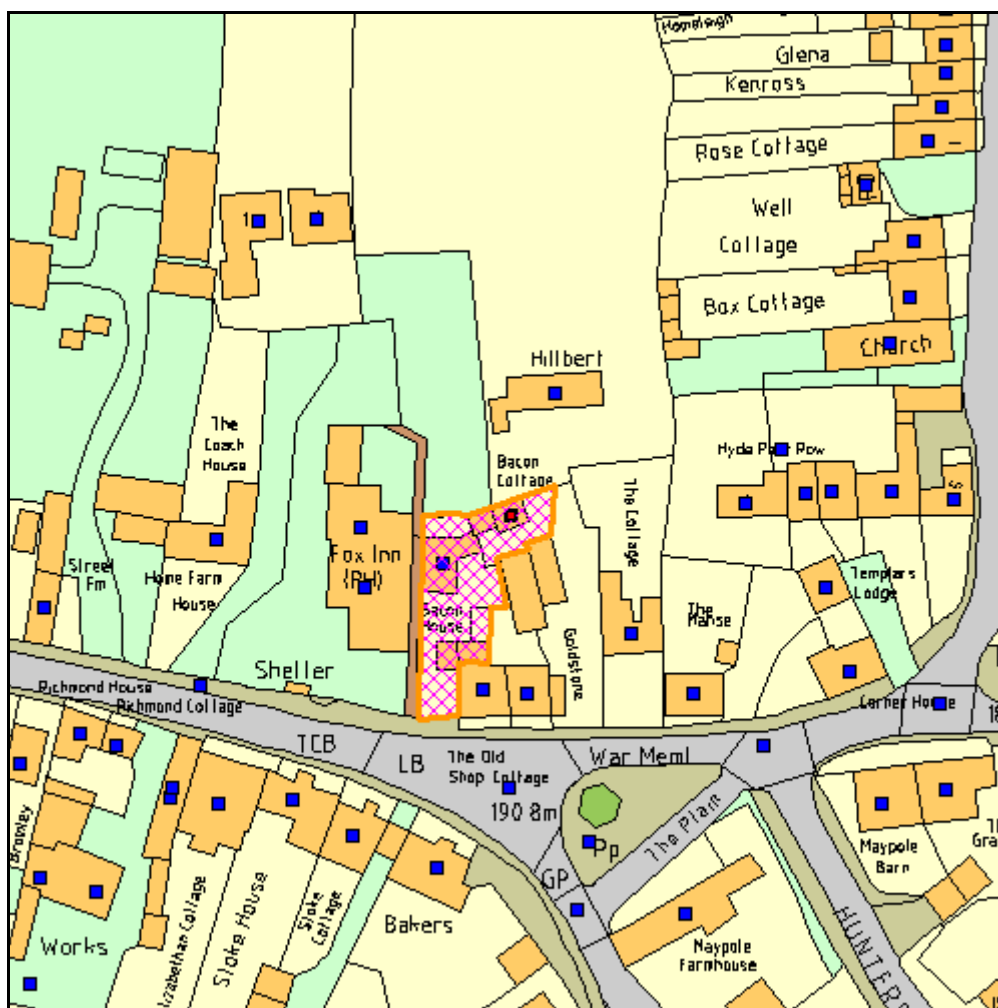
7. RECOMMENDATION

- 7.1 That planning permission be **REFUSED** for the reason listed on the Decision Notice.
1. The site is located within the Bristol/Bath Green Belt and the proposal, due to its urbanising effect and resultant loss of openness as well as encroaching into the open countryside, does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policies CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP7 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and the National Planning Policy Framework.

Case Officer: Roger Hemming
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

App No.:	P21/04797/F	Applicant:	Sir/Madam
Site:	Bacon Cottage The Plain Hawkesbury Upton South Gloucestershire GL9 1AT	Date Reg:	27th September 2021
Proposal:	Installation of replacement windows.	Parish:	Hawkesbury Parish Council
Map Ref:	377981 186986	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Householder	Target Date:	16th November 2021



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P21/04797/F

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection from the Parish Council and 2no. comments of objection from local residents, contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the installation of replacement windows, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application relates to Bacon Cottage, a locally listed property located within Hawksbury Conservation Area and the Cotswolds Area of Outstanding Natural Beauty (AONB). The dominant feature within the site is a traditional stone built cottage that is set back from the public highway, concealed behind neighbouring dwellings. The property is approached by a private drive to the east of the site and benefits from off-street parking, along with 2no. internal courtyards, providing adequate amenity space.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
Historic England's Good Practice Advice in Planning Note 2 "Managing Significance in Decision-Taking in the Historic Environment"
Historic England's Good Practice Advice in Planning Note 3 "The Setting of Heritage Assets (2nd Edition)"

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

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP11 Transport Impact Management

- PSP16 Parking Standards
- PSP17 Heritage Assets and the Historic Environment
- PSP38 Development within Existing Residential Curtilages
- PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted August 2007)
Residential Parking Standards (Adopted December 2013)
Householder Design Guide (Adopted March 2021)

2.4 Hawksbury Conservation Area SPG

3. RELEVANT PLANNING HISTORY

- 3.1 **P21/03968/F**. Demolition of existing side extension. Erection of two storey side extension to form additional living accommodation. Erection of enlarged porch area. **Pending Consideration**.
- 3.2 **PK03/2276/F**. Demolition of existing conservatory and erection of two storey side and first floor extension. Installation of 1no. front dormer window to form additional living accommodation. (Resubmission of PK03/0777/F). **Approve with Conditions**. 16/12/2003.
- 3.3 **PK03/0777/F**. Erection of first floor side extension and demolition of conservatory to facilitate erection of two storey side extension to form additional living accommodation. **Refusal**. 28/05/2003.

4. CONSULTATION RESPONSES

- 4.1 Hawksbury Parish Council
Objection. Based on the information received the replacement windows detailed in the plans are not be in keeping with the neighbouring properties within the conservation area.
- 4.2 The Listed Building & Conservation Officer Natural & Built
No objection. Bacon Cottage is an unlisted building, located to the rear of separate dwellings that front the 'The Plain'. The proposal seeks permission to replace existing uPVC windows with aluminium versions, adopting a heritage green colour as opposed to the ubiquitous white of modern uPVC. The use of more traditional materials is welcomed and, as a result of its location and restricted views, the proposal will not harm the architectural or historic character or appearance of the conservation area.
- 4.3 Local Residents
2no. comments have been received from local residents objecting to the proposed development. The comments raise the concern that the colour of the replacement windows is out of keeping with the surrounding area and will therefore be detriment to the Conservation Area.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated within the small village of Hawksbury Upton and is currently utilised as a C3 dwellinghouse. The proposed development would alter the external appearance of the property as a result of replacement windows.

Policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 is relevant to this application. The policy indicates that residential extensions are acceptable in principle subject to considerations of visual amenity, residential amenity and highway safety. The proposal therefore accords with the principle of development subject to the following considerations.

5.2 Design and Visual Amenity

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

5.3 The proposed scheme would see the properties existing double glazed windows set in white uPVC frames replaced with aluminium versions, of which will adopt a heritage green colour.

5.4 Historic England's Traditional Windows SPD mentions that during the inter-war years non-ferrous metals such as bronze and aluminium started to be used for windows and by the middle of the 19th century the colour Brunswick green was also widely used for external window frames. Additionally, the SPD states reasons why uPVC windows are unsuitable for older buildings, particularly those that are listed or in conservation areas.

5.5 Although upon review of the surrounding area, there are no properties with heritage green colour window frames. In light of the points raised above, given that the property features uPVC windows and sits within a conservation area, the use of more traditional materials is welcomed. Therefore, both the planning officer and conservation officer consider that the proposed aluminium windows are to be more sympathetic to the application dwelling than the existing windows within the application property. Furthermore, as a result of the application dwelling's location and restricted views from the public realm, the proposal will not harm the architectural or historic character of appearance of the conservation area.

5.6 All-inclusive, it is considered that the proposal would not be detrimental to the character of the host dwelling or surrounding area and therefore it is of an acceptable standard of design. As such, the proposal is deemed to comply with policies CS1 and PSP38.

- 5.7 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan relates specifically to residential amenity in which it states development proposals are acceptable, provided that they do not create unacceptable living conditions or result in unacceptable impacts on the residential amenities of occupiers of the development or of neighbouring properties. These are outlined as follows (but not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.
- 5.8 The proposals are cosmetic changes. As such, the proposal would have no greater impact than the existing structure upon neighbouring amenity. Therefore, the proposed works would satisfy policy PSP8.
- 5.9 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. The impact upon the amenity of the host dwelling appears unchanged by the proposed development and as a result found to comply with policy PSP43.
- 5.10 Transport (Access and Parking)
Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. The proposed works would not increase the provision of bedrooms or otherwise expand the degree of occupancy within the dwelling. As such, the existing parking and transportation provision for the application site is unaffected by the proposal.
- 5.11 Area of Outstanding Natural Beauty (AONB)
The application site is situated within the Cotswolds AONB. The host dwelling is set back from the street and concealed behind neighbouring properties, as such, would not be prominent within the public realm. In addition, the proposals are considered as small scale development which does not encroach on the open countryside. Overall, it is judged that the proposal would conserve the natural beauty of the Cotswold AONB.
- 5.12 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act, the public sector equality duty came into force. Among other things, those subject to the equality duty must have due regard to: eliminate unlawful discrimination; harassment and victimisation; advance equality of opportunity; and, foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below (received 01st July - 21st September 2021):

Block Plan

Site Location Plan

Replacement Windows

Reason

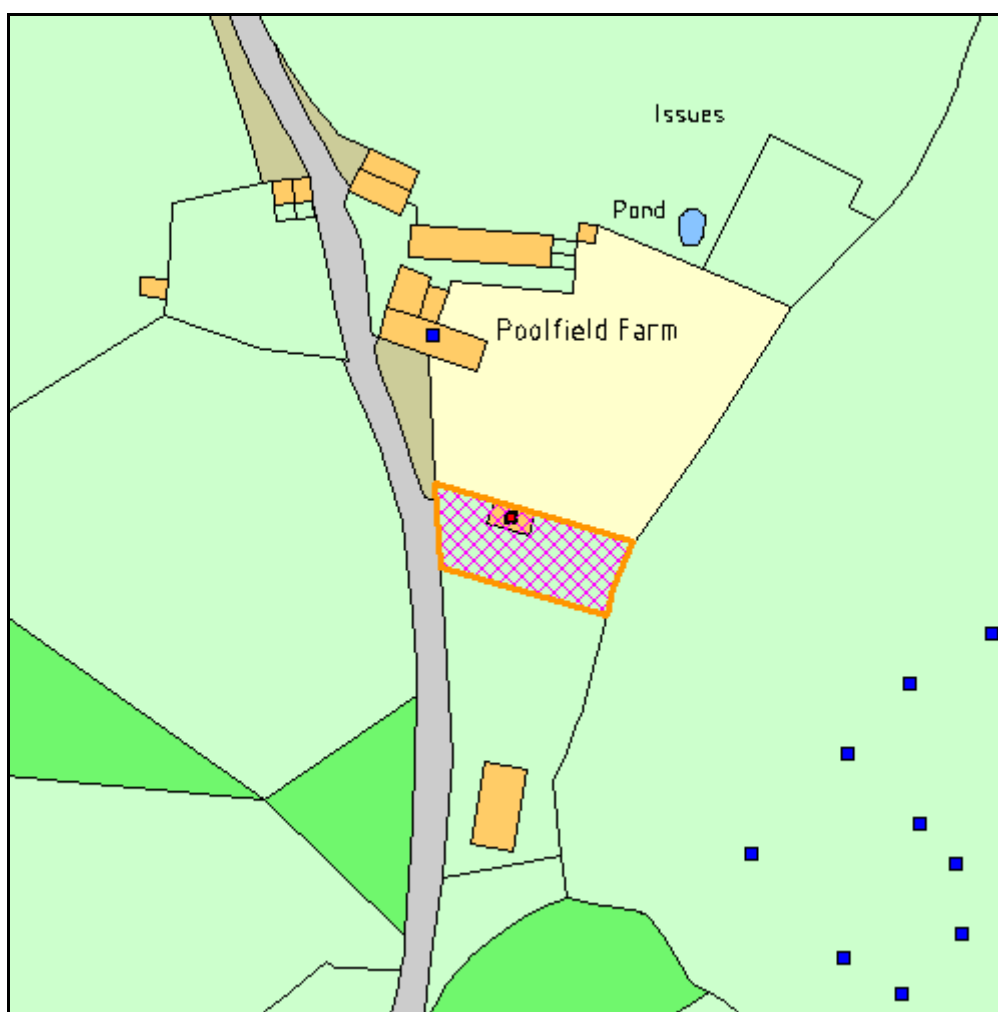
To define the terms and extent of the permission.

