

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: 27/22

Date to Members: 08/07/2022

Member's Deadline: 14/07/2022 (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

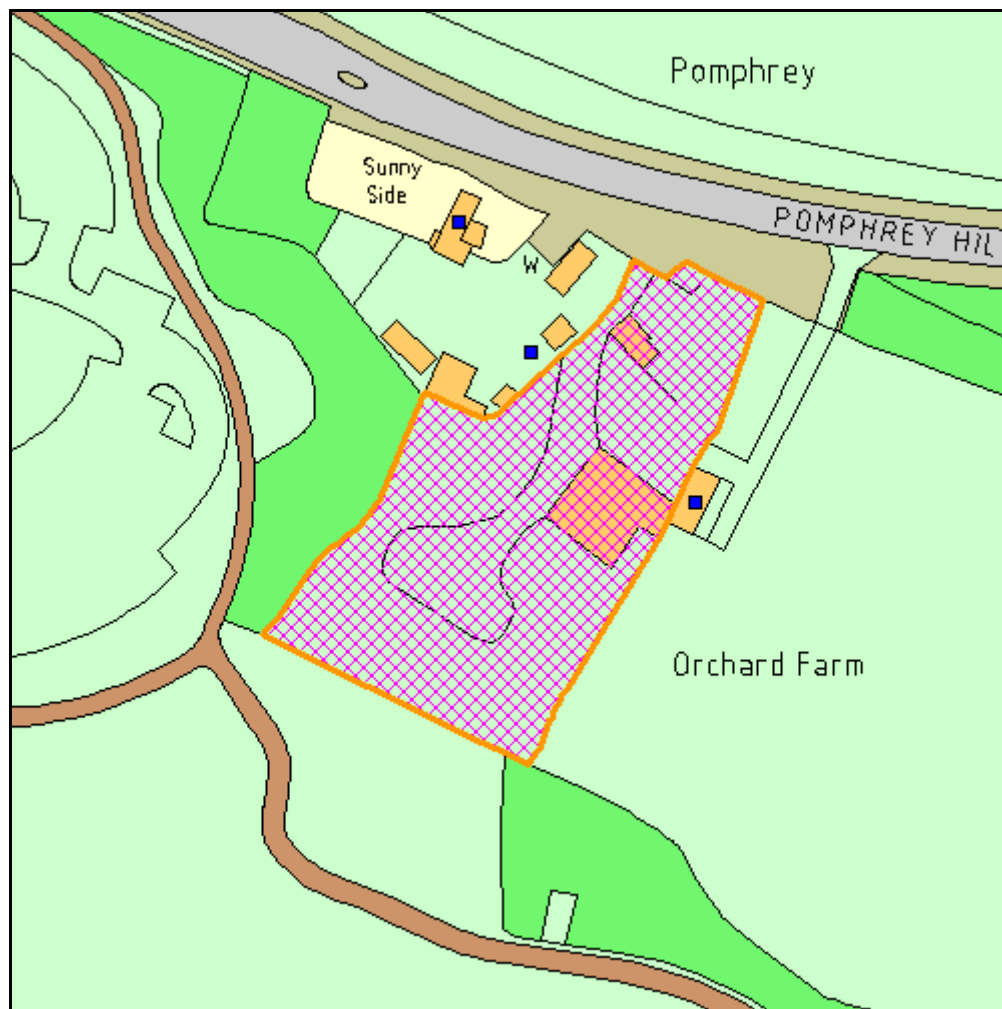
CIRCULATED SCHEDULE 08 July 2022

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/04560/F	Approve with Conditions	Land Adjacent To Orchard Farm Cottage Pomphrey Hill Mangotsfield South Gloucestershire BS16 9NF	Emersons Green	Emersons Green Town Council
2	P21/00047/RVC	Approve with Conditions	Willow Cottage Nursing Home 127 Station Road Yate South Gloucestershire BS37 5AL	Yate Central	Yate Town Council
3	P21/01624/F	Approve with Conditions	Land At Perrinpit Farm Perrinpit Road Frampton Cotterell South Gloucestershire BS36 2AT	Frampton Cotterell	Frampton Cotterell Parish Council
4	P22/01348/O	Approve with Conditions	Ringtail Cattery Ringtail Lodge Butt Lane Thornbury South Gloucestershire BS35 1RA	Thornbury	Thornbury Town Council
5	P22/02248/F	Approve with Conditions	15 Church Road Winterbourne Down South Gloucestershire BS36 1BX	Winterbourne	Winterbourne Parish Council
6	P22/02811/F	Approve with Conditions	Land Adjacent To 23 High Street Winterbourne South Gloucestershire BS36 1JJ	Winterbourne	Winterbourne Parish Council
7	P22/03019/R3F	Deemed Consent	Warmley Park School Tower Road North Warmley South Gloucestershire BS30 8XL	Siston	Siston Parish Council

CIRCULATED SCHEDULE NO. 27/22 -8th July 2022

App No.:	P20/04560/F	Applicant:	Mr Jason McDonagh
Site:	Land Adjacent To Orchard Farm Cottage Pomphrey Hill Mangotsfield South Gloucestershire BS16 9NF	Date Reg:	3rd June 2020
Proposal:	Change of use of land to mobile home site to facilitate the stationing of 3 No. mobile homes with associated hard- standings and landscaping works.	Parish:	Emersons Green Town Council
Map Ref:	367051 175962	Ward:	Emersons Green
Application Category:	Minor	Target Date:	27th July 2020



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N.T.S.

P20/04560/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 has been referred to Circulated Schedule due to the receipt of letters of objection.

1. THE PROPOSAL

- 1.1 The application relates to a plot of rough land located to the land adjacent to Orchard Farm Cottage, Pomphrey Hill, Mangotsfield. The site sits just outside the settlement boundary and within the Bristol/Bath Green Belt. The application site is accessed from its northern boundary from Pomphrey Hill. To the south is public open space.
- 1.2 During the course of the application, the applicant submitted a revised proposal to reduce the number of mobile homes from 9 units to 3 units. The application is to seek full planning permission for the change of use of the land to mobile home site to facilitate the stationing of 3 no. mobile homes with associated hard-standings and landscaping works. The applicant has confirmed that the proposal is not to provide gypsy / traveller units.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

- 2.2 Development Plans

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

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

The South Gloucestershire Council : 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 Assessments
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List SPD Adopted August 2007

Development in the Green Belt SPD Adopted June 2007

South Gloucestershire Landscape Character Assessment (SPD) (Revised and Proposed for Adoption Nov. 2014)

South Gloucestershire Council Residential Parking Standards Approved 2013.

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

3. RELEVANT PLANNING HISTORY

3.1 No history on the site

3.2 Orchard Farm Cottage (adjacent site)

P99/4287 - Permanent use of land for the stationing of 4no. gypsy caravans and the erection of a toilet block. - Permitted

P19/4505/RVC - Variation of condition 3 attached to P99/4287 to read 'site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 Planning Policy for Travellers Sites' – Permitted 5th June 2019

4. CONSULTATION RESPONSES

4.1 Emersons Green Town Council

No objection to revised plans

4.2 Other Consultees

Coal Authority – no objection

Highway Officer – no objection subject to conditions

Ecology – No objection, subject to conditions

Landscape Officer – Requests further information to assess the application. This includes;

- Current tree condition survey, together with a plan showing vegetation retention and removal
- Confirmation of whether the existing access off the B4465 will require improved visibility splays this this impact on roadside vegetation
- Simple Landscape and Visual Appraisal, identifying potential impacts and opportunities to mitigate these, supported by photographs and analysis/viewpoint plan

Highway Structure – If the application includes a boundary wall / fence alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner.

Lead Local Flood Authority – no objection subject to drainage condition

Archaeology Officer – no objection subject to pre-commencement condition

Environmental Protection Team – no comments

Environmental Protection Team (Contamination) – no objection subject to conditions

Designing Out Crime Officer – no objection, offering the following comments;

- Generally in order with the crime prevention through environmental design principles
- Sufficient lighting must be provided
- Applicant is strongly advised to ensure that the security of the doors and windows of each caravan type has been considered
- Consider the fitting of floor safes for the securing of valuables

Sustainability Team - a Sustainable Energy Statement will not be required.

Arboricultural Officer – No objection, subject to satisfactory tree protection plan

Planning Policy – As the application isn't for a new gypsy/traveller site, it will be determined against other policies in the Local Plan

Waste Management – Ensure sufficient road access width to allow access and manoeuvrability of refuse and recycling collection points

Other Representations

4.3 Local Residents

77 letters of objection received, raising the following comments;

- Noise and nuisance
- Site would be visible from an area of green space
- Planning has been granted for 4 caravans and an additional 9 would potentially add 40 people and 18 cars and vans with no infrastructure
- Additional traffic would present a considerable problem on this already busy road
- Expanding the site would compound existing highway safety issues
- Increase in antisocial behaviour
- Not notified of the application (*Officer note: The application was advertised in accordance with the Council's statutory duties*)
- Object to the use for mobile homes
- Impact on value of the property (*Officer note: This is not a material planning consideration*)
- What selection process would be in place for buyers? (*Officer note: This is not a material planning consideration*)
- How much land is required for the mobile homes? (*Officer note: The land shown within the red line is the application site. Any other land would not be included and would need to be subject to a further planning application.*)
- Consultation is required before the plans proceed (*Officer note: The application was advertised in accordance with the Council's statutory duties*)
- Environmental impact on adjacent land
- Will they be available to local people as affordable or retirement homes?
- Increased traffic
- How many people would be on site?
- Wrong location
- Area is already highly populated
- Difficulties in parking locally already
- Inappropriate adjacent to a nature reserve
- Out of character with local accommodation
- Not appropriate use in the local area
- People would feel unsafe
- Increase in crime
- Other uses would be better suited

- Who would check on any animals on the site? (*Officer note: This is not a material planning consideration*)
- Who would receive feedback from the local community if it was granted and ensure that it was properly managed/take action if problems did occur? (*Officer note: This is not a material planning consideration. If planning permission was granted, any breaches of planning control should be reported to planning enforcement*)
- More mess in the area
- This development is not needed
- Could lead to further changes of use on sites that are protected (*Officer note: Any additional changes of use on other sites would require further planning applications*)
- Highway safety implications
- No school capacity
- Will lead to further, larger developments
- Detrimental to area
- Object to additional families moving onto the site
- Green space should be left green
- Enough homes in the area
- How many traveller spaces do SGC need to provide and how many have been provided? (*Officer note: This application is not for gypsy and traveller pitches*)
- How many spaces are on these sites and could they be expanded? (*Officer note: This application is not for gypsy and traveller pitches*)
- Unsuitable site
- Surely existing site can be expanded
- Close to a secondary school
- Adjacent to a sports facility

7 letters of support received, raising the following comments;

- Great to see people getting on and trying to achieve things
- Create space for new things
- Would make a big improvement to the area
- Would make affordable accommodation something that is well needed
- Benefits communities to have diversity
- Time travellers have a secure, safe environment to base themselves
- Swathes of suburbia are boring
- Support planned, organised provision for families
- Must be supported by adequate parking provision
- Council are responsible for providing sufficient school places and refuse collection facilities
- Support in principle
- Views of the local community are important and should be taken into account
- No mention of utilities nor if it is holiday lets or housing
- As long as there are adequate facilities, I support this application
- Better than travellers squatting (*Officer note: This application is not for gypsy and traveller pitches*)

1 letter of comment received, raising the following comments

- Couldn't download documents and suggests that proper public consultation/process has not been followed (*Officer note: The application has been advertised in accordance with the Council's statutory obligations. The documents are available to view of the public website and the links are correct*)

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The site is located outside of any identified settlement boundary and within the Bristol/Bath Green Belt. The proposed development is not for a gypsy/traveller site and therefore needs to be considered as any other application in terms of the development plan.