Case Officer: Chloe Summerill

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

App No.:	P21/05224/F	Applicant:	Pearce
Site:	The Willows Poolfield Farm Lane Charfield South Gloucestershire GL12 8HY	Date Reg:	4th August 2021
Proposal:	Erection of a single storey front extension and porch to form additional living accommodation.	Parish:	Charfield Parish Council
Map Ref:	371925 192415	Ward:	Charfield
Application Category:	Householder	Target Date:	21st September 2021



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P21/05224/F

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

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This planning application will be added to the Circulated Schedule because the proposal has received 3 No letters of support from Local Residents, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey front extension and porch to form additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at The Willows, is set within a good sized plot, and is an existing single storey detached property. It is located on the edge of Charfield and is outside of any settlement boundary.
- 1.3 The Willows Barn is within the region of 'Poolfield Farm', which is a Grade II Listed building. The Willows Barn historically formed part of 'Poolfield Farm' but separated prior to the listing of 'Poolfield Farm'. Historically the building was a farm building within a paddock. The building is approximately 20 meters to the South West of the Grade II Listed farmhouse and is at a lower ground level, enclosed within mature hedgerows, permanent boundaries and clearly separated from Poolside Farm.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
National Planning Practice Guidance – Enhancing and Conserving the Historic Environment (Revised July 2019)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP41	Rural Workers Dwellings
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Householder Design Guide SPD (Adopted) March 2021

Traditional Rural Buildings – Guidance on barn conversions SPD (Adopted) 2021

2.4 Other Planning Guidance

Charfield Neighbourhood Plan

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

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

3. RELEVANT PLANNING HISTORY

3.1 P20/24192/RVC. Variation of condition 2 (listed plan) and removal of condition 3 (sample panels of stonework) attached to planning permission PT13/0859/F (Appeal Ref.: APP/P0119/A/13/2205965) - Conversion of existing outbuilding to form 1no. dwelling with access and associated works. (Resubmission of PT12/1168/F).

3.2 PT13/0859/F. Conversion of existing outbuilding to form 1no. dwelling with access and associated works. (Resubmission of PT12/1168/F). Refused. 02.05.2013. Appeal Allowed.

3.3 PT12/1168/F. Conversion of existing outbuilding to form 1no. dwelling with access and associated works. Refused. 01.06.2012.

Refusal Reasons:

- *The proposed development would give rise to an increase in vehicle and pedestrian traffic along a single track highway with no passing bays, with the increased likelihood that vehicle/vehicle conflicts and vehicle/pedestrian/horse rider conflicts will occur, the consequences of which will mean that either one vehicle will need to reverse into the complicated junction with Wotton Road or the leisure users of the lane (pedestrians/horse riders) will be inconvenienced and put at risk by having to seek refuge in unsuitable locations adjacent to the lane. As such this proposed development, by intensifying the use of the lane, would present an unacceptable risk to the safety and convenience of road users and would therefore be contrary to policies D1 and T12 of the South Gloucestershire Local Plan (adopted) 2006.*

4. CONSULTATION RESPONSES

4.1 Charfield Parish Council
No comments received.

4.2 Other Consultees
Listed Building and Conservation Officer
Comments received.

Arboricultural Officer
No Objections – Comments received.

Environmental Protection – Contaminated Land
No Objections

Archaeology Officer
No Comments received.

Other Representations

4.3 Local Residents
3No letters of support received.

5. ANALYSIS OF PROPOSAL

5.1 The proposal seeks to erect a single storey front extension and porch to form additional living accommodation. The application site is situated within the open countryside and is currently utilised as a C3 dwellinghouse. The proposed development would extend the area of living accommodation to the front of the property within an area currently used as an area of hardstanding/driveway, access and private amenity space.

5.2 Principle Of Development
PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages where they do not harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings.

5.3 CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour, and materials are informed by respect and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.4 CS9 states that the natural and historic environment is a finite and irreplaceable resource and that new development is expected to ensure heritage assets are conserved, respected and enhanced appropriate to their significance. It is noted that such assets make a significant contribution to the identity of the locality helping to create a sense of place. In addition to CS9, PSP17 goes on to state that development proposals should serve to protect, and where appropriate, enhance or better, reveal the significance of heritage assets and their settings, and that they should be conserved in a manner that is appropriate to their significance.
- 5.5 As the site is within the open countryside, PSP40 is also relevant to this proposal. PSP40 sets out that within the open countryside, proposals including any alterations or extensions will be acceptable where they do not have a harmful effect on the character of the countryside, or the amenities of the surrounding area. Additional guidance on achieving good design for householder developments is set out in both the Traditional Rural Buildings SPD (Adopted) 2021 and the Household Design Guide SPD. The principle of development is therefore considered acceptable subject to the detailed assessment below.
- 5.6 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.7 The proposed single storey front extension will have an overall width of 2.2 meters and be to a depth of 4.5 meters. It will have a glazed gable fronted pitched style roof, with 3 No conservation style rooflights to the west elevation and it will extend to 2.2 metres in height to the eaves, maintaining the existing eaves height. The proposed porch will extend to an overall width of 3.1 meters and depth of 1.7 meters from the front of the host dwellinghouse. It will feature a gable front pitched roof and extend to 2.2 meters in height to the eaves, maintaining the existing eaves height and feature materials matching those of the existing host dwellinghouse.
- 5.7 The dwellinghouse currently has the appearance of a traditional detached converted barn. Great effort was made when permission was originally granted for the conversions to ensure that the resultant building still looked very much like a barn. Its current design is linear, simple and decluttered. The proposed extensions to the front façade would appear incongruous with the traditional characteristics of the converted barn. They would introduce a substantial front extension and porch perpendicular to the existing barn and appear out of keeping the scale, and character of the existing barn. The proposed extensions by virtue of their size and positioning on the front of the building would erode and detract from the character and design of the existing conversion. The application is therefore contrary to the requirements of Policies CS1, PSP40 and PSP38

- 5.10 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.11 The host dwellinghouse is well separated from other residential dwellings. Therefore, by reason of its siting, the proposed development would not have any material impacts on the residential amenities of neighbouring occupiers.
- 5.12 The dwelling is set within a plot which benefits from ample amenity space, well in excess of the minimum standards set out in PSP43.
- 5.13 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal does not include any additional bedrooms, therefore there are no transport concerns.
- 5.14 Listed Building and Conservation
The application has also been considered within the context of CS9, PSP17 and section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and within the context of paragraph 202 of the NPPF.
- 5.15 Para 199 of the National Planning Policy Framework states: *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Para 202 states: *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*
- 5.16 Policy PSP17 of the Policies, Sites and Places Plan and policy CS9 of the Core Strategy relate to conservation, and seek to protect the character and appearance of conservation areas and the significance and setting of heritage assets such as listed buildings. These policies are up to date and in accord with the provisions of the National Planning Policy Framework.
- 5.17 As noted above, the building can be considered to contribute to the setting of the listed farmhouse. While now converted and in residential use, it is considered that its functional origins and historic association with the farmhouse remains legible due to its simple linear form under a gable tiled roof with a front elevation retaining the articulation of the rhythm of the regularly spaced bays divided by masonry pillars. By retaining elements of the historic

characteristics of the building, “The Willows” can be considered to make a positive contribution to the setting of the farmhouse, as while it may be of limited architectural and historic value in its own right, “The Willows” can be considered to contribute to the evidential and historic value of the setting to the farmhouse as it helps retain the narrative of the historic agricultural use of the site.

- 5.18 The contribution The Willows makes to the setting of the grade II listed Poolfield Farmhouse is a notable and positive one. Moreover, while the significance of Poolfield Farmhouse may be considered to be primarily derived from its standing fabric and architectural style, its setting can also be considered to contribute to its significance, as being associated within an historic building group within a rural landscape helps retain a degree of authenticity to this historic farmhouse.
- 5.19 The proposed extension, by reason of scale and positioning would result in a building with a rather contrived layout. While linear ranges may develop into a building with an “L-shaped” layout, what is proposed is uncharacteristic of such buildings and would represent a significant departure from both original plan form and subsequently its authenticity. The proposed extensions would result in a building that would intrude into rather than complement the setting of the farmhouse, all to the detriment of the building’s authenticity and the subsequently the setting of the farmstead group.
- 5.20 By reason of its scale and positioning, the proposed extensions are both considered harmful to the existing character of this former agricultural building. By reason of scale and siting, the harm caused by the development proposals to the character of the existing building would be harmful to the setting and in turn significance of the grade II listed Poolfield Farmhouse. As the development proposals would neither sustain nor enhance the significance of the designated heritage asset, they are considered contrary to CS9 and PSP17 and section **66(1)** of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.21 In accordance with Para 196 of the NPPF, the identified harm to the listed building must be weighed against the public benefit of the proposal. In this case, the benefit is purely private – no public benefit has been identified.
- 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.