Impact on the Green Belt

- 5.2 The application site is located within the Bristol and Bath Green Belt. Policy CS5 and CS34 of the Core Strategy and policy PSP7 of the Policies, Sites and Places Plan support the protection of the Green Belt from inappropriate development. The NPPF attaches great importance to the Green Belt – with the fundamental aim of preventing urban sprawl and keeping land open in nature. In order to achieve this, there is a general presumption against inappropriate development in the Green Belt. Any type of development in the Green Belt is considered inappropriate, unless it falls into a predefined exception category or very special circumstances override the presumption against inappropriate development. Very special circumstances will not be found unless the harm to Green Belt and any other harm is clearly outweighed by the benefits of the proposal.
- 5.3 The proposed development falls within the definition of a caravan and as such, the development needs to be considered as a change of use of the land rather than for the operational development itself. Policy PSP7 reflects the guidance set out in the NPPF in terms of the forms of development that are not considered to be inappropriate development. These criteria are set out paragraphs 149 and 150.
- 5.4 The site is currently overgrown and has a stone building and two tin roofed sheds, as well as variety of abandoned machinery and vehicles. It is considered to fall within the definition of Previously Development Land as set out in the NPPF. One of the exceptions set out in paragraph 149 at point (g) is *“limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt than the existing development.”*
- 5.5 The existing site is unkempt with scattered buildings and assorted abandoned items. It is adjacent to a mobile home site at Orchard Farm Cottage and there are some buildings at Orchard Farm on the adjacent site. The site is well screened by vegetation. A revised plan has been submitted, showing 3 mobile home pitches with no other buildings on the site. There is some hardstanding to provide access to the pitches, with the remainder of the site to be landscaped.

- 5.6 Previous appeal decisions elsewhere have followed the judgement from *Turner v SSCLG & East Dorset Council* (2016), which has confirmed that it is not irrational to determine that the impact of openness of moveable development, such as caravans and mobile homes, is less than that of an equivalent permanent structure.
- 5.7 Whilst the mobile homes in themselves would have limited visibility in the wider landscape, the site in itself would be tidied up and the existing structures etc. removed. There would be a coherence to the landscaping with less hard standing on the site. In view of this, it is not considered that there would be a greater impact on the openness of Green Belt than the existing site.
- 5.8 No details of the proposed mobile homes have been submitted alongside the application. A condition will be imposed requiring submission of their details prior to being brought on site to ensure that they would be no adverse impacts on the openness of the Green Belt. A further condition will be imposed to ensure that no more than 3 mobile homes are stationed on the site and they are stationed in accordance with the submitted site plan.
- 5.9 Impact on highway safety
The existing access onto Pomphrey Hill, which is considered to be of a suitable width with sufficient visibility splays to allow for safe access and egress to and from the site. Sufficient parking and turning would be provided on site. The additional traffic movements from 3 mobile homes would not result in a severe adverse impact on the highway network.
- 5.10 Conditions will be imposed to ensure that there is no occupation of the development until the access road and parking areas have been provided. A further condition requiring the provision of one electric charging point and secure cycle parking is provided. These conditions will ensure that the proposal is in compliance with Policies PSP11 and PSP16.
- 5.11 Impact on residential amenity
Future residents
There would be no private amenity space for the proposed mobile homes. This is usual for developments of this nature. There would be informal amenity space on the site, which is considered acceptable. The site is adjacent to Pomphrey Hill Sports Pavilion, which would provide additional outdoor amenity space.
- 5.12 There is considered to be sufficient space around the proposed pitches to allow privacy for the future residents. It is therefore not considered that there would be any adverse impacts on the amenity of future residents from this proposal.
- 5.13 *Existing residents*
The adjacent site has mobile homes on the site. Due to the relationship between the proposed mobile homes and the adjacent site, it is not considered that there would be any adverse impacts on the residential amenity of the occupiers of the adjacent site.

- 5.14 Several of the objections raise concerns regarding the impact of the site on the residential amenity of occupiers in the nearby residential areas. Due to the distance between the site and the surrounding residential properties, it is not considered that there would be any significant adverse impacts on their residential amenity from the proposal in itself. There is other legislation that can be used if a statutory nuisance (for example from noise) occurs.
- 5.15 It is therefore considered that there would not be any significant adverse impacts on the residential amenity of future or existing occupiers as a result of this proposal.
- 5.16 Impact on the landscape and trees
The existing site is in a poor visual state. There is a high level of screening from the existing vegetation. The proposed scheme would reduce the level of hardstanding on the site and allow for enhancements to the existing landscaping. The comments of the landscape architect and the tree team are noted though it is considered that the use of conditions can be used to ensure that any existing trees worthy of retention are protected and appropriate replacement planting and boundary treatments are used.
- 5.17 Impact on ecology
The application is accompanied by an ecology assessment. It notes that there are various protected species that have the potential to be on the site. These are discussed below in turn.

Bats

There are no buildings or trees on the site that could support potential roosting features. There is limited foraging habitat around the site and sensitive lighting has been recommended.

Great Crested Newts

There is a waterbody to the south of the site that has been assessed as having excellent suitability as a habitat. This waterbody has been recently established and is subject to frequent human disturbance, which reduces the chances of newts being present. Appropriate mitigation has been proposed.

Birds

No evidence of nesting birds was recorded on the site though there is some suitable nesting habitat. Suitable mitigation has been proposed.

Reptiles

There is some suitable habitat for reptiles, which is confined to the boundary habitats. There is likely to only be small populations. Appropriate mitigation has been recommended.

Badgers

There is potential for badgers to use the site and suitable mitigation has been recommended.

Hedgehogs

There is suitable hedgehogs, which has not been mentioned in the report. The mitigation recommended for badgers will also apply for hedgehogs.

Invertebrates

The site offers limited potential for common species in areas of scrub.

5.18 On the basis of the above, it is considered that the use of conditions to ensure the appropriate mitigation is provided would result in the proposed development not having an adverse impact on protected species.

5.19 Drainage and flood risk

No objection has been raised by the Lead Local Flood Authority. Condition will be imposed to ensure that a detailed drainage plan and SUDS details are approved prior to the commencement of development.

5.20 Other matters

Archaeology

The site lies immediately to the north of an extensive medieval farmstead and Romano-British site at Pomphrey Hill. A condition is considered to be appropriate to require a watching brief on all ground works to safeguard any items of archaeological interest.

5.21 *Contaminated Land*

Given the use of current use of the site and the level of items on the site, there may be contamination within the site that could be harmful to future occupiers. It is considered to be appropriate to impose conditions requiring investigations to be undertaken to establish if there is any contamination on site and it is appropriately dealt with.

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. This application would allow for some low cost housing that would widen the mix of housing available within the district. With regards to the above this planning application is considered to have a positive impact on equality.

6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. **RECOMMENDATION**

7.1 Planning permission is **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. Prior to the mobile homes being brought onto site, details of their appearance, including materials and colour, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason

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

3. No more than 3 caravan(s), as defined in the Caravan Sites and Control of Development Act 1960, and the Caravan Sites Act 1968 (of which no more than shall be a static caravan or mobile home) shall be stationed on the site at an time.

Reason

To preserve the openness of the Green Belt and any further caravans on the site would require careful assessment by the Local Planning Authority.

4. No development shall commence until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. This should include a detailed development layout showing surface water and SUDS proposals is required as part of this submission.

Reason

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

5. The development hereby approved shall not be occupied until the access road and parking areas have been provided in accordance with the details shown on drawing number 19_1046_003 Rev A.

Reason

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

6. The development hereby approved shall not be occupied until details of the waste facilities and turning area, shown on drawing numbered 19_1046_003 Rev A, have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided prior to occupation.

Reason

To ensure the appropriate management of waste

7. 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.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

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

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

Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of

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

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

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

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

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

9. The development shall not be occupied until two covered and secure cycle parking spaces and an electric vehicle charging point 7Kw /32 Amp has been provided for each mobile home in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable travel and to accord with SGC policies PSP16, CS8 and SGC residential car parking SPD

10. Prior to the occupation of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed 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.

11. Prior to the occupation of development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to the Local Planning Authority for approval. The schedule shall include details of the arrangements for its

implementation. Development shall be carried out in accordance with the approved schedule.

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.

12. Prior to the commencement of development, a tree protection plan to BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The approved tree protection shall remain in situ for the during of the works.

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, PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017) and the National Planning Policy Framework.

13. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Appraisal (Quantock, May 2021) and Technical Note (Quantock, February 2022) which includes sensitive timing of works in relation to nesting birds, sensitive lighting design to not deter bats and other wildlife from using the site where present, pre-site inspection and supervision of vegetation clearance by a suitably qualified ecologist (PSP19);

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

14. Prior to the occupation of the development, a plan showing the location and specification of the ecological enhancements are to be submitted to the local authority these include but not limited to native planting, log pile creations, bat and bird boxes

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

15. The development shall be carried out in accordance with the following drawings

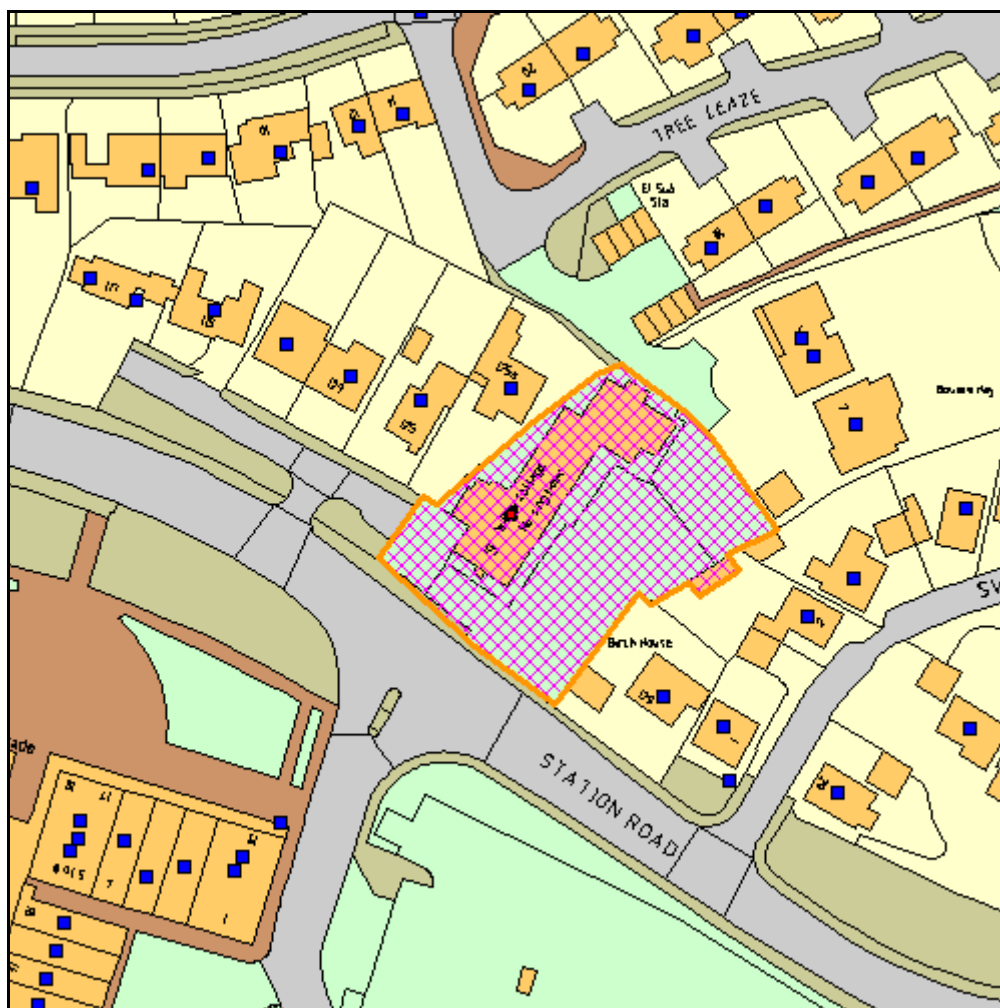
Site Location Plan and drawing number 19_1046_002, received by the Council on 10th March 2020 and drawing numbered 19_1046_003 Rev A, received by the Council on 4th December 2020.

Reason: To define the terms and extent of the permission

Case Officer: Suzanne D'Arcy
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 27/22 -8th July 2022

App No.:	P21/00047/RVC	Applicant:	Ahluwalia
Site:	Willow Cottage Nursing Home 127 Station Road Yate South Gloucestershire BS37 5AL	Date Reg:	19th January 2021
Proposal:	Variation of conditions 2, 4, 5, and 8 attached to permission PK18/6606/F as amended by P20/15588/NMA to replace the approved plans. External alterations to facilitate change of use from nursing home (Class C2) to 9 No. flats (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Yate Town Council
Map Ref:	371534 182604	Ward:	Yate Central
Application Category:	Minor	Target Date:	15th March 2021



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P21/00047/RVC

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

The application appears on the Circulated Schedule as there is an objection raised by Yate Town Council and the number of objection letters received, where the officer recommendation is one of approval.

1. **THE PROPOSAL**

This planning application is made under Section 73 (“s73”) of the Town and Country Planning Act 1990 (as amended) (“the Act”). Applications made under this section of the Act seek to develop land without compliance with conditions previously attached to the relevant planning permission.

In this instance, the applicant seeks Variation of conditions 2, 4, 5, and 8 attached to PK18/6606/F as amended by P20/15588/NMA to replace the approved plans for the previous planning permission for external alterations to facilitate change of use from nursing home (Class C2) to 9 No. flats (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

The application site comprises a large building set within a site extending to 0.19ha. The site is located along Station Road, within the defined settlement boundary of Yate. Planning permission was granted (PK18/6606/F) in 2019 for external alterations to facilitate change of use from nursing home (Class C2) to 9no. flats (Class C3).

Condition 2 of PK18/6606/F reads:

The landscaping proposals for the site shall be completed in accordance with the details shown on the approved landscape plan (Drawing no. 713-LA-P-01 C - Received on 5th July 2019) and the approved landscape strategy (Drawing no. 713 A - Received on 5th July 2019). The scheme of landscaping shall be implemented prior to the first occupation of the apartments hereby approved.

Reason:

In the interests of preserving the character and appearance of the site and surrounding area, and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

Condition 4 of PK18/6606/F reads:

The vehicular parking, cycle storage and waste storage facilities shall be implemented in accordance with the details shown on the approved site plan (Drawing no. 002 P13 - Received on 5th July 2019). The facilities shall be provided prior to the first occupation of the apartments hereby approved, and thereafter retained as such.

Reason:

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

Condition 5 of PK18/6606/F reads:

The proposed development shall be carried out in accordance with the submitted Arboricultural and Planning Integration Report and Tree Protection Plan dated December 2018 written by GHA Trees Arboricultural Consultancy.

Reason:

To protect the long term health of the trees and 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; Policy PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

Condition 8 of PK18/6606/F (P20/15588/NMA) reads:

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

Site Location Plan (Drawing no. 003 P3)
Existing Floor Plans (Drawing no. 004 P2)
Existing Elevations (Drawing no. 005 P2)
(Received by Local Authority 21st December 2018)

Proposed Site Plan (Drawing no. 002 P13)
Proposed Elevations (Drawing no. 007 P7)
Proposed Floor Plans (Drawing no. 016 P10)
(Received by Local Authority 5th July 2019)

Reason:

For the avoidance of doubt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility

CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS20	Extra Care Housing
CS23	Community Infrastructure and Cultural Activity
CS30	Yate and Chipping Sodbury

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP39	Residential Conversions, Sub-Divisions and Houses in Multiple Occupation
PSP43	Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

Full planning history is available on the Council website. Planning history that directly informs the current proposal is listed below:

- 3.1 P20/23997/PNOR
 Prior notification for the proposed change of use from Class E (Offices) to Class C3 (residential dwelling).

 Granted with conditions 2nd February 2021
- 3.2 P20/15588/NMA
 Non-material amendment to planning permission PK18/6606/F to list the drawings as a condition.

 Approved: 19 November 2020.
- 3.3 DOC20/00195
 Discharge of condition 6 (Arboricultural Watching Brief) attached to planning permission PK18/6606/F. External alterations to facilitate change of use from

nursing home (Class C2) to 9 No. flats (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Decided: 28 July 2020.

- 3.4 PK18/6606/F
External alterations to facilitate change of use from nursing home (Class C2) to 9 No. flats (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Approved: 16 September 2019.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Object to the bin area. Object to the proposal to add parking under the TPO yew tree canopy. 10 flats would be delivered instead of 9. Object to second floor balcony.

Other Consultees

- 4.2 Conservation Officer
No objection.
- 4.3 Ecology Officer
No objection, subject to conditions
- 4.4 Landscape Officer
No objection.
- 4.5 Highway Structures
Wish to make no comment.
- 4.6 Tree Team
No objection, subject to full compliance with the submitted tree report.
- 4.7 Lead Local Flood Authority
No objection.
- 4.8 Sustainable Transport
No objection.

Other Representations

- 4.9 Local Residents
4no. letters of objection have been received from local residents. The points raised are summarised as:
- Outbuilding is still labelled as an office building, but there is an application to convert it into a flat. That would be 10 flats in total, which would require the provision of affordable housing.

- Alterations to Flat 3 would make it a 2-bedroom, which would require additional parking.
- Privacy concern due to the proposed balconies.
- Far too much is being crammed into a small space.
- No mention who will pay for maintenance of Bowers Hey, which is a private road.
- The first part of the original home is a Georgian house, and so changes to it must be minimised.
- Window added to east wall does not exist on any other planning applications.
- Not sufficient parking.

5. ANALYSIS OF PROPOSAL

5.1 Conditions 2, 4, and 5 relate to landscaping, vehicular parking, and works to trees respectively. Condition 8 relates to the previously approved plans, and seeks to substitute those with the new plans, where certain external and internal changes are proposed.

5.2 Principle of Development

Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.

5.3 If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly.

5.4 If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.

5.5 In assessing this application it is necessary to assess whether the relevant condition, or any variations satisfy the requirements of planning conditions as set out in the National Planning Policy Framework (NPPF). The NPPF requires all planning conditions to pass three tests – that conditions should be:

- i. Necessary to make the development acceptable
- ii. Directly related to the development
- iii. Fairly and reasonably related in scale and kind

5.6 Analysis of the Proposal

Approval for the change of use from nursing home (Class C2) to 9no. flats (Class C3) was granted in September 2019.

5.7 Condition 2

It is proposed to adjust the wording of Condition 2 as follows:

The landscaping proposals for the site shall be completed in accordance with the details shown on the approved landscape plan (Drawing no. 713-LA-P-01 D) and the approved landscape strategy (Drawing no. 713 B). The scheme of landscaping shall be implemented prior to the first occupation of the apartments hereby approved.

The substitute landscape plans are acceptable in that they only show minor changes to lawn and planting areas adjacent to units within the eastern part of the buildings, and some redistribution of paving types to the south of the building and within the car park area. It is noted that tree T6 London Plane is no longer shown on the plan.

5.8 Condition 4

It is proposed to adjust the wording of Condition 4 as follows:

The vehicular parking, cycle storage and waste storage facilities shall be implemented in accordance with the details shown on the approved site plan (Drawing no. 002 P14). The facilities shall be provided prior to the first occupation of the apartments hereby approved, and thereafter retained as such.

Several flats would have a semi-private garden added, which in turn would result in the decrease of shared amenity space. The proposed changes are considered overall to enhance the residential amenity of future residents and are relatively minor, and therefore acceptable.

5.9 Condition 5

It is proposed to adjust the wording of Condition 5 as follows:

The proposed development shall be carried out in accordance with submitted Arboricultural and Planning Integration Report, revision A, dated December 2020, and Tree Protection Plan, revision A, dated December 2020 written by GHA Trees Arboricultural Consultancy.

The Arboricultural Report has been updated to reflect the current position on the site and to include the proposed extension. It does not result in the removal of any additional trees nor would it adversely impact any of the retained trees. There is no objection to the amended condition.

5.10 Condition 8

Condition 8 seeks to substitute previously approved plans and is proposed to be re-worded as follows:

*The development shall be carried out in accordance with the following plans:
Site Location Plan (Drawing no. 003 P3)
Existing Floor Plans (Drawing no. 004 P2)
Existing Elevations (Drawing no. 005 P2)
Proposed Site Plan (Drawing no. 002 P14)
Proposed Elevations (Drawing no. 007 P8)
Proposed Floor Plans (Drawing no. 016 P17)*

Among other things, the above would reflect the new porch on the north elevation, new extension on east elevation, revised cold-porch on south elevation, provision of several balconies, some internal layout changes. As well as considering whether the proposed changes are minor in nature (within the scope of a s73 application), the impact on residential amenity, the street scene, and other relevant material considerations must be assessed.

5.11 *Are the changes within the scope of s73?*

The potential for changes under a s73 application is wide in nature. It does allow for the construction of new elements of a scheme, as well as revisions to the alterations, when considered in the context of the wider scheme. The proposed internal alterations would not result in an increase in the number of units of the site, though there is an amendment to flat 3 that effectively increases the bedrooms from 1 to 2. It is marked on the plan as a study and it is the size of the previous bedroom. This does have an implication for the proposed development, as it would lead to a requirement for additional parking and amenity space. Amendments of this nature are allowed within a s73 application. The proposed changes are therefore considered to fall within the scope of a s73 application, subject to other material considerations.