5.18 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 **refuse** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

7.1 It is recommended that planning permission is **REFUSED** subject to the reasons detailed on the decision notice.

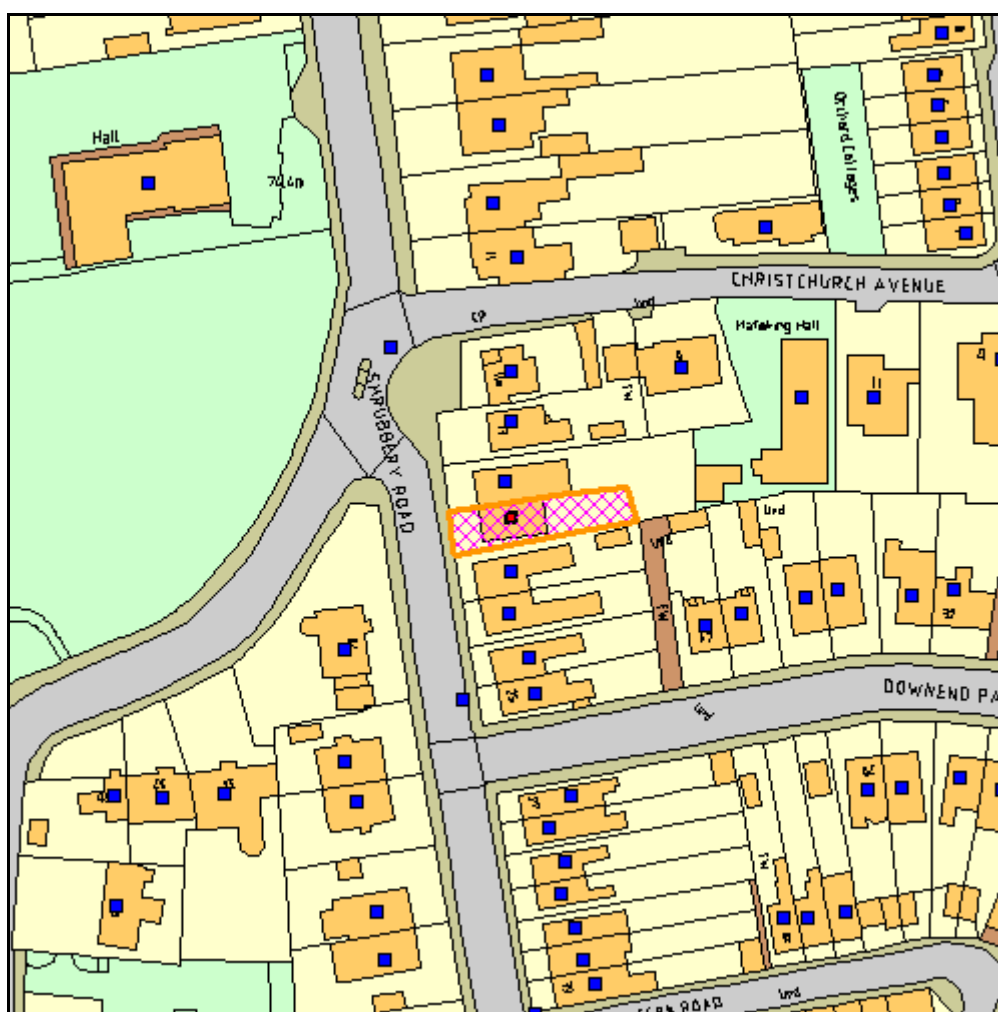
1. The proposed single storey extension and porch, would result in a poorly designed addition with inappropriate scale, massing, proportions and form that would not sufficiently reflect the existing characteristics of the converted barn or that of the surrounding context of Poolfield Farm. The development is contrary to policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP38 and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; the South Gloucestershire Householder Design Guide (Adopted) March 2021 and the South Gloucestershire Council Traditional Rural Buildings - Guidance on barn conversions SPD (Adopted) March 2021.
2. By reason of scale and siting, the harm caused by the development proposals to the character of the existing building would be harmful to the setting and, in turn, significance of the adjacent grade II listed Poolfield Farmhouse. The development proposals would neither sustain nor enhance the significance of the designated heritage asset, and thus they are contrary to the requirements of CS9 of the Core Strategy (Adopted), PSP17 of the Policies Sites and Places Plan (Adopted), the NPPF and section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Case Officer: Helen Turner

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

App No.:	P21/05893/F	Applicant:	Sam Andrews Andrews Capital Ltd
Site:	17 Shrubbery Road Downend South Gloucestershire BS16 5TA	Date Reg:	2nd September 2021
Proposal:	Erection of a single storey rear extension to facilitate change of use from a residential dwelling (Class C3) to a 8 bedroom house in multiple occupation (HMO) for up to 8 people (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	
Map Ref:	364784 176333	Ward:	Staple Hill And Mangotsfield
Application Category:	Minor	Target Date:	27th October 2021



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P21/05893/F

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

INTRODUCTION

This application appears on the Circulated Schedule due to more than three letters of objection from local residents, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application site comprises a semi-detached property on the eastern side of Shrubbery Road within the urban residential area of Downend. The property is two storey with room in the roof space facilitated by an existing dormer roof extension.
- 1.2 Internally the layout will remain largely unchanged however it is proposed to add a single storey rear extension to facilitate the change of use of the dwelling house to an 8 person/8bedroom HMO (House in Multiple Occupation). As the extension (which forms part of a communal living area) is 3 metres in depth, 2.6m to the eaves and 3.9 metres to the ridge of the roof under Part 1 Class A of the General Permitted Development Order it should be noted that the extension could be built as permitted development however for completeness it has been included in the description of the development. No other external changes to the fabric of the building are required.
- 1.3 External amenity space is provided in a 63 sq.m garden where a secure cycle storage area will be provided (for 8 bikes). Waste/recycling storage would be provided in purpose built units at the front of the property.
- 1.4 There are no parking spaces for the existing six bed property and none are to be provided. During the course of the consideration of the application, a parking survey has been submitted.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) July 2021
National Planning Practice Guidance (NPPG)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 - High Quality Design
CS4A - Presumption in Favour of Sustainable Development
CS5 - Location of Development
CS8 - Improving Accessibility
CS9 - Managing the Environment and Heritage
CS15 - Distribution of Housing
CS16 - Housing Density
CS17 - Housing Diversity
CS18 - Affordable Housing

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

PSP1 - Local Distinctiveness

PSP8 - Residential Amenity

PSP11 - Transport Impact Management

PSP16 - Parking Standards

PSP17 - Heritage Assets and the Historic Environment

PSP39 - Residential Conversions, Subdivision, and HMOs

PSP43 - Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007)

South Gloucestershire Council Waste Collection: guidance for new developments SPD (Adopted) Jan 2015

Houses in Multiple Occupation SPD (Adopted) 2021

3. RELEVANT PLANNING HISTORY

No relevant planning history

4. CONSULTATION RESPONSES

4.1 Town/ Parish Council

The area is unparished

4.2 Other Consultees

Transportation D.M

Initial Comments

I recommend that the Applicant carries out on-street car parking surveys during a weekday evening between 18:00 and 20:00 and during a weekend between 10:00 and 12:00 midday. The surveys must be supported with photographic evidence of available car parking spaces within a 200m walking distance of the site. Once the surveys have been submitted we will be able to comment further on the impact of car parking on the surrounding highway.

Following the submission of this additional information – no objection is raised

Other Representations

4.3 Local Residents

There have been five letters of objection received. The grounds of objection can be summarised as follows:

- The proposal will result in traffic and parking chaos as well as highway safety concerns particularly given that there are already schools at either end of the street
- There are no other HMO's on the street which is a family neighbourhood
- Insufficient parking is provided
- The sewage system is not adequate
- There will be issues over noise and parking with additional occupants
- There could be a reduction in house prices/value

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

5.2 Policy PSP39 within the adopted Policies, Sites and Places Plan (2017) states that where planning permission for an HMO is required, this will be acceptable, provided that this will not prejudice the amenity of neighbours. Supporting text states that the term "neighbours" should be taken to mean properties adjacent to, and surrounding, the application site which have a reasonable potential to be directly affected by harmful impacts arising from the proposal(s).

5.3 In addition, Policy PSP8 maintains that development proposals will only be acceptable provided that they do not 'have unacceptable impacts on residential amenity of occupiers of the development or of nearby properties'. Unacceptable impacts could result from noise or disturbance, amongst other factors, which could arise from HMOs functioning less like traditional single households on a day-to-day basis.

5.4 Prejudicing the amenity of neighbours can arise at a localised level when developments of such HMO uses are inappropriately located, or become concentrated, particularly at an individual street level. Additional Explanatory Guidance 1 of the recently adopted Houses in Multiple Occupation SPD (Adopted) 2021 sets out that the following factors should be taken into account when determining if the proposal would prejudice the amenity of adjacent neighbours:

- Whether any dwelling house would be 'sandwiched' between two licensed HMOS, or,
- Result in three or more adjacent licensed HMO properties.

In the case of the current application site the conversion of the property would not result in the above situation arising, as there are no neighbouring HMO's

5.5 As set out in Policy CS17, providing a wide variety of housing type and sizes to accommodate a range of different households, will be essential to supporting mixed communities in all localities. Sub-division of existing dwellings and non-residential properties to form flats or HMOs can make a valuable contribution suitable for smaller households and single people as part of these mixed communities.

- 5.6 Policy CS17 does not define what is meant by ‘mixed communities’ in all localities. Instead, it acknowledges that implementation of this policy, and PSP39, will be made on a case basis through the development management process. Therefore, the HMO SPD aims to acknowledge that some intensification, if carried out sensitively, and where it would not adversely affect the character of an area, can contribute to the local mix and affordability of housing, viability of local services, vitality of local areas and contribute to the Council’s housing delivery targets.
- 5.7 As there are localities which are already experiencing concentrations of HMOs, the SPD requires consideration of existing localities that are already experiencing levels of HMOs which harm the ability to support mixed communities and preventing impact on character and amenities, and applications which would result in a level of HMOs that could contribute towards harmful impacts.
- 5.8 In the SPD, Additional Explanatory Guidance 2 sets out that the following factors should be taken into account when determining if the proposal would contribute to harmful impacts in respect of a mixed community and the character and amenity of an area:
- An additional HMO in localities where licensed HMO properties already represent more than 10% of households, or,
 - More than 20% of households within a 100m radius of the application property.
- 5.9 For the purposes of this assessment, a ‘locality’ is defined by a statistical boundary known as a Census Output Area.
- 5.10 **In the case of 17 The Shrubbery Road there are currently NO other HMO properties within the Census Output area and there are NO HMO’s within a 100m radius of the property.**
- 5.11 In the light of the above the principle of change of use to an HMO is therefore considered to comply with policies PSP39, PSP8 and CS17 and the recently adopted SPD.
- 5.12 In regards to the proposed extensions, Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. These matters are considered below.
- 5.13 Impact on the character of the area.
- The application is proposing a single storey lean-to style rear extension. The modest extension is considered appropriate in design terms in terms of its form scale and appearance.

The extension has been included in the description of development (to show how additional living space is achieved) however it is of significance that the extension falls within the permitted development rights and does not need consent in its own right. Notwithstanding this the design is acceptable and would not impact upon the character of the area or neighbours.

5.14 Residential amenity

As already set out, the principle of the change of use is not considered to significantly impact upon the residential amenity of neighbouring occupiers.

For the future residents a separate licensing process will cover internal living space however for the record the eight bedrooms range from 8.2sq.m to 12.74sq.m (the National Space Standard for a single bedroom is 7.5sq,m). Bathrooms are provided on each floor (two on the first). There is a kitchen diner.

Policy PSP43 sets out minimum standards for private external amenity space, however there is no set standards for HMOs. Using this policy as a reference, a 1no. bed flat should have access to a minimum for 5m² amenity space. Using this standard, 8 x 1bed. flats would require 40m² amenity space. The rear garden is in excess of this requirement at 63 sq.m excluding the bike store), and as such it is considered that sufficient private amenity space would be provided for future occupants.

5.15 Transportation/Highway Impact

The Council Policy PSP16 parking standard for HMO's is one space per two bedrooms rounded up to the nearest whole number of spaces. Therefore an 8 bed HMO requires 4 spaces. The Policy states that these can be provided on-site or alternatively on-street where there is a suitable width of carriageway. The property dates from a time prior to car ownership and therefore no parking spaces can be provided.