5.12 *Impact on the residential amenity of neighbouring occupiers*

There are two elements of the scheme that could have an impact on the residential impact of neighbouring occupiers. These are the proposed extension and the introduction of balconies.

5.13 The proposed extension would be single storey. The boundary to the adjacent neighbour at 129 Station Road is a high stone boundary wall that would provide screening from the proposed extension. It is not considered that this element of the proposed development would have an adverse impact on the residential amenity of this neighbour. No other neighbour properties would be affected by the proposed extension. There is no objection to the proposed extension.

5.14 The application proposes three balconies, one above the proposed extension at first floor level on the east elevation serving flats 5 and 6, one above the existing extension at first floor level serving flats 7 and 8, and one at second floor level serving flat 9. The application has been amended since submission to reduce the projection of the balcony on the east elevation to be in line with the adjacent building line on the first floor. The proposed balconies would face towards the adjacent neighbour at 129 Station Road. There is a side garden of 129 Station Road adjacent to this boundary. The edge of the proposed first floor balcony would be approx. 17m from this adjacent neighbour boundary, with the second floor balcony being approx. 20m from the boundary. There is a weeping willow tree between the site and the adjacent neighbour that would provide additional screening in the summer months, when it is more likely for the proposed balconies would be used. In view of these distances, as well as the screening and the adjacent garden being side garden, it is not considered that this would result in a significant adverse in the residential amenity of this neighbour.

5.15 Due to the relationship with the other adjacent neighbours, it is not considered that there would be any adverse impacts on their residential amenity.

- 5.16 There is an additional window proposed on the first floor in flat 8. Due to its siting, the angle of overlooking would be too oblique to result in any significant loss of privacy to adjacent neighbours.
- 5.17 It is acknowledged that the introduction of the proposed balconies could result in some perceptions of overlooking to the adjacent property, it is not considered that this would lead to a significant adverse impact on residential amenity.
- 5.18 Concerns have been raised relating to the location of the bin stores and its relationship with the adjacent properties. The bin stores would be located in the same location as in the previously approved application. It is therefore considered that there would be no significant adverse impacts on the residential amenity of adjacent neighbours.
- 5.19 *Impact on parking*
There would be additional bedroom proposed due to some internal rearrangements. Whilst there is no increase in the levels of parking proposed, the proposed parking level is in compliance with Policy PSP16.
- 5.20 *Impact on trees*
The application is accompanied by an Arboricultural report. The report is considered to be acceptable and the proposed development would not result in any adverse impacts on the trees, provided that there is compliance with the measures set out in the report. This will be the purpose of condition 5.
- 5.21 Concerns have been raised by the Town Council, regarding the addition of parking under the protected yew tree. The parking area has not been changed since the previously approved application. Subject to the development being carried in accordance with the revised tree report, it is not considered that there will be any adverse impacts on trees as a result of this proposal.
- 5.22 *Affordable housing and the number of units*
Since the original permission was granted, prior approval has been granted (P20/23997/PNOR-Prior notification for the proposed change of use from Class E (Offices) to Class C3 (residential dwelling) for the conversion of the office to a residential dwelling. Yate Town Council and the Council's Housing Enabling team have stated that this would result in 10 units on the site, thus triggering the need for the provision of affordable housing.
- 5.23 Legal advice on this has been sought from the Council's legal team. The conversion of the office has not yet happened. As this could be undertaken under permitted development, it cannot be taken into account when assessing the need for affordable housing as it isn't a planning permission. The Council cannot seek to require affordable housing units as a result of permitted development as it is contrary to the function of permitted development and its legal basis. Officers have sought advice from the Council's legal advisors that concurs with this position.

5.24 Impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

- 5.25 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.26 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the 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 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 the original permission PK18/6606/F (15th November 2019).

Reason

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

2. The landscaping proposals for the site shall be completed in accordance with the details shown on the approved landscape plan (Drawing no. 713-LA-P-01 D) and the approved landscape strategy (Drawing no. 713 B). The scheme of landscaping shall be implemented prior to the first occupation of the apartments hereby approved.

Reason

In the interests of preserving the character and appearance of the site and surrounding area, and to accord with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP2 of the South

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

3. The hours of working on site during the period of construction shall be restricted to 0730 - 1800 on Mondays to Fridays and 0800 - 1300 on Saturdays; and 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 Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The vehicular parking, cycle storage and waste storage facilities shall be implemented in accordance with the details shown on the approved site plan (Drawing no. 002 P14). The facilities shall be provided prior to the first occupation of the apartments hereby approved, and thereafter retained as such.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

5. The proposed development shall be carried out in accordance with the submitted Arboricultural and Planning Integration Report, revision A, dated December 2020, and Tree Protection Plan, revision A, dated December 2020 written by GHA Trees Arboricultural Consultancy.

Reason

To protect the long term health of the trees and 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; Policy PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

6. The development must be carried out in accordance with the submitted Arboricultural Watching Brief, details of which were approved on 28th July 2020 (DOC20/00195).

Reason

To protect the long term health of the trees and 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; Policy PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

7. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Technical Update (ACD Environmental, June 2022) and Preliminary Ecological Appraisal (ACD Environmental, December 2018).

Reason

In pursuit of a net gain in biodiversity and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

8. The development shall be carried out in accordance with the following plans:
 - Site Location Plan (Drawing no. 003 P3)
 - Existing Floor Plans (Drawing no. 004 P2)
 - Existing Elevations (Drawing no. 005 P2)
 - Proposed Site Plan (Drawing no. 002 P20)
 - Proposed Elevations (Drawing no. 007 P10)
 - Proposed Floor Plans (Drawing no. 016 P20)

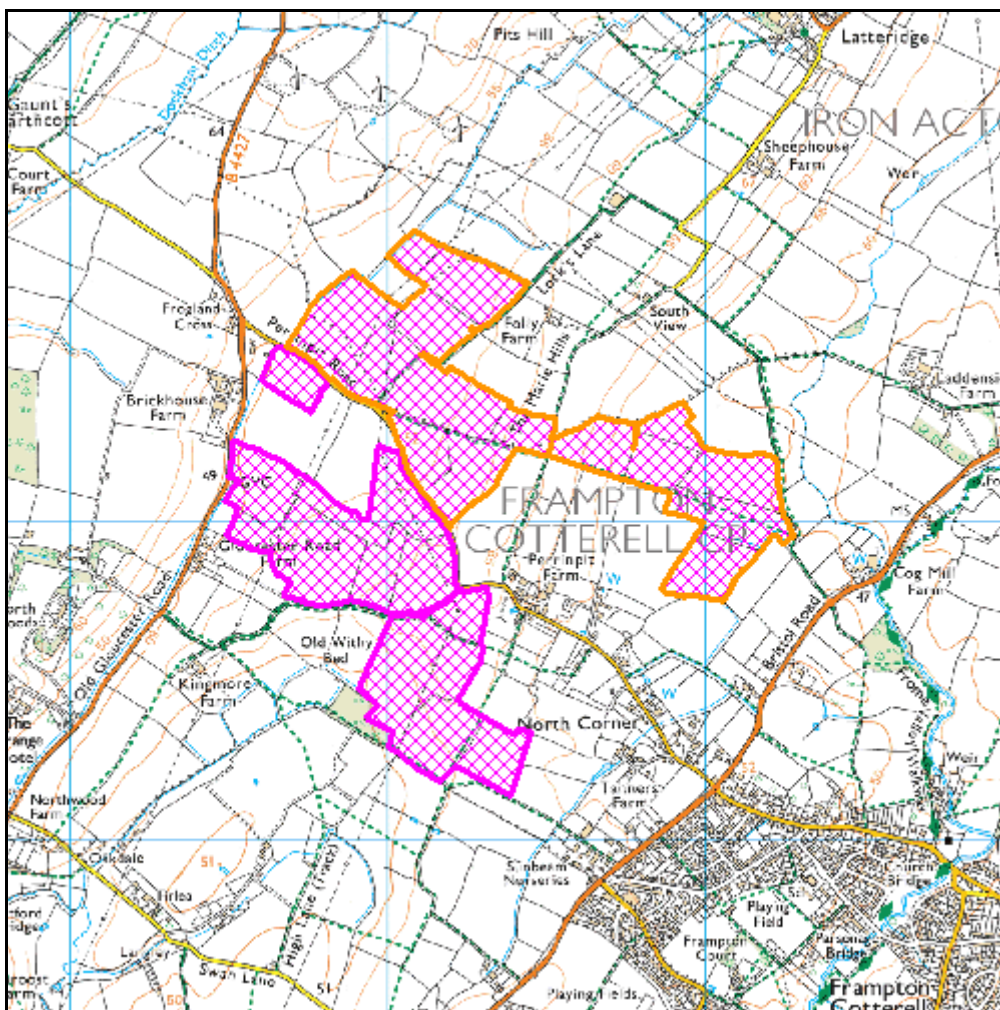
Reason

For the avoidance of doubt.

Case Officer: Suzanne D'Arcy
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 27/22 -8th July 2022

App No.:	P21/01624/F	Applicant:	Mr Marco Pannicke Perrinpit Road Solar Limited
Site:	Land At Perrinpit Farm Perrinpit Road Frampton Cotterell South Gloucestershire BS36 2AT	Date Reg:	19th March 2021
Proposal:	Construction of a 49.99MWp ground mounted solar farm for a temporary period of 40 years including associated infrastructure, substation, transformer stations, internal access road, security fencing and CCTV cameras.	Parish:	Frampton Cotterell Parish Council
Map Ref:	365434 182757	Ward:	Frampton Cotterell
Application Category:	Major	Target Date:	11th June 2021



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P21/01624/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 is referred to the Circulated Schedule in accordance with the Council Constitution which states that the Circulated Schedule shall always contain:

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.

In addition, three or more letters of objection have been received, contrary to the officer recommendation.

1. THE PROPOSAL

1.1 Full planning permission is sought for the construction of a 49.99MW (DC output) ground mounted solar farm for a period of 40 years. The proposal includes associated infrastructure, a substation, transformer stations, CCTV, access roads and security fencing as well as new landscaping, biodiversity enhancements and public rights of way enhancements.

It is stated that the solar farm would bring about the following green energy benefits:

- Approximately 14,441 Homes powered with electricity from the project
- 25,787 Tonnes of CO2 saved per annum

1.2 The solar panels would be secured to a metal framework which in turn is supported by pile driven foundations. Each row or table would be separated by approximately 3.0m to 3.5m to ensure no sunlight is blocked out due to shading. The solar panels would be angled at 20 degrees facing southwards to capture the most sunlight possible, resulting in the back edge sitting higher than the front edge. The maximum height of the solar panels would be approximately 2.5m above ground level at the back edge, with the front edge of the solar panel elevated by approximately 0.8m. This offers the potential for grazing to occur alongside the development, with livestock able to pass beneath the panels.