Of relevance however the existing parking requirement for the existing six bedroom property would be three spaces. The proposal therefore would only generate the need for one additional space over and above what would be required for the existing dwelling. Concerns relating to parking are noted however parking is available on street as evidenced by the submitted parking survey detailed below. The site is within reach of public transport and local facilities. Cycle storage for 8 bicycles is provided within a secure store in the rear garden (with bin storage to the front)

A parking survey has been provided. The survey has demonstrated that there is sufficient on-street car parking capacity particularly given that the proposal only generates the need for one additional parking space over and above the current situation. The surveys were undertaken on a Monday evening and Saturday morning thus not at the peak weekday times for school drop off when cars are more likely to be being used. The survey noted that within 200 metres there are 62 spaces available in the evening (after 7 when demand would be high) and between 65 and 72 spaces on Saturday morning (before 10am)

during the three counts undertaken. The Transportation Team are content with the findings.

Cycle parking will be provided in the form of 8 secure places, this is in compliance with the requirement set out in PSP16. A condition is recommended to ensure that cycle storage is provided prior to the first occupation of the building as a house in multiple occupation.

Waste/recycling is provided to accord with policy and the SPD. It will be provided at an appropriate location to the front of the property. A condition will be applied to ensure that this is provided prior to the first use of the building as a house in multiple occupation.

In summary, the evidence supplied indicates that the proposal would not result in significant harm being caused to the local highway network or highway safety.

5.16 Other Issues

Concern that the sewerage system is not adequate has been raised. It is not considered that the addition of effectively two additional bedrooms would result in such an issue, however given that the property is connected to the existing mains system this is not a material planning consideration.

Concern relating to property values are noted however this is not an issue that can be taken as a material planning consideration.

5.17 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. This planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

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

7. **RECOMMENDATION**

7.1 It is recommended that the application be **GRANTED** subject to the conditions set out below.

CONDITIONS

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

Reason

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

2. The cycle storage provisions and refuse storage provisions, as shown on the Existing and Proposed Block Plans (drawing no. 3938.PL.02 Rev B) received by the council on 1st September 2021, shall be provided prior to the first use as a 8 person HMO and retained for those purposes thereafter.

Reason:

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

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

Received 27th August 2021

3938.PL.01	LOCATION PLAN
3938.PL.03	EXISTING PLANS
3938.PL.04	EXISTING ELEVATIONS
3938.PL.05	PROPOSED PLANS

Received 1st September 2021

3938.PL.02	B	EXISTING AND PROPOSED BLOCK PLANS
3938.PL.06	A	PROPOSED ELEVATIONS

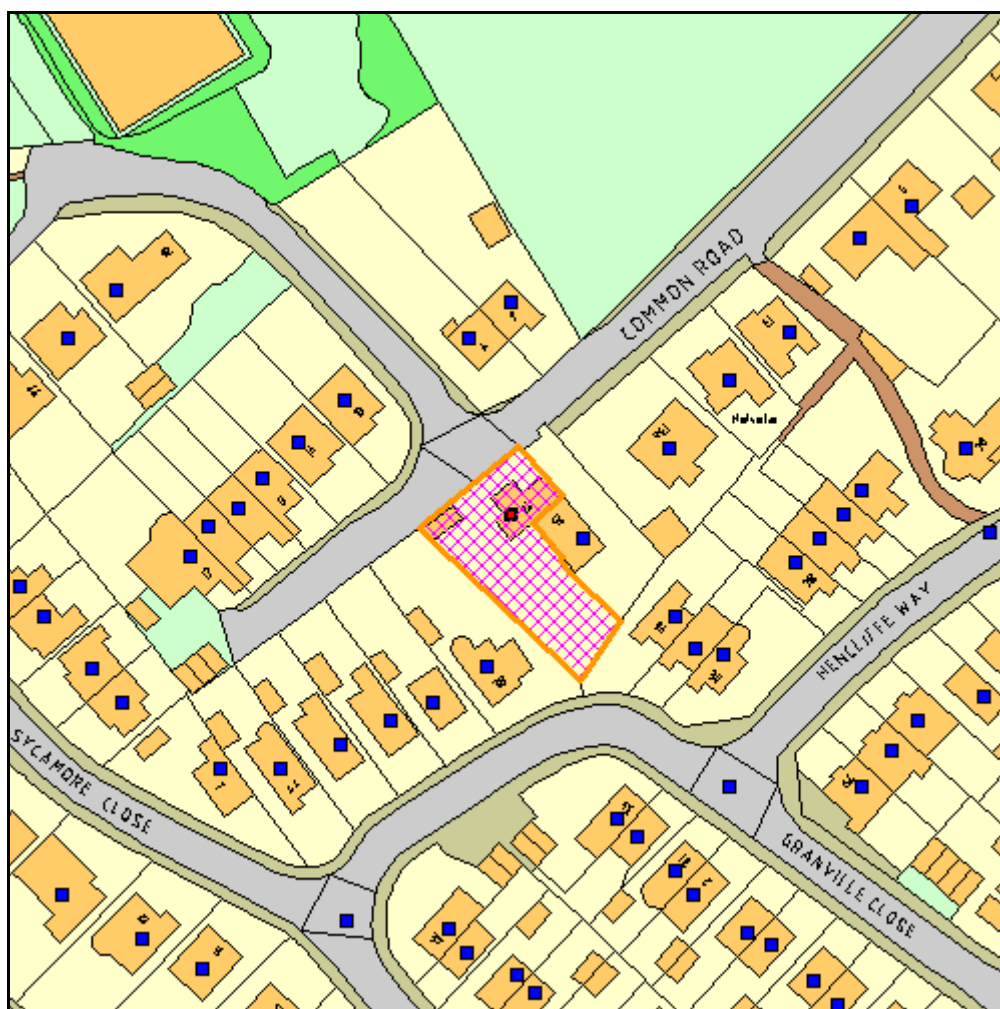
Reason:

For the avoidance of doubt

Case Officer: David Stockdale
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

App No.:	P21/05927/F	Applicant:	Mr Grant
Site:	17 Common Road Hanham South Gloucestershire BS15 3LJ	Date Reg:	7th September 2021
Proposal:	Erection of rear garage and hardstanding (re submission of P21/05047/F)	Parish:	Hanham Abbots Parish Council
Map Ref:	363831 171124	Ward:	Hanham
Application Category:	Householder	Target Date:	27th October 2021



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P21/05927/F

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because 3no. representations have been received from residents that are contrary to the officer recommendation and the findings of this report.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a detached rear garage and hardstanding within the curtilage of the application property.
- 1.2 The application site is a 4no. bedroom semi-detached dwelling, located at 17 Common Road, and benefits from recent refurbishment and alterations under a previous planning permission for a two-storey front and side extension to form additional living accommodation.
- 1.3 The site is located within the urban fringe area of Hanham, and is semi-detached to the neighbouring cottage, No.15, which is a locally listed property. Together these form an 'L' shaped footprint, with the access gate for No.15 present along the front elevation.
- 1.4 This application is a resubmission of a previous permission for a similar development which was refused under P21/05047/F for failing to comply with design and residential amenity policies set out within the development plan. The previous application presented:
 - A detached garage sited within a south easterly point in the rear garden
 - A structure of similar design to that of this application
 - A width of approximately 8.9m and depth of 7.9m
 - A double pitched roof measuring 2.1m at the height of the eaves and 7.1m at ridge height with a 45° apex
 - Approximately 72sqm of floor space
 - An external door and rolling garage door to the north elevation
- 1.5 The current proposal seeks to address the reasons for refusal, and now presents:
 - A detached garage sited to the south within the rear garden
 - A structure which is narrower, but deeper than the previous application with a width of approximately 6.2m and a depth of 9.8m
 - A double pitched roof measuring approximately 2.3m at the height of the eaves and 4.8m at ridge height with a 35° apex
 - Approximately 60sqm of floor space
 - An external door on the east elevation and rolling garage door on the north
- 1.6 Following concerns raised by the case officer, an amended plan, under drawing no. 003 (Revision B), was submitted and accepted by the Council to reduce the impact on residential amenity of the neighbouring properties. As such, the apex of the roof has been reduced and the siting of the structure brought forward 4m

from the rear garden boundary line. The application has therefore been determined on this basis.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS9	Managing the Environment and Heritage

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Local List SPD (Adopted) March 2008
Residential Parking Standard SPD (Adopted) December 2013
Technical Advice Note: Assessing Residential Amenity (June 2016)
Householder Design Guide SPD (Adopted) March 2021

3. RELEVANT PLANNING HISTORY

3.1 P21/05047/F (Refused – 19/08/2021)

Erection of 1 no. detached garage.

3.2 PK16/4798/O (Withdrawn – 23/09/2016)

Erection of 1no. dwelling (Outline) with access, layout and scale to be determined. All other matters reserved.

3.3 PK17/4090/F (Approved – 15/01/2018)

Sub-division of plot and demolition of existing garage to facilitate erection of 1no. dwelling with new access, parking and associated works. Erection of two storey front and two storey side extensions to existing dwelling to form additional living accommodation.

3.4 P19/3983/F (Approved – 27/06/2019)

Erection of two storey front and side extension to form additional living accommodation.

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council

No objection

4.2 Sustainable Transport

The applicant is seeking permission for erection of a garage as well as the creation of hardstanding area on site in order to provide off street parking for the existing property. This proposal if implement would reduce the potential on-street parking and as such, is considered acceptable from transportation point of view. In view of the above mentioned therefore, we transportation development control have no objection to this application. However, we recommend, subject to planning, that a planning condition be imposed to any consent to this to the following effects,

1) Prior to first use of the garage, provide 'Vehicle Electrical Charging Point' either within or outside the garage all to be maintained satisfactory thereafter

4.3 Residents

Two comments of support have been received, as summarised:

- Design in keeping with the property
- Easing of parking congestion on Common Road
- Improving road access

Four objections received, as summarised:

- Size and scale of the structure, particularly the height of the roofline
- Harmful to visual amenity of the street scene from Hencliffe Way
- Impact on neighbour's residential amenity, particularly at No. 15 Common Road and No. 36 Hencliffe Way
- Design and aesthetic appearance
- Open aspect and light compromised
- Noise generated as a result of the use of the garage
- Damage to established trees
- Over-powering neighbouring properties given the change in ground levels

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

development is acceptable in principle, subject to the following detailed consideration.

5.2 As part of this application, the main issue to consider is whether the current application fully overcomes the previous two reasons for refusal, as set out below:

- The development would result in a poorly designed building with inappropriate proportions that would appear visually dominant and not sufficiently reflect the scale and form of the host dwelling and its surrounding context. Due to this, it is considered the development is contrary to policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).
- Due to the position, scale and siting of the proposed development in relation to No.15 Common Road, the proposed detached garage would have an overbearing impact by means of creating an oppressive outlook for the residents of No.15, something which is to the detriment of residential amenity. Therefore, it is considered the development is contrary to policy PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the South Gloucestershire Householder Design Guide (Adopted March 2021)

5.3 Design & Visual Amenity

The main policies which have taken into account with respect to design and visual amenity is policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan. These policies underline the importance of high-quality design, and that development should respect the character and appearance of the host dwelling and its context. Additionally, the Householder Design Guide SPD sets out general design guidance principles in which extensions and alterations should aim to achieve successful integration by responding to the characteristics of the host dwelling and prevailing street scene and be subservient in scale and character.

5.4 The proposal seeks the erection of a detached garage in the rear garden of the application property. The case officer has taken note of the previous reasons for refusal relating to design and visual amenity and will make an assessment on whether these reasons have been overcome as part of this application.