1.3 Transformer stations would be located around the solar site to increase the voltage to 33kV and allow connection to the 33/132kV substation. They would measure 2.6m (H), 2.1m (W), 3.4m (L) (similar in height and width of a shipping container, but shorter in length), coloured olive green.

1.4 There would be 250 smaller inverter units fixed to the rear of the solar tables that will aid in the conversion of the DC generated electricity into AC electricity.

The site would also include three spare parts containers, made of steel and are 6m long x 2.8m high by 2.4m wide.

- 1.5 Substation: The proposed 33/132kV substation compound would house all the electrical, grid and switchgear equipment to collect, transform and transfer the generated power to the distribution network operated by Western Power Distribution (WPD). Its dimensions would be 50m x 25m, with structures up to 3.5m height, located on the southern side of Perrinpit Road
- 1.6 Security fencing and gates: The site would be enclosed by security fencing (wooden poles with metal fencing) and will be approximately 2.1 meters high. Access gates would be provided at entrances to the site. A 150mm gap would be provided at the bottom of the fence line to allow for small mammals to pass through.
- 1.7 Internal access tracks: Gravel access tracks or corridors of grass located throughout the site would link all the transformer units within the solar farm and provide access for maintenance.
- 1.8 CCTV cameras: Remotely monitored CCTV cameras would be spaced at 50m intervals along the perimeter boundary fence to ensure the security and integrity of the site.
- 1.9 Small vertical gaps will be maintained between the panels in order to prevent an accumulation of surface water runoff so rainwater can drip through.
- 1.10 The site would be fenced and not open to the general public. The grass will be cut once or twice a year, and the site could be used for sheep farming.
- 1.11 Decommissioning would be completed in the opposite sequence to construction. As all material would be removed from site, the vehicle movements would be similar to construction traffic. Upon decommissioning, the site is returned as agricultural land

1.12

Changes to the scheme since submission

Since the application was originally submitted, the following amendments to the scheme have been made in the public interest:

- a. The eastern most and southern most field have been omitted from the scheme, these are fields containing Best and Most Versatile (BMV) and are now retained for agricultural use. In addition this reduces the sprawling nature of the scheme. *(NB although the physical extent of the scheme has been reduced, the applicant has confirmed that it is still possible to generate the same amount of energy, so there is no change to the description of development).*
- b. Substation moved to adjacent field (to the north), away from adjacent public rights of way and distanced further away from the listed buildings around Perrinpit Farm.

- c. The hedgerows along Perrinpit Road would be grown up to a height of 3m in order to further screen views to this site and provide added ecological benefit.
- d. The areas beneath the overhead lines are proposed for wildflower planting in order to better connect the existing green infrastructure and form a 'biodiversity corridor' running through the site.
- e. Where the ground opens up in the centre of the site, Skylark Plots would be added to improve the habitat to suit the species.
- f. Barn listed as a non-designated heritage asset given new purpose as a bat house near the proposed 'biodiversity corridor', providing foraging habitat for bats.
- g. Existing Public Rights of Way (PROWs) are proposed to be upgraded with improved signage and gateways, which can be used by both horse riders and pedestrians.
- h. An additional permissive path shown in the eastern most field would connect to the existing bridleway network and provide an alternative for riders who might otherwise use Perrinpit Road. This facilitates a wider 'loop' to the existing network. At the narrowest points these paths will sit within a 12m buffer between the existing hedgerow and the new hedgerow.
- i. Solar panels removed from Field J, therefore avoiding potential views from the west and any sense of enclosure along Perrinpit Lane.
- j. Panels removed from area alongside Lock's Lane and relocated between the powerlines having agreed a reduced easement to create space within this area.
- k. Additional tree planting proposed along western boundary of Field A.
- l. Tree and orchard planting proposed alongside substation on both sides of Perrinpit Road in order to screen views into the site from the road and LFC 4 on the other side of the road.
- m. Further tree and orchard planting proposed along southern boundary of Field P in order to screen views from PROW LFC 7.
- n. Access tracks now avoid root protection areas entirely (except in instances where they would pass through existing field gates).
- o. Hedgerow screening proposed to southern side of LFC 11 with a 12m buffer from the PROW to the newly proposed hedgerow.
- p. Additional tree planting proposed along western boundary in order to mitigate visual impacts. In total the two separate orchard areas comprising approximately 27 trees.

1.10 *Documents submitted in support of the proposal:*

Flood Risk Assessment

- Ecology Phase I
- Landscape visual impact assessment
- Landscape & Ecological Management Plan
- Planting Proposals
- Heritage desk-based assessment and Geophysical survey
- Construction traffic management plan
- Noise Impact Assessment

- Coal mining impact assessment
- BS5837 Tree survey and constraints plan
- Statement of Community Involvement
- Statement of Very Special Circumstances

1.11 *The application site*

The site lies some 0.3km NW of Frampton Cotterell in open countryside within the Green Belt. It extends to some 90ha of arable and pastoral fields and straddles either side of Perrinpit Road to the east of the B4427 Old Gloucester Road and west of the B4058 Bristol Road. A strong network of mature native hedgerows sub-divide the site fields as well as extending around its boundaries; many of the hedgerows are classified as being species-rich, with Oak and Ash trees. The tree report identifies 56No. of the associated hedgerow trees as being Category A.

1.12 The site comprises undulating agricultural fields to the N, S and S of Perrinpit Farm, which lies on higher land between 60m and 65m AOD at the southern end of The Marle Hills, a local landform feature.

2No. overhead power lines cross the western part of the site, from NE to SW, with a number of high and medium pressure mains gas pipelines also crossing the site.

A number of Grade II listed heritage assets lie within Perrinpit Farm.

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework
 National Planning Practice Guidance (General)
 National Planning Practice Guidance – Conserving and Enhancing the Historic Environment;

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
 CS2 Green Infrastructure
 CS3 Renewable and Low Carbon Energy Generation
 CS4A Presumption in favour of sustainable development
 CS5 Location of Development
 CS8 Improving Accessibility
 CS9 Managing the Environment and Heritage
 CS34 Rural Area

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

PSP1 Local Distinctiveness

PSP2 Landscape
PSP3 Trees & Woodland
PSP6 Onsite Renewable and Low Carbon Energy
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP28 Rural Economy

2.3 Supplementary Planning Guidance and other material considerations

- South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014). The western two thirds of the site lies within the central eastern part of LCA 10: Earthcott Vale, with the eastern site area lying within LCA 8: Yate Vale Ref.
- Green Infrastructure: Guidance for New Development SPD (adopted April 2021)
- Trees and Development Sites: Guidance for New Development SPD (adopted April 2021)
- Development in the Green Belt SPD 2005
- Design Guide Checklist SPD 2007
- Renewables SPD 2014
- 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 P20/011/SCR: Screening opinion for the construction of a solar park to include the installation of solar photovoltaic panels to generate approximately up to 49mw of electricity with DNO and Client substations, inverters, perimeter stock fencing, access tracks and CCTV. Landscaping and other associated works together with the retention and extension of existing hedgerows.

Decision: No EIA required, 21st May 2020.

NB This screening opinion site area was greater than the current application (as originally submitted) in that it extended eastwards all the way to the Old Gloucester Rd to the north of Gloucester Rd Farm, and an additional field was included the north western corner.

4. CONSULTATION RESPONSES

The following is a summary of the relevant comments received from the general public, parish councils, internal and external consultees, full details can be viewed on the Council Website.

4.1 Frampton Cotterell Parish Council

The Parish Council support the application in principle.

All public rights of way must remain accessible and be maintained at all times, and preferably upgraded.

Would like clarification in writing before it is considered regarding the intention to use chemicals and confirmation that the agent/developer will be contacting the wildlife trust.

Winterbourne Parish Council

No objection.

Coal Authority

The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area.

Esso Petroleum Co Ltd– Fawley to Avonmouth

We do have apparatus situated near the proposed works. No objections to the proposals so long as the enclosed 'Special Requirements for Safe Working' booklet and the covenants contained in the Deed of Grant are adhered to.

British Horse Society

I support the application in principle but have comments to make.

The proposed site surrounds parts of 2 bridleways, Tying Lane LFC5 and Locks Lane LIA42. I would expect some consideration to be given to these bridleways during and after the construction work. A big gain for the many local horse riders would be an inside hedge link between the 2 bridleways on the Tying Lane side of Perrinpit Road.

Police Crime Prevention Officer

I find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

4.2 *Internal consultation responses*

SGC Ecology

Plans have been updated to demonstrate a reduction in the layout of the solar farm, increasing opportunities for biodiversity enhancements which have been reflected in the landscape and ecological management plan and the biodiversity net gain (BNG) assessment calculations. It would be expected that the BNG assessment is accompanied by a report expanding on the calculations. Additional details have been submitted to support the BNG assessment which has expected net gains of 103.33% in habitat units, 49.14% in hedgerow units and no change in river units, this is welcomed.

The landscape and ecological management plan (LEMP) will enhance the site and provide further opportunities for wildlife. The updated LEMP has incorporated brash/log piles into the plan. No objections subject to conditions.

SGC Conservation Officer

The development proposals have the potential to impact upon the setting of the following number designated and non-designated heritage assets:

- Perrinpit Farmhouse and its barns (both grade II listed)
- Barn at Gloucester Road Farm (grade II listed)
- Northwoods House and its listed neighbours (all grade II)
- Tanners Farm (grade II)
- Frogland Cross Farm and its barns (locally listed)
- The Grange Hotel and the Grange Farm building group (locally listed).

The impact of the development proposals would result in less than substantial harm in the lower end of the spectrum to the significance of both the grade II listed Perrinpit Farm and the grade II listed Barn to Gloucester Road Farm.

The application is therefore to be considered within the context of paragraphs 202 and 203 of the NPPF. Refusal is recommended unless the “weighing-up” exercise as required by paragraph 202 of the Framework concludes that robust material considerations in the public interest are identified that are considered sufficient to outweigh the identified magnitude of harm.

SGC Highway Transport DC Officer

The main impact of the development in highways and transportation terms will occur during its construction phase. Hence, we are pleased to note the submitted Construction Traffic Management Plan (CTMP) analysing aspects of the site during this period and after its completion. We would also wish to see the applicant provide more details of the facilities to be implemented to reduce the car-dependency of these workers. As result of our review, we also understand that access to the site will be via the A38 and not the B4058. We consider this approach satisfactory.

The CMTP indicates dilapidation surveys. To ensure that these are implemented we recommend that appropriate conditions are placed on any permission granted.

SGC Tree Officer

The submitted Arboricultural details are very through and satisfactory protection is suggested for the protection of the trees. Provided that all works are in accordance with the submitted Barton-Hyett Arboricultural report there are no objections to this proposal.

SGC Environmental Policy and Climate Change team

We strongly support this application to install a 49.99MWpeak ground-mounted PV system at Frampton Cotterel. The system will contribute directly to the objective of making South Gloucestershire Carbon neutral by 2030 and to local and national targets for increasing the proportion of energy generated renewably.

SGC Environmental Protection

Noise

The submitted noise report on the completed operational noise sets out appropriate methodology and assessment using the Industrial British Standard 4142 as amended.

The constructional phase is addressed and noted in the Transport assessment which is considered appropriate to address noise and pollution for the transient 6 month build out program.

There is therefore, no formal noise and pollution objection alongside the standard informative to control the construction activity.

SGC Public Rights of Way Officer

This application will affect a number of public footpaths and three bridleways.

I am pleased to see (with the revised plans) the inclusion of a new permissive bridleway linking the two bridleways at Locks Lane and Cog Mill Lane - this will be welcome to local horseriders giving them an alternative to riding on Perrinpit Road and providing a contribution to equestrian safety.

Improvements to the footpaths in terms of replacing stiles with gates or gaps to make the paths more accessible is required.

A condition is requested to require a schedule and plan of the footpaths and the permissive bridleway and what gates are proposed.

Subject to this condition there are no objections.

SGC Landscape Architect

Objected to the original proposal on the grounds of being excessively sprawling in terms of the overall extent of the fields to be developed. In addition there was an inadequate landscape and visual impact assessment, and an absence of supporting visual illustrations. There was also originally inadequate new planting and protection of existing vegetation.

The latest proposed layout and associated landscape design and mitigation strategy, and supporting LEMP document, address many of the early concerns and represents an improved scheme, which is acceptable from a landscape perspective.

SGC Drainage

Pluvial Flood Risk

We note that the substation has been moved and remains in an area outside of flood risk and is therefore considered acceptable.

The location of the inverter stations does not appear to have changed but we note the number of stations has reduced due to the reduction in site area from 101ha to 71ha (revised FRA Section 1.2). They remain located in areas outside of flood risk which is welcomed.

We query the location of the Temporary Compound Area for Construction as it is not shown in the Site Layout Dwg: 01_module layout 1_2500 within Appendix 1 of the revised FRA.

Surface Water Drainage

We still await confirmation regarding the following:

-Substation/Inverter Stations/Storage Containers: A design drawing of the proposed permeable sub-base.

-Shallow Filter Drains: It is noted that the filter drains will encourage infiltration rather than be connected to an outfall.

- A design drawing of the filter drains is required.
- The filter drains will also need to be marked on the Module Layout Plans and the Site Layout plan within the FRA, Appendix 1.

General comments:

We welcome the 6m buffer strip on all sections of watercourse on/within the boundary of the site.

SGC Archaeologist

No objections subject to conditions.

4.3 *Other consultees*

Local Residents

Objection letters have been received from 12 residents.

Support letters received from 26 residents.

Summarised objections

Emissions from the embedded energy of solar panel construction and transport

Commercial buildings or brownfield land should be used rather than fields

Deer can't run through solar panels and buzzards can't scavenge what they can't see underneath.

Unightly, should be kept green

Preliminary Ecology assessment is insufficient and further work on birds and bats is required.

EIA required

Loss of agricultural land and query the classifications

More information on archaeology potential required.

Lack of consultation

Area is diverse for wildlife including birds on the red and amber list

Impact on ground nesting birds

Existing and permitted adjacent solar farms

Loss of Green Belt land

Area already dominated by pylons and wind turbines

Loss of ancient habitat for new accesses

The loss of a huge amount of land

Channeling of footpaths and bridleways alongside high fencing

Effect on hares

Loss and impact on some public rights of way

Negative impact on the landscape & change of character of the land

Reduction in opportunities for local people to enjoy walking

LEMP proposes the use of chemicals

New bridleway would disrupt wildlife and vegetation

Access to the site off Perrinpit Rd is dangerous

Farmer can't be bothered to farm

Some grade 1 agricultural land is proposed (*officer comment - this has now been deleted from the proposal*)

Glint and Glare assessment should be undertaken for horseriders

Impact on drainage for bridleway

Bridleway should be in min 10m corridor

40 year maintenance plan is required

Community Benefit is required as per Policy CS3

Summarised Support Comments:

-We desperately need more renewable energy in the UK

-Most of the land in this application is not high grade agricultural land well suited for arable

-Panels could be combined with sheep

-Solar panels do not permanently remove land from agricultural use

-Better option for local residents than losing yet more land to industrial buildings, housing.

-Yes there may be some effects on some local wildlife, but the developer is proposing measures to offset this, and the negative effects of climate change are much worse

-Not invasive to animals

-Help to long standing farmer

-The project has been meticulously appraised

-Sustainability and environmental protection are at its core

-Heartening stipulations such as hedgerow protection

-Opportunity to act responsibly for the health of our planet.

- Measures put in place for habitats to continue to thrive and animals to move freely throughout

-Green infrastructure corridors will ensure animals will be able to roam freely and safely throughout the site

- Gaps underneath the fence will mean no animals will get trapped within the fields.

-Net gain for biodiversity as set out in the LEMP

- I walk these public footpath's daily. Knowing that measures are going to be put in place to ensure these habitats and green land continue to thrive has my full support

- This solar farm will preserve the green belt land in the area. When dismantled this site will be one of the largest Green belt around, due to the fast development of houses in the area.

- This beautiful countryside land is going to be protected for the next 40 years.

- Consideration for the wildlife and countryside management

-All walkways will be maintained,

-The wildlife are still able to roam and nest as the solar panels will be raised from the ground.

-Farmers need to diversify

-Much needed extra hedgerows will be planted

-PROW will be enhanced

Winterbourne and Frome Valley Environmental Group

Support in principle, but have the following concerns;

- EIA is required.
- Ground nesting birds: not convinced by this as it is not possible to replicate the scale of the existing habitat by the construction of a small-scale meadow.
- Runoff during construction:
- Tree planting: The scheme maintains the character of the site by retaining the existing trees and by retaining and reinforcing the existing hedgerows, but more tree planting could be included to provide long term succession of trees in this landscape.
- Wildlife corridors: hedging instead of other barriers is requested and a large number of holes in the fencing/obstructions at ground level.
- Light pollution concern.
- Views of the solar farm both from adjacent housing and footpaths
- Statement of Community Involvement must include financial benefits and that this should include the communities of Frampton Cotterell and Winterbourne. From researching other similar schemes, we would expect the developer to provide community funding for at least £10,000 per year over 25 years. We would expect this funding to be managed by a local body such as the Parish Councils.
- Plans after decommissioning- assurance that the developer will be required to reinstate the site to its current status (preferably with additional ecological benefits) after decommissioning.

Frampton Cotterell Nature

Support in principle but have the following concerns:

No mention of owls in the ecological assessment or the environmental management plan.

No mention of sheep or their likely impact on habitats including the proposed wildflower planting and Skylark plots.

The proposed creation of a bridleway risks damage and disruption to habitats along a field margin where Hares are recorded

There is concern that the environmental management plan sanctions the use of pesticides and "the control of mammalian pests" which may include badgers.

Several public rights of way in this area are currently blocked, and the footpaths either side of Perrinpit Road no longer join up as Perrinpit Road has become unsafe

I feel a full environmental assessment should take place and a more detailed environmental management plan be developed prior to planning permission

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Full planning permission is sought for the construction of a 50 MW solar farm on approximately 90 hectares of land with associated access and electrical infrastructure. The site is located within the Green Belt.

The overarching aim of the planning system is to contribute to the achievement of sustainable development i.e. "meeting the needs of the present without compromising the ability of future generations to meet their own needs". This can be achieved

through economic, social and environmental means. Moving to a low carbon economy, mitigating and adapting to climate change and using natural resources prudently fall under the environmental objective. The current proposal is considered to sit well when considered in this regard.

There is a strong national and international agenda to reduce CO2 emissions through the generation of energy from renewable sources.

5.2 *Energy Legislation Policy and Guidance*

National Planning Policy Framework 2021

Chapter 14 of the NPPF titled 'Meeting the challenge of climate change, flooding and coastal change' provides guidance on renewable energy developments. Para 158 states that when determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable⁵⁴. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

National Planning Practice Guidance

Paragraph 013 Reference ID: 5-013-20150327 of the National Planning Practice Guidance is of most relevance to the proposals. This sets out a criteria of significant planning considerations that relate to large scale ground-mounted solar photovoltaic farms and states that:

The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively. Particular factors a local planning authority will need to consider include:

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

In addition, the written ministerial statement on solar energy: protecting the local and global environment made on 25 March 2015 that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;

- the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;

- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.

These issues are considered later in this report.

Climate Change Act 2008 (2050 Target Amendment) Order 2019

On 12 June 2019 the Government laid the draft Climate Change Act 2008 (2050 Target Amendment) Order 2019 to amend the Climate Change Act 2008 by introducing a target for at least a 100% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050. This is otherwise known as a net zero target, thereby constituting a legally binding commitment to end the UK's contribution to climate change. In response to the Committee on Climate Change's report, in June 2019 the UK became the first country to declare a climate emergency and legislate long-term climate targets. This legislation led to the amendment of the Climate Change Act 2008, introducing a legally binding target to achieve 'net zero' by 2050. The pathway to net zero is now firmly enshrined in the UK's statutory and policy provisions.

National Infrastructure Strategy – Fairer, Faster and Greener (November 2020)

The Strategy sets out the UK Government's plans to deliver on its ambition to 'deliver an infrastructure revolution' a radical improvement in the quality of the UK's infrastructure to help level up the Country, strengthen the Union and put the UK on the path to net zero emissions by 2050.

Energy White Paper (December 2020). The White Paper's goal is for a shift from fossil fuels to clean energy.

The above documents outline the immediate and pressing need for deployment of renewable energy generation in the UK. It is clear that solar PV development is recognised by the Government as a key part of the UK's transition to achieving a low carbon economy. These are material considerations in the assessment of this planning application.

5.3 *Local Development Framework*

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.

In this case, the starting point when considering the application is policy CS3 of the Core Strategy, Renewable and Low Carbon Energy Generation, and the other relevant policies as listed in section 2. Policy CS3 states that proposals for the generation of energy from renewable sources that would not cause significant demonstrable harm to residential amenity, individually or cumulatively will be supported. Policy CS3 sets out that in assessing proposals for renewable energy significant weight will be given to the following 4 criteria:

1. *The wider environmental benefits associated with increased production of energy from renewable sources;*

The direction of both international and national policy is to increase the amount of energy produced from renewable sources. The site is in the Green Belt but is not covered by any national nature designations. The large site is not immediately adjacent to residential properties.

In this instance, the proposed development would make a reasonable contribution to the South Gloucestershire Climate Change Strategy (CCS) which carries the objective of reducing the reliance on unsustainable energy generation in the interests of reducing the impacts of climate change. This is directly linked to the UK commitment to reducing the impact of climate change. It is considered that the proposed development would make a positive contribution to the South Gloucestershire CCS and would bring positive wider environmental benefits, and this should be given weight in determining this application. In assessing the application, officers have balanced the wider environmental benefits for South Gloucestershire and the UK as a whole against the impact on the more local environment.