5.5 As briefly mentioned, the proposed garage would be situated at a southern point within the rear garden of the property. The submitted plans indicate that the structure would measure approximately 6.2m in width and 9.8m in depth. Additionally, the garage would be finished with a double pitched roof which would measure approximately 2.3m at the height of the eaves and 4.8m at ridge height. The total creation of floor space is approximately 60sqm, as measured externally.

5.6 Comparing this with the previous application, the proposed structure now presents a narrower, but deeper, structure. There has been a reduction in depth

of approximately 2.7m and a small reduction in floor space of approximately 12sqm, as measured externally. Additionally, the siting of the garage has been brought forward 4m to what was originally proposed within this application.

- 5.7 Looking at the previous reasons for refusal, there was a clear concern over scale, positioning and siting of the garage, resulting in a disproportionate and dominated effect on the neighbours and within the street scene. Whilst the proposed garage within this application is deeper, the rear garden space presents an 'L' shaped footprint which wraps around the front and side of the property before extending out to the rear. The proposal therefore lends itself to a structure which is deeper, rather than wider. The case officer notes the reduction in width, which is deemed more appropriate within the setting of the rear garden in terms of its physical presence on the neighbours and proportions by way of its prominence from Hencliffe Way.
- 5.8 A sizable concern, which was raised within the previous refusal and within objections raised from neighbours, was the pitch and height of the roof. The previous plans presented a roof with an overall height of 7.1m and an apex at 45°. Given the nature of the site and its surroundings, this would have been a prominent and overbearing structure from the view from Hencliffe Way as well as on its neighbour's amenity. As such, the overall height and apex of the roof have been reduced by approximately 2.3m in terms of the height and 10° at the apex.
- 5.9 Likewise, siting was a clear reason for refusal given the overall characteristics of the site in terms of its proximity to neighbours, change in ground levels and visibility from Hencliffe Way. This objection was also raised by local residents, who felt the positioning of the garage was likely to negatively harm residential amenity as well as present a form which was out of keeping with the area, given the change in ground levels and visibility of the garage from the rear. On that basis, the siting of the garage was moved as part of this application to a more southerly point within the garden. The case officer was of the view that this siting was still negatively impacting the street scene from Hencliffe Way. As such, the structure has been brought forward an additional 4m away from the rear garden boundary line, which is considered in keeping with the staggered building line of the properties on Hencliffe Way as they approach the curve to the road.
- 5.10 The case officer considers that these amendments address concerns raised throughout the application process with regards to the design and visual amenity of the proposed garage. Similarly, amendments to the scale, siting and proportions of the garage address the previous reasons for refusal in a more positive and appropriate manner. The resultant overall presence of the garage is reduced by means of its dominance within the prevailing character of the street at Common Road and Hencliffe Way.
- 5.11 Taking into account the design and visual amenity merits of the application, the case officer is of the view, following the amendments made, that the garage would sit much more harmoniously within its setting and is complementary to the host property by means of its aesthetics and use of materials to match. The application is therefore compliant with the design and visual amenity policies

within the development plan and the guidance within the SGC Householder Design Guide.

5.12 Residential Amenity

Policies PSP8 and PSP43 of the development plan permits development where it does not prejudice the residential or private 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. The general principles of the SGC Householder Design Guide also supplements these policies by ensuring private and residential amenity is safeguarded.

5.13 As previously mentioned, the property is semi-detached to its neighbour at No. 15 Common Road. Additional consideration has also been paid to the neighbour at No. 36 Hencliffe Way, which is immediately to the southwest of the rear garden boundary. Following a site visit, the case officer also noted the change in ground levels between the rear garden of the site and its visible presence on Hencliffe Way.

5.14 As with the concerns raised regarding design and visual amenity, concerns were also put forward by the case officer in terms the impact of the proposal on the residential amenity of the neighbours at No. 15 and No. 36. The resubmission of the application and the subsequent amendments throughout the application process therefore include addressing the reasons for refusal and concerns raised by the case officer regarding residential amenity.

5.15 Particularly within the previous reasons for refusal, emphasis was placed on the impact of the garage on No. 15 Common Road by means of the overbearing and overshadowing effect that the garage would be likely to cause. On that basis, the resubmission and amended plans seek to relocate and re-scale the size of the garage to mitigate against impact on residential amenity so far as practically possible.

5.16 With this in mind, the proposal presents alterations and amendments to the size and scale of the structure, as previously mentioned in this report, that the impact of the garage is now likely to reduce any detrimental harm to the neighbour at No. 15. As measured from the plans, there will be a separation distance between the physical building of the garage and the boundary line of No. 15 of just over 6m and the overall reduction in massing and height of the roof prevents the structure causing a significant dominating effect.

5.17 Similarly, with regards to No. 36, great importance has been placed on the resultant impact of the garage in relation to the enjoyment of residential amenity. Following a site visit, the case officer took note of the arrangement of properties, in that the rear garden of No. 17 Common Road backs on to the street scene of Hencliffe Way and similarly, the rear garden of No 36 backs on to the frontage of Common Road. Given the resizing and rescaling of the garage, the structure now sits more in line with the building pattern of Hencliffe Way, minimally impacting both the front and rear gardens of No. 36. The side

elevation of No. 36 which faces the rear garden of No. 17 has no side windows which could be affected by the presence of the structure.

- 5.18 The case officer has taken in to account the concerns and objections raised by both of these neighbours and is of the view that the amendments made to the current proposal mitigate against potential negative harm caused to the residential amenity of the neighbours so far as reasonably and appropriately possible. Amendments made to the design of the garage present a much more subservient addition to the rear garden, in that any harm caused would now be considered minimal.
- 5.19 Consideration has also been paid to the residential amenity of the current and future occupiers of the property. The case officer notes the justified need for the garage and notes that the principle of the garage is not inappropriate however, the structure would take up a consideration portion of the rear garden, as the works also include the provision of hardstanding. That being said, the property would still be able to offer private amenity space which wouldn't be of insufficient size or quality.
- 5.20 For these reasons, the case officer considers that the amendments made to the proposal have reduced the impact on the neighbours at No. 15 and No. 36 by reducing the size and scale of the structure, as well as bringing the garage forwards to sit more suitably in line with the staggered building line of Hencliffe Way. This addresses concerns made by the neighbours and the case officer, as well as the previous reasons for refusal. The proposal is therefore compliant with policies PSP8 and PSP43 of the development plan.
- 5.21 Parking Standards
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand.
- 5.22 It is not proposed to alter the number of bedrooms at the property; however, the construction of the garage will alter the current parking arrangements within the curtilage of the site. In line with PSP16, a property of this size should be expected to provide off-street parking for 2no. vehicles. Given the size of the garage and the proposed hardstanding at the property, it is evident that this requirement can be met.
- 5.23 Additionally, the case officer notes the support for the application with respect to parking standards and a reduction in parking congestion on the street. On balance, the case officer did make a few site visits to the application street at various times, and doesn't consider that the road is heavily congested, nor was there evidence to say that the factory unit located to the south of the street increases the amount of traffic flow passing though. That being said, the proposal will see the provision of moving parked vehicles off the street, which aligns with the guidance set out within the Residential Parking Standards SPD.

5.24 The case officer therefore determines that the proposal is compliant with the requirements of PSP16 of the development plan which seeks to ensure sufficient and adequate parking is available to the host property.

5.25 Local List

In terms of the adjoining neighbour at No 15, the locally listed building is situated behind the host dwelling and is not visible from the current street scene. From a heritage perspective, the impact caused by the proposal has been taken into account and is not considered to have a detrimental impact on the character or setting of the locally listed asset, therefore it has been determined that the proposal would not have an impact on the property in terms of heritage grounds.

5.26 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that permission is **APPROVED**.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the following plans:

Received by the Local Authority on 20 October 2021:
Proposed Garage (Drawing No. 003 - Revision B)

Reason

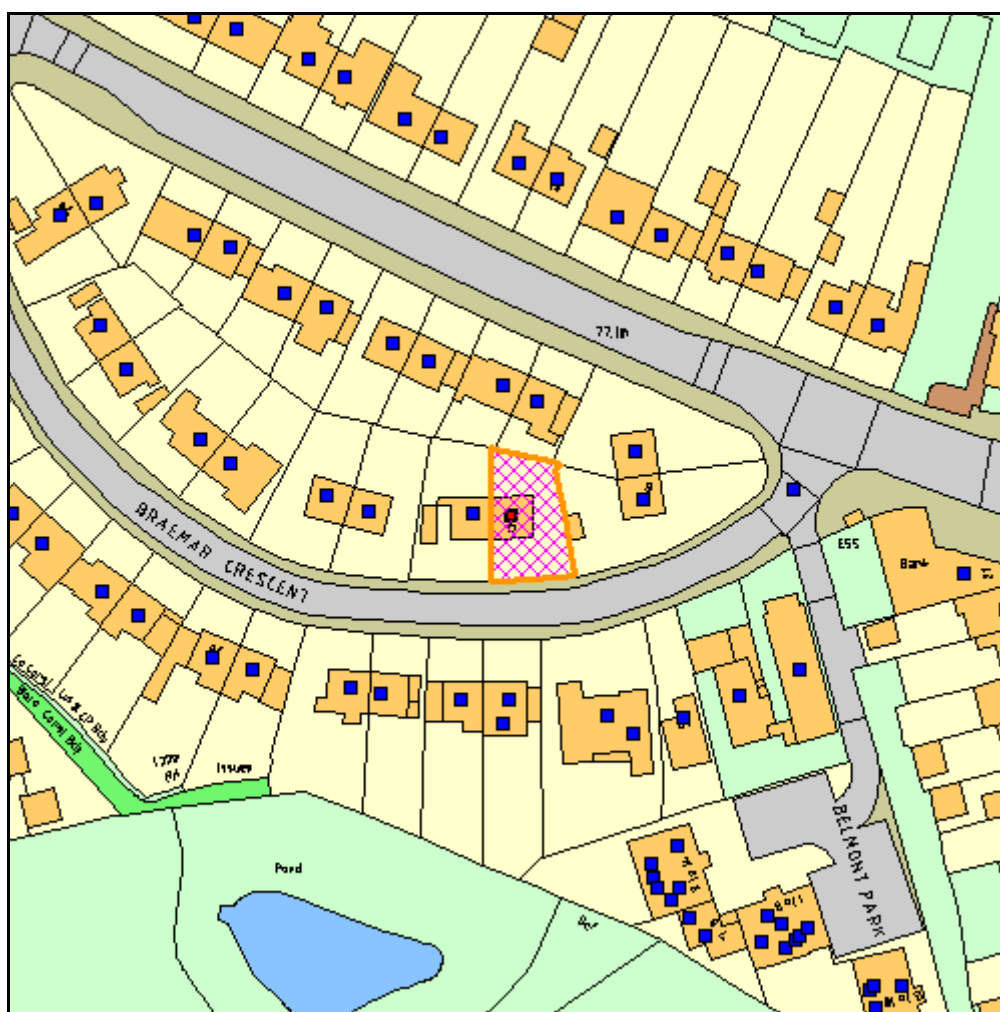
To define the terms and extent of the permission.

Case Officer: Lucie Rozsos

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

App No.:	P21/06004/F	Applicant:	Mr Sam Padbury
Site:	15 Braemar Crescent Filton South Gloucestershire BS7 0TD	Date Reg:	10th September 2021
Proposal:	Erection of a two storey side and single storey rear extension to form additional living accommodation.	Parish:	Filton Town Council
Map Ref:	359778 178233	Ward:	Filton
Application Category:	Householder	Target Date:	1st November 2021



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N.T.S.