This proposal would provide up to 49.99MW AC of renewable energy generation that will be transferred into the local grid network operated by Western Power Distribution. To place this in perspective, in September 2019 South Gloucestershire had 170MW installed renewable energy (source – South Gloucestershire Renewable Energy Progress Report 2018-19 Regen). Solar development makes up 91MW of this capacity as shown in the table below:

Technology	Total electrical capacity (MW)	Total thermal capacity (MW)	Number of projects	Percentage of installed capacity
Biomass	9.3	5.3	84	8%
Energy from waste	32		1	18%
Heat pumps		3.4	343	2%
Landfill gas ⁶	7.6		4	4%
Onshore wind	8.3		12	5%
Solar PV – ground mounted	91		10	51%
Solar PV – rooftop	23		4,054	13%
Solar thermal		0.3	102	0%
Hydropower	0.001		1	0%
Total	170	9	4,610	

In addition to the generation of renewable energy benefits to the local area, the proposed development would provide a number of other benefits:

A Biodiversity Net Gain would be achieved on site through the reinforcement of existing hedgerows and the planting of new hedgerows where required and also through the planting of native grass species within the solar farm itself and wildflower grass meadows around the perimeter edges of the solar farm.

The site would also be used to graze sheep between the rows of solar panels, thereby maintaining an agricultural use during the operation and maintenance phase of the solar farm;

The application is for a temporary period of time (40 years). Therefore, all the elements of the solar farm are reversible and can be removed from site and the land returned to its former state, with a legacy of biodiversity enhancements following decommissioning of the site.

The key benefits are the generation of clean power for approximately 14,441 homes (saving 25,787 Tonnes of CO₂ per annum) and the opportunity to deliver a Biodiversity Net Gain (BNG) on the site itself.

2. Proposals that enjoy significant community support and generate an income for community infrastructure purposes by selling heat or electricity to the National Grid;

The two host Parish Councils support the proposal. The supporting text to policy CS3 states that direct financial benefit to the local community will be encouraged, particularly in AONBs. With regard to this, the DAS states that the developer has committed to delivering a community benefit fund which would support local community projects. It is not considered necessary to secure this through a S.106 as it would not meet the tests. Whilst there are some objections to the scheme from local residents, there are more letters of support for the scheme. The submitted planning statement sets out the level of community engagement that has taken place. Overall therefore there is significant community support for the scheme.

It is noted that a local resident has stated that there has been insufficient consultation on the application, however in fact consultations to over 140 local residents were carried out by the Council.

3. The time limited, non-permanent nature of some types of installations;

The development is proposed for a period of 40 years after which the site would be returned to its current condition.

A 40 year period while obviously non-permanent in the strictest sense, is not temporary. The earlier generation of sites were usually for a 25 year period. It is not considered that any significant weight can be given to this. This said, should national, local or global situations arise, the panels could be removed and the land reverted to agriculture within a few months.

In terms of the loss of agricultural land, the NPPG guides development away from the best and most versatile land i.e. land graded between the best Grade 1 and Grade 3. The application site is currently utilised as agricultural land. Surveys and a detailed agricultural land classification study have been undertaken to identify the precise

grading off all fields comprised within the development boundary. Through the latest suite of amendments to the plans, it is now confirmed that the site avoids any BMV agricultural land and is therefore in accordance with the NPPG (Paragraph 013 Reference ID: 5-013- 20150327) in this regard. The site would also continue to be grazed by sheep during the operation of the solar farm, demonstrating an optimal use of the land by fulfilling both energy generation and agricultural functions.

4. The need for secure and reliable energy generation capacity, job creation opportunities and local economic benefits.

The government, in producing the Solar Radiation maps of the UK, have identified areas of the country receiving higher levels of solar radiation. South Gloucestershire is identified as falling in an area receiving high levels of solar radiation. The solar proposed solar farm is therefore considered to be a reliable source of renewable energy.

It is not considered due to the way solar farms operate that, with the exception of commissioning and de-commissioning, the site will generate notable local employment opportunities. However The proposal represents a form of agricultural diversification, which brings an economic benefit to the landowner who will receive a consistent ground rent for the full period of installation, to add to their otherwise more volatile agricultural income.

In summary the application proposal is considered to carry significant beneficial weight principally due to point 1 of Policy CS3 above but also elements of point 4 in particular. Having regards to the above, the proposed solar energy farm would make a contribution towards renewable energy production in South Gloucestershire and the objectives of the CCS, as well as contributing towards the National commitment. These benefits therefore carry significant weight in considering this planning application. It is considered that the proposed development would meet the local and national policy objectives for renewable energy development and as such is acceptable in principle. However, it is necessary to weigh the policy objectives and renewable energy benefits in the balance with the impact upon the local environment.

Policy CS34 relates to the wider environmental impacts associated with all forms of development taking place in within the rural and countryside environment. The policy sets out a criteria of issues that need to be taken into account when considering such proposals.

1. "Protect, conserve and enhance the rural areas' distinctive character, beauty, wildlife, landscape, biodiversity and heritage
2. Protect the best and most versatile agricultural land...
3. Protect the unique and valuable setting provided by the rural areas to the urban areas and other settlements in South Gloucestershire, which contributes to the district's distinctive sense of place and identity
4. Protect the designated Green Belt and the Cotswolds AONB from inappropriate development...
9. Support renewable energy proposals where they conform to Policy CS3...
12. Demonstrate through the preparation of appropriate Flood Risk Assessments, surface water plans and drainage strategies, how flood risk will be managed
13. Recognise the role that rural areas can make to projects and initiatives that address and adapt to the challenges of climate change".

Criteria 2,9 and 13 have been discussed above. The other criteria are considered in the sections below.

The SGC renewable SPD 2014 recognises that solar farms have the potential to increase biodiversity and that they are generally considered to represent 'temporary' features in the landscape. The document also recognises the importance of being within viable proximity to a point of grid connection and the guidelines within the SPD confirm that sites should be selected on the basis of their proximity to a connection point.

The application site is not allocated for housing in either the adopted or re-emerging development plans.

5.4 Green Belt

The site is located within the Green Belt. Section 13 of the National Planning Policy Framework (NPPF) considers the Green Belt in relation to development proposals. Furthermore, the NPPF also states that the fundamental purpose of the Green Belt is to preserve its openness. The proposed development does not fall within one of the defined categories of appropriate development within the Green Belt, as set out in paragraphs 149 and 150 of the NPPF.

Paragraph 147 of the NPPF sets out that in the case of proposals which come forward in the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that: *When considering any planning application, local planning authorities should ensure that substantial weight is 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 resulting from the proposal, is clearly outweighed by other considerations.*

Furthermore, paragraph 151 of the NPPF states that:

When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

It is considered that the proposed development is not appropriate within the Green Belt; and is by definition harmful to the Green Belt.

Policy CS3 acknowledges that given the close proximity of the Green Belt to the main urban areas, this will potentially be an attractive location for renewable energy generation. *'Greater weight will therefore be given to the wider environmental benefits (CO2 reduction) in considering applications in this area, particularly where criteria 2,3 and/or 4 are met.'* The applicant has provided a case for very special circumstances. As the harm to the Green Belt needs to be put on the scales to be weighed up with any other harm as well, this exercise is carried out at the end of this report under *Planning Balance*.

5.5 Landscape

Whilst the National Policy Statement for Energy (EN-1 and EN3 2011) sets out projects that are to be considered by the NSIP process (Nationally Significant Infrastructure Projects) – which this application is not, the September 2021 draft update to NPS EN-3 contains more specific support and guidance for Solar Farm development as part of the government's strategy for low cost decarbonisation of the energy sector. Paragraph 2.48.12 relates to the siting of such developments and notes that *“The applicant may choose a site based on nearby available grid export capacity. Locating solar farms at places with grid connection capacity enables the applicant to maximise existing grid infrastructure, minimise disruption to local community infrastructure or biodiversity and reduce overall costs. Where this is the case, consideration should be given to the cumulative impacts of situating a solar farm in proximity to other energy generating stations and infrastructure”*.

Paragraph 2.51.2 relates to the prospective Landscape Impacts of solar farms and explains that: *“The approach to assessing cumulative landscape and visual impact of largescale solar farms is likely to be the same as assessing other onshore energy infrastructure. Solar farms are likely to be in low lying areas of good exposure and as such may have a wider zone of visual influence than other types of onshore energy infrastructure. However, whilst it may be the case that the development covers a significant surface area, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.*

Policy PSP2 requires any development proposal to respect and consider the context, setting and character of the landscape and the natural environment that it is located within. The Policy states that:

“Development proposals will be acceptable where they conserve and where appropriate enhance the quality, amenity, distinctiveness and special character of the landscape (defined by the Landscape Character Assessment).

Policy CS1 of the Core Strategy requires that development of a sufficient scale or significance explains how it contributes towards the vision and strategic objectives of the locality. Policy CS9 states that new development will be expected to *“conserve and enhance the character, quality, distinctiveness and amenity of the landscape”* (The landscape character is identified in the South Gloucestershire Landscape Character Assessment) that was adopted as a supplementary planning document in November 2014: The western two thirds of the site lies within the central eastern part of LCA 10: Earthcott Vale, with the eastern site area lying within LCA 8: Yate Vale. The visual impact of the scheme, and how it can be mitigated is a key issue for determination of this application.

5.6 *Existing Landscape Character*

The site lies some 0.3km (nearest edge) NW of Frampton Cotterell in open countryside within the Green Belt. The application site extends to some 90ha and straddles either side of Perrinpit Road to the east of the B4427 Old Gloucester Road and west of the B4058 Bristol Road. The mix of 21No. arable and pastoral fields are contiguous. A strong network of mature native hedgerows sub-divide the site fields as well as extending around its boundaries; many of the hedgerows are classified as being species-rich, with Oak and Ash trees. The arboricultural report identifies 56No.

of the associated hedgerow trees as being Category A, 161No. as being Category B and 33No. as Category C. A woodland area associated with Old Withy Bed lies adjacent to the SW corner of the site. The site comprises undulating agricultural fields to the N, S and S of Perrinpit Farm, which lies on higher land between 60m and 65m AOD at the southern end of The Marle Hills, a local landform feature. The site is crossed by a number of gated farm access tracks off Perrinpit Road. A strong network of PROW also crosses the site and adjoin its boundaries. 2No. overhead power lines cross the western part of the site, from NE to SW, with a number of high and medium pressure mains gas pipelines also crossing the site.

5.7 *Landscape Impact and Mitigation*

The original Landscape visual Impact Assessment (LVIA) only included 4No. assessment viewpoints, which was insufficient to provide a good representation of those visual receptors that will be impacted upon by the scheme, especially linear receptors such as roads and footpaths; and also, did not include 'worse case' view locations. The submitted new LVIA includes supporting wireframe images and rendered photomontages and view points have been agreed with the Council's Landscape Architect. Important viewpoints are from Perrinpit Road and the many public rights of way within and adjacent to the site.

. There will be 'major' adverse effects on the PROW networks crossing the site due to the complete transformation of its physical and visual setting, together with a number of 'minor-moderate' adverse where routes approach the site. As a result of the impact on the linear receptor- Perrinpit Road, Field J, a freestanding element of the scheme at its western end has now been omitted from the proposal.

The detailed analysis of the fabric and character of the site, and adjacent landscape surroundings, have been assessed as being of 'low-medium' and medium 'value' respectively. The adverse effect of the scheme on the character of the site itself is assessed as 'moderate-major' adverse with a 'minor adverse' effect on its individual characteristics.