P21/06004/F

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because 3no. Representations have been received from residents that are contrary to the officer recommendation and the findings of this report.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a two storey side extension and single storey rear extension to provide additional living accommodation.
- 1.2 The application site is a 3no. bedroom semi-detached dwelling, located at 15 Braemar Crescent, and set within the area of Filton.
- 1.3 The property briefly comprises front and rear gardens, off street parking and sits within a residential crescent just off Braemar Avenue. A site visit to the property presented the case officer with the view that neighbouring properties on the street have been altered and extended in various ways, including alterations to roof lines to facilitate loft conversions, rear extensions and also side extensions.
- 1.4 An application for a certificate of lawfulness was also submitted for this property, under reference P21/05939/CLP, for the installation of a hip to gable roof extension with associated works which was approved on 28/09/2021.
- 1.5 Revised plans were submitted and accepted by the Council on 14 October 2021 relating to design and residential amenity concerns from the case officer with regards to the above application.

The application has therefore been determined on the basis of these amended plans, and a subsequent re-consultation was issued to the relevant parties which ended on 25 October 2021.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Practice Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007
 Residential Parking Standard SPD (Adopted) December 2013
 Technical Advice Note: Assessing Residential Amenity (June 2016)
 Householder Design Guide SPD (Adopted) March 2021

3. **RELEVANT PLANNING HISTORY**

- 3.1 **P21/05939/CLP (Approved – 28/09/2021)**
Installation of hip to gable extension and associated works.

4. **CONSULTATION RESPONSES**

- 4.1 Local Councillor
 I feel this proposal is over development of the site because this is a two storey extension, which creates an additional front door and is built right up against the neighbouring property.
- 4.2 Local Residents
 Seven objections have been received, as summarised:
- Overdevelopment of dwelling
 - Strain placed on on-street parking
 - Parking/passing traffic congestion
 - Insufficient off-street parking at the property
 - Close to neighbouring residential boundaries
 - Overlooking and dominant impact
 - Character and appearance of the street scene
 - Concerns of private amenity space standards for current and future occupiers
 - Reduction in separation distances with regards to back-to-back gardens
 - Loss of garden
 - Concerns over use of house as HMO and student lets

Following the re-consultation of the amended plans, the following responses have been received:

- 4.1 Local Residents
 One objection has been received, as summarised:
- Plans still present overdevelopment of the property
 - Close to neighbouring residential boundaries
 - Dominant and overbearing
 - Unbalanced within the street scene
 - Loss of privacy
 - Negative impact on private amenity of future occupiers

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design & Visual Amenity

Policy CS1 of the Core Strategy states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Furthermore, policy PSP38 of the Policies, Sites and Places Plan expresses that development within existing residential curtilages, including extensions and new dwellings, will be acceptable where they respect the character and appearance of the host dwelling and existing street scene by taking into account building line, form, scale, proportions, architectural style, landscaping and use of materials. The policy also underlines the importance of development within residential curtilages and the impact that this has on residential amenity, and that development should not prejudice the private amenity space or the amenity of neighbours.

5.3 Additionally, the Householder Design Guide SPD sets out general design guidance principles in which extensions and alterations should aim to; be of overall high-quality design, achieve successful integration by responding to the characteristics of the host dwelling and prevailing street scene and be subservient in scale and character.

5.4 The proposal seeks to create a two storey side and single storey rear extension at the host property to create additional living accommodation. The extension itself forms what is essentially an 'L' shape around the right side and rear of the property. The approved certificate of lawfulness development under application reference P21/05939/CLP has also been taken into account when making the assessment and the impact this is likely to have should the development proceed. The case officer has broken down the two main elements to the proposal to describe in better detail.

5.5 Side extension

It is proposed to erect a two storey extension to the right side of the property which projects approximately 3m from the side elevation. The first floor of the side extension would be stepped back slightly from the ground floor and what

will be the front elevation, incorporating a small lean-to roof. Therefore, the depth of the side extension would measure 7m on the ground floor and 6m on the first floor and would be in keeping with the building line of the principal elevation of the property. In terms of height, the side extension would be finished with a hipped roof which would measure approximately 5.2m at the height of the eaves and 7.6m at ridge height from ground floor level.

5.6 The plans indicate that the side extension would include the addition of 2no. windows to the ground and first floor frontage, 1no. window to the first floor rear and an obscurely glazed window to the ground floor side elevation.

5.7 Rear extension

The scheme also proposes to erect a single storey extension to the rear of the host dwelling. This would span across the rear of the proposed side extension and part of the existing rear elevation, with a slightly splayed footprint to the rear right corner due to the angular nature of the site boundary. The extension would therefore measure approximately 4.7m in width at its widest point and 4m at its shortest. The plans indicate that the rear extended structure would be finished with a lean-to roof, measuring approximately 2.5m at the height of the eaves and 3.6m at ridge height.

5.8 Included as part of the rear extension, it is proposed to incorporate 2no. roof lights and French doors to the rear. It is also planned to include windows on the side elevation of what will be the rear extension and, as previously noted, the footprint of the rear extension is slightly splayed, given the existing angular site boundary layout.

5.9 Taking all elements of the proposal into account, the case officer is of the view that the amended proposal has been designed in such a way which appropriately respects the context of the host property and its surroundings. The amended plans present a much more sympathetic addition to the host property, by resisting the need to maximise developable space to the detriment of good design and residential amenity. The plans also indicate that the proposed development would be finished in materials which match that of the host property which promotes assimilation and balance between existing and proposed development.

5.10 The roof line of the side extension has been set down from the ridge line of the host property and the eaves match that of those existing, in line with the guidance set out in the SGC Householder Design Guide. Similarly, the extension remains within the building line of the existing property, retaining the view of the bay window frontage.

5.11 Furthermore, other properties along the crescent have been altered and extended in various ways, resulting in a street scene which isn't necessarily uniform and presenting a diverse range of property types, designs and aesthetics. The principle of extending the property is therefore not considered inappropriate in its context.

5.12 In response to the concerns raised by local residents and the local councillor with regards to design and visual amenity, the case officer does agree that the

proposed works would create a substantial addition to the host property. However, the way in which the extensions and alterations have been designed are generally in keeping with the main dwelling by means of its form, aesthetics and overall character. Similarly, changes to the plans have taken into account the frontage of the property and its appearance within the street scene. The amended plans have therefore demonstrated a greater compliance with the policies set out within the development plan which promote high quality design and the guidance set out within the SGC Householder SPD.

- 5.13 For the reasons above, the case officer is of the view that the proposal meets and complies with the requirements of the design and visual amenity policies within the development plan, including the guidance set out in the SGC Householder Design Guide, which aim to encourage and promote high quality design.
- 5.14 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. Similarly, policy PSP43 reinstates the requirement for the provision of sufficient private amenity space standards and that private and communal external amenity space should be; functional, safe, accessible, of sufficient size and should take into account the context of the development and, including the character of the surrounding area.
- 5.15 Similarly, Technical Advice Note: Assessing Residential Amenity provides supporting guidance on residential amenity considerations and how the above policies are applied in the determination of applications.
- 5.16 The property itself is semi-detached to its neighbour at No. 13 Braemar Crescent, with the neighbour at No. 6 and No 8. Braemar Avenue sitting perpendicular to No. 15 to the right side elevation. Moreover, the neighbour located at No. 10 Braemar Avenue backs garden to garden with the host property. On that basis, these particular neighbours have been given due consideration during this assessment with regards to residential amenity.
- 5.17 The properties in the area, particularly the relationship between Braemar Crescent and Braemar Avenue, are fairly dense in siting. Separation distances have therefore been taken into account when determining the impact of the proposal on the residential amenity of the surrounding neighbours.
- 5.18 With regards to No. 6 and No. 8, these properties are semi-detached to one another and sit on a prominent location on the corner of the street between Braemar Avenue and Braemar Crescent. The siting of these properties is what gives the application property its angular boundary line, as the gardens and rear elevations of these properties have an outlook to the rear garden and side elevation of the host dwelling.
- 5.19 On that basis, the distance between No.6 and No. 8 in relation to the application property is approximately 15m-16m. Should the application proceed,

this distance would be reduced to approximately between 11m-12m. Similarly, the distance between No. 15 and No. 10 is approximately 11m, which would be reduced to approximately 7m should the application proceed. These distances have been measured in terms of distance from one physical building to another.

- 5.20 In terms of protecting residential amenity, the case officer has noted the ways in which the proposal has been designed to ensure that amenity is safeguarded. In particular, the side elevation has been kept clear of windows, with the exception of 1no. obscurely glazed window to the ground floor. This is also of particular significance as it addresses the concerns raised regarding loss of privacy and potential overlooking as a result of the development.
- 5.21 The case officer does note the addition of a side elevation window to the rear extension which is generally discouraged due to potential impact of overlooking to the neighbour attached to the property, however it has been presented that a 2m fence separates the boundary between the host property and No. 13. This would shield the view of from the window over to the neighbouring property and the resultant impact on residential amenity in this respect is therefore considered to be minimal.
- 5.22 Due consideration has also been given to the impact of the proposal on the residential amenity of the current and future occupiers of the main dwelling. The proposed development has been designed and positioned in a way which would allow natural light into the house, whilst maintaining a functional layout internally. The bedrooms provide generous space, with the master bedroom including for the provision of a walk in wardrobe and en-suite.
- 5.23 It is noted that the development would occupy a significant proportion of the side and rear gardens, leaving approximately 55sqm of rear garden space. This is lower than the requirement set out within PSP43 which states that a 4+ bedroom property should be expected to provide 70sqm of private amenity space, however the case officer takes the view that this requirement is generally applied to the erection of new dwellings and the resultant space is not considered harmfully less than what is required. Subsequently, the garden space of the properties in the surrounding area have been taken into account, particularly on Braemar Avenue, and present a similar form and sized to that of the host property, should development proceed.
- 5.24 Taking into account the reasons above, the proposal is considered to satisfy the requirements of policies PSP8 and PSP43 of the development plan and the guidance set out within the SGC Householder Design Guide which seeks to protect residential amenity, so far as feasibly possible. Any development is likely to come with an impact to residential amenity, however planning balance aims to ensure that any effects caused are as minimal as possible. Therefore, on planning balance, the case officer raises no significant concerns with regards to the impact of residential amenity on the neighbouring properties nor the current or future occupiers of the property.
- 5.25 Parking Standards
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals

should demonstrate that adequate off-street parking can be provided to accommodate increase in demand.

- 5.26 The application proposes to create an additional bedroom at the property as well as altering the current parking arrangements to accommodate the increase in bedrooms. The case officer has taken note of the fact that a certificate of lawfulness has been granted at the property for the installation of a rear dormer, potentially creating another bedroom if implanted. On that basis, the case officer considers that, in line with the requirements of PSP16, the property should be able to demonstrate parking for 3no. vehicles, on the assumption that the property will occupy 5no. bedrooms.
- 5.27 The submitted plans indicate that the proposal includes the provision for making alterations to the current parking arrangements to accommodate 4no. off-street parking spaces to the front of the property. The case officer notes that the kerb is partially dropped at the property, to allow for off-street parking. The applicant should be aware that authorisation of dropping the kerb will need to be sought from the StreetCare team. The dropping of the kerb does not need to be approved by the Council as the road is an unclassified highway and under permitted development rights, it is deemed acceptable to alter the front of the property to provide hardstanding.
- 5.28 The plans indicate that this would provide 4no. parking spaces but given the size of the spaces and area within the front garden in relation to the potential size of the parked vehicle, it may be the case that only 3no. cars are able to park off street. That being said, this is still compliant with the requirements of PSP16.
- 5.29 For these reasons, the proposal complies with the requirements of PSP16 of the development plan and is able to provide a satisfactory parking arrangement.
- 5.30 Other Matters
The case officer would like to take note of the concerns raised during the consultation period such as the potential use of the property as a house of multiple occupation (HMO).
- 5.31 A residential dwellinghouse, which is defined in planning terms as Use Class C3, can be converted to a small HMO (Use Class C4) without the need for planning permission, under permitted development rights.
- 5.32 As this application is solely for the creation of additional living accommodation and not an application for a change of use to facilitate a HMO, no planning weight can be given to the objections raised in this respect.
- 5.33 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between

people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 It is recommended that permission is **APPROVED**.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the following plans:

Revised Plans Received by the Local Authority on 14 October 2021:

Location Plan (Extension) (Drawing No. 102)

Existing/Proposed Site Plan Extension (Drawing No. 202)

Existing Plans (Drawing No. 301)

Proposed Plans Extension (Drawing No. 303)

Existing Elevations (Drawing No. 401)

Proposed Elevations Extension (Drawing No. 403)

Existing Sections (Drawing No. 501)

Proposed Sections Extension (Drawing No. 504)

Reason

To define the terms and extent of the permission.

Case Officer: Lucie Rozsos

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

App No.:	P21/06172/F	Applicant:	Mr Sam Andrews Andrews Capital Ltd
Site:	46 Gloucester Road North Filton South Gloucestershire BS7 0SJ	Date Reg:	17th September 2021
Proposal:	Installation of a hip-to-gable roof extension, 1 no. rear dormer and erection of a single storey rear extension to facilitate the change of use from residential dwelling (Class C3) to a 8 bedroom large house in multiple occupation (HMO) for up to 8 people (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Filton Town Council
Map Ref:	359944 178360	Ward:	Filton
Application Category:	Minor	Target Date:	9th November 2021



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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from Cllr Wood, and local residents which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the installation of a hip-to-gable roof extension and 1no. rear dormer, and the erection of a single storey rear extension to facilitate the change of use from a residential dwelling (C3) to a large HMO for up to 8no. people (Sui Generis).
- 1.2 The application relates to 46 Gloucester Road North, one half of a semi-detached pair located within an established urban area.
- 1.3 The application has been amended since the original submission, to show a pedestrian access to the rear and a slight relocation of the bike store. This has not significantly altered the scope of the application and as such no further public consultation has been carried out. The case officer is satisfied that this does not disadvantage the public interest.
- 1.4 The property has an extant permission for the the installation of a hip-to-gable roof extension and 1no. rear dormer to facilitate the change of use from a residential dwelling (C3) to a large HMO for up to 7no. people (Sui Generis), which must be afforded significant weight. This permission has not yet been implemented.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

Waste Collection: Guidance for new developments SPD (Adopted) 2015

Houses in Multiple Occupation SPD (Adopted) 2021

3. RELEVANT PLANNING HISTORY

- 3.1 P21/05864/F - Installation of a hip-to-gable roof extension and 1 no. rear dormer to facilitate the change of use from residential dwelling (Class C3) to a 7 bedroom large house in multiple occupation (HMO) for up to 7 people (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). – Permission GRANTED.

58 Northville Road

- 3.2 P20/22196/F - Erection of a single storey rear extension, installation of 1 no. rear dormer to facilitate change of use from residential dwelling (Class 3) to a large house in multiple occupation for up to 7 people (sui generis). – Refused 23.02.2021 – Allowed on appeal 21.05.2021 – Costs awarded.

- 3.3 P21/00833/F - Erection of a single storey rear extension, installation of 1 no. rear dormer to facilitate change of use from residential dwelling (Class 3) to a large house in multiple occupation for up to 8 people (sui generis) (Resubmission of P20/22196/F). – Refused 12.04.2021 – Allowed on appeal 12.08.2021 – Costs awarded.

25 Northville Road

- 3.4 P21/00420/F - Change of use from dwelling (C3) to a house in multiple occupation (HMO) for up to 7 person (Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). – Refused 12.04.2021 – Allowed on appeal 12.08.2021.

64 Northville Road

- 3.5 P20/16687/F - Erection of a single storey rear extension and installation of 1no. rear dormer to facilitate change of use from dwelling (Class C3) to an 8 bedroom HMO for 8 people (Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). – Refused 11.02.2021 – Allowed on appeal 21.05.2021 – Costs awarded.

4. **CONSULTATION RESPONSES**

4.1 Filton Town Council – No response

4.2 Transportation DC - No objection subject to some minor alterations

Other Representations

4.3 Local Residents

Five objection comments have been received, summarised as:

- Covering letter incorrect regarding rear lane usage
- No provision for additional cars
- Trees and hedges currently provide privacy
- Will extension be affected by large tree?
- Parking will overspill into Park Road
- Use of private lane inappropriate
- Same developer has multiple houses in road
- Parking permits should be provided
- Noise nuisance
- Rear lane frequently blocked and is narrow
- Additional traffic will degrade access lane
- Area overpopulated with HMOs
- Access lane has no on street lighting
- No parking available for visitors
- HMOs changing character of area

4.4 Cllr Chris Wood

This application is clearly overdevelopment of the site. As over 40% of South Gloucestershire's HMOs are located in Filton I feel we already have more than enough of this type of provision. I am concerned that encouraging 4 more vehicles to use the back lane, as proposed, raises serious public highway concerns.

5. **ANALYSIS OF PROPOSAL**

Principle of Development

5.1 The determination of whether the change of use of a dwelling in C3 use to a large HMO use will have an unacceptable impact upon the surrounding area is primarily assessed via the criteria outlined within the Houses in Multiple Occupation SPD (Adopted) 2021. The SPD provides a way of using available data (licensed HMOs) to provide tangible and substantiated evidence regarding the concentration of HMOs and overall housing mix within the locality of the proposal.

5.2 Policy PSP39 within the adopted Policies, Sites and Places Plan (2017) states that where planning permission for an HMO is required, this will be acceptable,

provided that this will not prejudice the amenity of neighbours. Supporting text states that the term “neighbours” should be taken to mean properties adjacent to, and surrounding, the application site which have a reasonable potential to be directly affected by harmful impacts arising from the proposal(s).

- 5.3 In addition, Policy PSP8 maintains that development proposals will only be acceptable provided that they do not ‘have unacceptable impacts on residential amenity of occupiers of the development or of nearby properties’. Unacceptable impacts could result from noise or disturbance, amongst other factors, which could arise from HMOs functioning less like traditional single households on a day-to-day basis.
- 5.4 Prejudicing the amenity of neighbours can arise at a localised level when developments of such HMO uses are inappropriately located, or become concentrated, particularly at an individual street level.
- 5.5 Additional Explanatory Guidance 1 sets out that the following factors should be taken into account when determining if the proposal would prejudice the amenity of adjacent neighbours:
 - Whether any dwelling house would be ‘sandwiched’ between two licensed HMOS, or,
 - Result in three or more adjacent licensed HMO properties.
- 5.6 In the case of the current application site 46 Gloucester Road North, numbers 42 and 50 are not licensed HMOs, nor the properties immediately adjacent at 44 and 48. The proposal would therefore not result in a dwelling being sandwiched between two licensed HMOs, or result in three or more adjacent licensed HMO properties.
- 5.7 As set out in Policy CS17, providing a wide variety of housing type and sizes to accommodate a range of different households, will be essential to supporting mixed communities in all localities. Sub-division of existing dwellings and non-residential properties to form flats or HMOs can make a valuable contribution suitable for smaller households and single people as part of these mixed communities.
- 5.8 Policy CS17 does not define what is meant by ‘mixed communities’ in all Localities, instead, it acknowledges that implementation of this policy, and PSP39, will be made on a case basis through the development management process. Therefore, the HMO SPD aims to acknowledge that some intensification, if carried out sensitively, and where it would not adversely affect the character of an area, can contribute to the local mix and affordability of housing, viability of local services, vitality of local areas and contribute to the Council’s housing delivery targets.
- 5.9 As there are localities which are already experiencing concentrations of HMOs, the SPD requires consideration of existing localities that are already experiencing levels of HMOs which harm the ability to support mixed communities and preventing impact on character and amenities, and applications which would result in a level of HMOs that could contribute towards harmful impacts.

- 5.10 Additional Explanatory Guidance 2 sets out that the following factors should be taken into account when determining if the proposal would contribute to harmful impacts in respect of a mixed community and the character and amenity of an area:
- An additional HMO in localities where licensed HMO properties already represent more than 10% of households, or,
 - More than 20% of households within a 100m radius of the application property.
- 5.11 For the purposes of this assessment, a 'locality' is defined by a statistical boundary known as a Census Output Area.
- 5.12 In the case of 46 Gloucester Road North, licensed HMO properties currently represent 4.6% of households within the locality. Within 100m radius there are 63 properties, 7 of which are licensed HMOs, or 11.1%.
- 5.13 The principle of change of use to an HMO is therefore considered to comply with policies PSP39, PSP8 and CS17 and the SPD.
- 5.14 In regards to the proposed extensions, Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

Impact on the character of the area

- 5.15 The application is proposing a hip-to-gable roof extension, the installation of a rear dormer and the erection of a single storey rear extension to facilitate the change of use to the 8no. person HMO.
- 5.16 The existing street scene presents a mixture of hipped roof and gable properties. The introduction of a hip-to-gable extension would result in some unbalancing of the semi-detached pair.
- 5.17 The proposed dormer window is also relatively large in size. Similar flat roof dormers are found within the surrounding area. The dormer window would be set in from the eaves, ridge and roof edge, and would not be overly dominant. The dormer is also situated at the rear of the property away from public viewpoints.
- 5.18 The proposed single storey rear extension is proposed with a pitched roof and situated in an area of infill between the boundary of the property and original two storey dog-leg arrangement.
- 5.19 It should also be noted that the proposals to the roof fall within the parameters of permitted development. The proposed materials are considered to respect the host property and its surrounds and as such there is no reasonable

justification for refusal in terms of the impact on the character of the area due to visual impacts.

Residential amenity

- 5.20 As already set out, the principle of the change of use is not considered to significantly impact upon residential amenity.
- 5.21 Policy PSP43 sets out minimum standards for private amenity space, however there is no set standards for HMOs. Using this policy as a reference, a 1no. bed flat should have access to a minimum for 5m² amenity space. Using this standard, 8 x 1bed. flats would require 40m² amenity space. The rear garden is in excess of this requirement, and as such it is considered that sufficient private amenity space would be provided for future occupants.
- 5.22 The proposal is situated within a dense urban area. It is accepted that some overlooking would occur from the proposed dormer window, however it would be located on an elevation that already has habitable room windows, and is not outside of what would be expected within a residential area and is not at a level that would cause significant harm to residential amenity.
- 5.23 The physical alterations- dormer and single storey rear extension- to the property are not considered to cause any significant overbearing impact or loss of light.

Transportation and highways

- 5.24 The Council Policy PSP16 parking standard for HMO's is one space per two bedrooms rounded up to the nearest whole number of spaces. Therefore an 8 bed HMO requires 4 spaces.
- 5.25 4 off-street spaces and 8 cycle parking spaces are provided to the rear of the property, accessed from a private back lane. The cycle store has been moved slightly to allow space between it and the car parking, and a rear boundary fence has been provided in line with the comments from Transportation DC. An Electric Vehicle Charging Point is also shown on the plans.
- 5.26 Comments have been made in relation to the rear lane, in particular that the use is more than stated within the application, and commercial vehicles often block access. The use of the lane is not considered to cause a significant impact upon transport or highway matters as it is already used by numerous properties and it is considered that the proposal would not make a significant difference. The upkeep of the lane is not a planning matter.
- 5.27 The proposal is therefore considered to comply with policies PSP11 and PSP16.

Consideration of likely impact on Equalities

- 5.28 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is

unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that the application be GRANTED.

CONDITIONS

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

Reason

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

2. The off-street parking provisions, cycle storage provisions, refuse storage provisions, and EVCP as shown on the Existing and Proposed Block Plans (drawing no PL.02 Rev A) received by the council on 7th October 2021, shall be provided prior to the first use as a 8 person HMO and retained for those purposes thereafter.

Reason:

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

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

14 Sep 2021	3939.PL.01	SITE LOCATION PLAN
14 Sep 2021	3939.PL.03	EXISTING PLANS AND ELEVATIONS
14 Sep 2021	3939.PL1.04	PROPOSED PLANS AND ELEVATIONS
07 Oct 2021	PL1.02 A	EXISTING AND PROPOSED BLOCK PLANS

Reason:

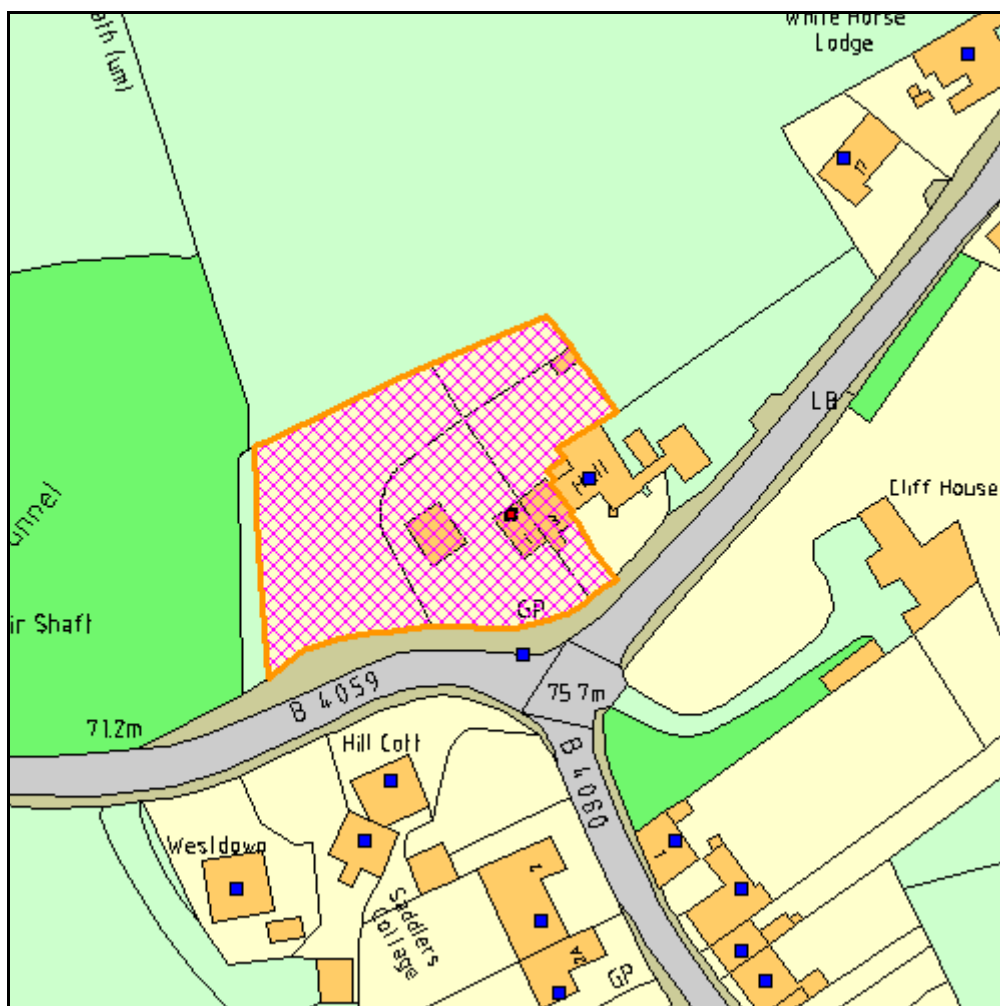
To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 43/21 -29th October 2021

App No.:	P21/06231/F	Applicant:	Knight
Site:	The Old School House 1 - 3 Station Road Wickwar South Gloucestershire GL12 8NB	Date Reg:	21st September 2021
Proposal:	Erection of a single storey rear extension to form additional living accommodation.	Parish:	Wickwar Parish Council
Map Ref:	372318 188712	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Householder	Target Date:	15th November 2021



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

This planning application will be added to the Circulated Schedule because the proposal has received 1No objection from Wickwar Parish Council, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey rear extension to form additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings. A pre-application was submitted in August 2021 (ref PRE21/0520).
- 1.2 The application site can be found at The Old School House, 1 - 3 Station Road is set within a moderately sized plot, and is an existing two storey semi-detached property located to the periphery of the residential area of Wickwar, but within the settlement boundary. It is also within the Wickwar Conservation Area and is locally listed.
- 1.3 Comments in the form of an objection have been received from Wickwar Parish Council and as such this application is added to the Circulated Schedule. However, it should be noted that this application has been submitted following a comprehensive and thorough pre-application process in which the applicants and the Conservation Officer assessed options suitable that reflect the setting of a locally listed building, and within this Conservation Area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility

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

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

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted 2013)
Household Design Guide SPD (Adopted 2021)
Wickwar Conservation Area (designated January 1973)

3. **RELEVANT PLANNING HISTORY**

- 3.1 P21/01803/F. Erection of a single storey rear extension with balcony to form additional living accommodation. Withdrawn.
- 3.2 P85/1599. Demolition of existing garage and erection of new double garage. Approved. 10.07.1985

4. **CONSULTATION RESPONSES**

- 4.1 Wickwar Parish Council
1 No letter of Objection –
- *Wickwar Parish Council objects to this application on the basis that the proposed extension, which falls within the Wickwar Conservation Area, is not in keeping with the victorian building and the surrounding buildings. It will be visible from the Downs Road and the nearby public footpath, negatively impacting visual amenity.*
- 4.2 Other Consultees
Listed Building and Conservation Officer
No Objections – Conditions recommended.

Archaeology Officer
No comments received.

Other Representations

- 4.3 Local Residents
No comments received.

5. **ANALYSIS OF PROPOSAL**

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

- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.
- 5.3 Design, Heritage and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. The proposal accords with the principle of development subject to the consideration below. Additionally, the Householder Design Guide SPD sets out general design guidance principles in which extensions and alterations should aim to be; overall high-quality design; achieve successful integration by responding to the characteristics of the host dwellinghouse and the streetscene but remain subservient in scale and character.
- 5.4 The village of Wickwar comprises of a high street, with its many listed buildings; an area to the north around the listed parish church of Holy Trinity and open land to the west. The application site itself is located towards the northern part of Wickwar Conservation Area 'area to the north around the church' and is more open in character and contrasts with the hard urban character of the High Street. It comprises of a number of isolated buildings and structures set within an attractive undulating landscape of green fields, trees and stone boundary walls.
- 5.5 This proposed single storey rear extension will have an overall width of 6.8 metres and will be to a depth of 6.8 metres to the rear of the host dwellinghouse. It is proposed to have a flat roof with 2No rooflights, extending to 2.5 meters to the eaves from ground level. The scale of this rear extension is relative in comparison to the host dwellinghouse and the case officer considers that the impact of this single storey rear extension could have on the character and appearance of the street scene is concluded as minimal.
- 5.6 The extension has been designed subserviently to the host dwellinghouse, and respects the architectural integrity, balance and characteristics of this conservation area. The proposal has been designed to complement the existing host dwellinghouse through its contemporary design, proportions and specified materials, ensuring that the aesthetical appearance of the original dwellinghouse is congruous. Overall, it has been concluded that the proposal is to an acceptable standard of design and therefore complies with policies CS1, PSP38 and the Householder Design Guide SPD.
- 5.7 Heritage Impacts
Following on from the previous pre-application process, it is also noted that the proposed scale, form, reduced footprint and orientation of the single storey extension are all significant improvements to the originally proposed application P21/01803/F which was withdrawn. The proposed single storey structure now appears considerably more subservient to the host dwellinghouse and therefore is considered more respectful of the architecture and the arrangement

- of this existing rear elevation. Although the proposed design is contemporary, and rather than a pastiche or hybrid of architectural styles, its clean lines and uncluttered elevations contrast to the more elaborate and detailed architecture of the host dwellinghouse, as opposed to try and compete with it.
- 5.8 However, the submitted plans are quite limited in detail and as such, it should be noted that the proposed detail and use of quality materials will determine the success of this proposal and therefore elements of the extension such as the ceiling insulation; flashings; drainage, should all be carefully designed, and adhere to the architectural quality of the single storey extension as proposed. In particular, details such as the proposed aluminium cladding can come in many colours and finishes that could be used to reflect the hues and tones of the natural stone in the host dwellinghouse, and therefore the universal powder-coated dark grey which can appear quite harsh and heavy against lighter coloured stonework is not always considered suitable, and in particular with regard to the character of this host dwellinghouse. The proposals are therefore considered to be acceptable in heritage terms and any matters of detail can be covered by recommended conditions.
- 5.9 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.10 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. Although the proposed rear extension is single storey with an eaves height of 2.5 metres, officers are satisfied that the impact will be minimal. Accordingly, officers are satisfied that the proposed development would not result in a significant overbearing or dominant impacts to the occupants of the neighbouring property. Therefore, it is considered that the proposed development would comply with policies PSP8 and PSP38.
- 5.11 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. As there are no changes to the number of bedrooms, there are no transport concerns.
- 5.12 Private Amenity Space
The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are based on the number of bedrooms at a property. No concern is therefore raised on the level of amenity space being proposed.
- 5.13 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is

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

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 It is recommended that planning permission is **GRANTED** subject to conditions.

CONDITIONS

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

Reason

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

2. Prior to the commencement of the relevant works, the detailed design of the following items shall be submitted and approved in writing by the local planning authority:

- a. Rooflights;
- b. All new doors and fixed screens (including reveals);
- c. Eaves (including details of cladding fixings); and
- d. Roof drainage.

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy

Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

3. Prior to the commencement of the relevant works, a representative sample panel of the stone masonry, of at least one metre square, showing the stone, coursing, mortar and pointing, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

4. Prior to the commencement of development, details or samples of all cladding material proposed (including colour and finish) to be used for the rear extension shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

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

4074-001 Rev B Site Location, Site Block Plan, Existing Floor Plans and Elevations
(Date received 19/09/21)

4074-003 Rev A Proposed Plans and Elevations

Combined Design and Access Statement / Statement of Significance

Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: David Stockdale