The susceptibility of LCA 10; Earthcott Vale is assessed as medium high, with sensitivity assessed as 'medium'. The LVIA assesses that the scheme will have a 'minor moderate' adverse effect. LCA 8: Yate Vale is assessed as medium, with the adverse effect as minor.

Robust additional mitigation measures are required to address the visual impacts of the scheme, and these have been agreed with the applicant and a revised landscape softworks plan submitted, (see below).

5.8 *Cumulative Assessment*

The cumulative landscape and visual impacts (e.g. combined, simultaneous and sequential from linear receptors such as roads and footpaths) of the application scheme in conjunction with the other solar schemes has been assessed, with appropriate cumulative assessment viewpoint locations and supporting site photographs illustrating the views from them.

- Grange Farm (0.75km to the west);
- Larks Green (>2.5km to the north/north-east (Consent was granted on 5th January 2021 for a 49.9MW solar farm development on Land North And West Of Iron Acton Substation under planning ref: P20/13909/F).

- (Says Court has been discounted due to the amount of intervening topography and vegetation, there is no intervisibility).

The effects of the Proposed Development are localized due to the combination of landform, built form and established vegetation. No areas of combined views where other solar schemes in addition to the Proposed Development are visible within the same view (either in the observer's line of sight, arc of view or even if the viewer has to turn around).

The Larks Green solar development, is separated from the current proposal by the topography of the Marle Hills, a landscape feature that runs in an approx. north to south direction. This landscape feature, coupled with established vegetation restricts any intervisibility between the two developments, therefore there is assessed to be no cumulative visual impacts.

The Grange Farm solar development is located on an elevated plateau of land to the west of the current application at a distance of 0.75km. Despite its relatively close proximity, the change in topographical level that exists to the west of B4427 Old Gloucester Road, in conjunction with established field and roadside vegetation and woodland groupings around the Grange Hotel limits any intervisibility between them, so no cumulative impacts are predicted.

The Proposed Development is generally visually well contained, with only close-range views possible from users of Perrinpit Road, and local PROW network that passes through areas of the site.

None of the other identified solar developments are or will be visible along Perrinpit Road, and users of the local road network would have to travel in excess of 4km to observe elements of the Larks Green solar development using a combination of 'B' roads or more local roads.

In terms of PROW, there is an extensive network of routes that traverse the landscape to the north and south of the Site. The users of the PROW network are considered to be High sensitivity receptors and are likely to experience more extensive views and fewer glimpse or sequential views than motorists due to their lower speed. It is considered that there would be no material cumulative effects on visual amenity as a result of the Proposed Development in combination with other solar farm developments.

5.9 *Module Layout*

The revised scheme shows the location and orientation of the proposed sub-station as revised following officer negotiation. This will provide more space for a buffer between it and adjacent PROW LFC/11 lying south of Perrinpit Road as well as the road itself.

Four fields have been omitted due to their visual impact, and this has not effected the amount of energy that can be generated by the scheme.

5.10 *Landscape Softworks Proposal*

Overall, 1,700m of new hedge will be planted. Additional mitigation planting along either side of Perrinpit Lane to filter views into the site is now proposed. Panels have been relocated from alongside Lock's Lane to between the powerlines south of Perinnpit Lane. Two new areas of orchard planting, one near the sub-station and one further south. New tree and orchard planting is proposed along southern boundary of Field P and underplanted with a hedge to provide more effective screening of views from PROW LFC 7. In addition, new hedgerow planting along the southern edge of LFC 11 with a 12m buffer, together with tree planting along western boundary is proposed.

Importantly, roadside and internal hedgerows will be managed to a height of 2.1 m for screening.

The proposed stone access track alignments now avoid root protection areas of existing trees except where they pass through existing field gates. With respect to on-site trees, there are no objections to the development. All the existing trees are to be retained on site.

SGC tree strategy (2011-22) has the target of increasing tree cover across South Gloucestershire to 15% (Ref. national DEFRA target of 15% as minimum needed to adapt to a projected changing climate). This target does not take into account carbon sequestration, Climate Change Committee (CCC) call for a doubling of tree cover, or account for possible future tree losses as a result of Ash Die Back Disease. Based on the 250No. trees surveyed within the arboricultural report a minimum of 37No. new trees are required to meet the Council's objective, especially given the presence of Ash on site. The revised scheme now includes 72No. new trees are now proposed including 27No. orchard trees.

Field P is at the southern edge of the site, a strong, planted edge treatment (with trees) is required around this SE extent of the development within elevated Field P, to better integrate this into its surroundings. This has now been provided within the revised scheme, augmented by higher growth height management of the existing hedgerow.

5.11 *Landscape, Open Space, and Ecological Management Plan (LEMP)*

A revised LEMP has been submitted. Field J, in the western end of the site, previously to be developed is now being promoted for biodiversity, and new orchard areas. Contracts will be issued to cover the ongoing maintenance of hedgerows and wildflower areas. The LEMP sets out a summary of the site hedgerows which are to be retained, and their management, as well as the trees, together with that of grassland areas and peripheral field margins that are to be left in open usage.

The LEMP explains that the timing of the proposed hedgerow growth management work 'would commence immediately upon any grant of planning consent with new

planting proceeding in first full planting season after first export date,' which is a practical approach.

A more comprehensive long-term management prescription for thee 40 years is required, and this will be required through an updated and more detailed LEMP agreed by condition.

5.12 *Landscape Conclusion*

The latest proposed layout and associated landscape design and mitigation strategy, and supporting LEMP document, address the early concerns of officers, and represents an much improved scheme, which is acceptable from a landscape perspective. Any effects on landscape character or visual amenity would be restricted to locations immediately surrounding the proposed site, due to the screening effects of built form, existing vegetation and topography that all assist in limiting views of the proposed development.

The following matters are required to be submitted through conditions:

- Phasing plan for all landscape infrastructure works, including identification of any areas of advanced/early mitigation planting.
- Detailed planting plans
- An updated long term LEMP expanding upon the submitted Landscape, Open Space, and Ecological Management Plan document.
- Details of all proposed levels and any soil retention/retaining walls that may be required.

5.13 Site Security

The site would be enclosed with a 2 metre high timber and wire deer proof fencing. Full details of the fence design have been submitted and considered acceptable. The fencing is similar to that found at other solar farms in South Gloucestershire.

The application also includes the introduction of CCTV cameras on poles no higher than the boundary fence. The maximum height of the camera lenses would be 2 metres above ground level to reduce their visual impact. Full details of the cameras have been submitted and deemed to be visually appropriate.

5.14 Heritage

The application is supported by a Heritage Impact Assessment (HIA), which was amended during the course of the application to take account of the revised scheme and also due to officer's concerns that it did not fully assess the impact on the setting of grade II listed Perrinpit Farm in particular.

The HIA argues that while the proposals will lie within the wider setting of the farmhouse, due to the lack of historic association of this area with the listed farmhouse, the application site in this area does not contribute to the historical and evidential value of the farmhouse and thus does not form a key part of the setting of the listed building in respect of Perrinpit Farm.

Officers consider however that whilst the site may not be considered to be a “key part” of the setting in respect of where or how the farmhouse is experienced and as before, regardless of ownership or historic functional association, the agrarian landscape surrounding Perrinpit Farm can be considered to be a positive and material characteristic of the setting of the farmhouse, as being able to experience an historic farmhouse within a rural setting can be considered to contribute to its overall character and in turn its significance. The loss of open fields in the proximity of an historic farmhouse would result in a change of setting that would detract from its character, as the sense of connection with the rural landscape and the authenticity this gives a working farmhouse is eroded.

Even though the open fields allow for what might be only glimpses of an historic farmhouse, in these same views there would be the pv cells, the substation (albeit now moved further away) and the perimeter fencing. This would detract from the existing site character, and would ultimately harm the setting and accordingly significance of the designated heritage asset.

How the building is experienced in these views is what determines the degree of change and level of harm. Inter-visibility from the upper floor windows of Perrinpit Farm towards the south-western corner of the site would remain, as would the views of the farm from the PROW to the south looking north with potential co-visibility along the PROW positioned on the north-south axis.

With regard to the magnitude of harm, as the contribution the application site makes to the setting and in turn the significance of the designated heritage asset is limited when considered in its wider context, consequently, the visual impact of the development proposals on the setting and significance is equally limited. The development proposals would however still result in a degree of harm.

Officers therefore disagree with the “no harm” conclusions stated in the applicant’s HIA in respect of the impact on Perrinpit Farm and would maintain the position of “less than substantial harm” with the level of harm towards the lower end of the spectrum.

With regard to the Barn at Gloucester Road Farm (grade II listed), the solar farm would be sited adjacent to the north east corner of the existing curtilage of this grade II listed barn and less than substantial harm would ensue towards the lower end of the significance of this grade II listed building.

In the light of considered impact of the proposals and the lack of assessment regarding the locally listed buildings, (Frogland Cross Farm and its barns and The Grange Hotel and the Grange Farm building group), it is considered that the development proposals would neither sustain nor enhance the significance of the non-designated heritage assets contrary to policies CS9 and PSP17.

As the proposal would result in less than substantial harm in the lower end of the spectrum to the significance of both the grade II listed Perrinpit Farm and the grade II listed Barn to Gloucester Road Farm, the application needs therefore to be considered within the context of paragraphs 202 and 203 of the NPPF. This “weighing-up” exercise is to consider whether robust material considerations in the

public interest can be identified that are considered sufficient to outweigh the identified magnitude of harm. This assessment will be set out at the end of this report in the *Planning Balance* section.

Archaeology

The application is supported by a Heritage Impact Assessment and the results of a geophysical survey. Both reports largely rule out any archaeology of such significance that it would preclude development and the Council's archaeology officer sees no reason to disagree with this. The geophysical survey would not have picked up all the possible archaeology in any event as there appears to be lots of disturbance or modern interference, but there is sufficient to broadly trust the results. As such, there is no archaeological objection to the scheme, but there would be a need for further archaeological work delivered through condition. This would take the form of trial trenching in the first instance, followed by any further mitigation necessary.

5.15 Residential Amenity

South View lies to the north of the site, at a distance of some 400m. The main residence lies to the north of the property, with several agricultural buildings located in close proximity that obscure views to the south-west and the site itself. Potential views are possible in the direction of the Site (Fields F and G); however intervening vegetation and the falling topography this location is likely to limit views. Several farmsteads with possible views are located in close proximity to the site. Brickhouse Farm, Gloucester Road Farm and Kingmore Farm lie in close proximity to the west of the Site. However intervening vegetation is likely to limit views. Topographical changes and existing field boundary vegetation combine to restrict any views of the proposal from either Gloucester Road Farm or Kingmore Farm. To the east, there are possible views from within the curtilage of Tanners Farm, filtered by mature tree groupings and intervening field boundary vegetation.

At Perrinpit Farm located at the bend on the Perrinpit Road, views to the south are across an entrance courtyard, the road itself and then onto dense roadside vegetation that limits wider views to filtered views. To the north, views are across a small garden area with sizeable mature trees present that separated the dwelling from the numerous agricultural buildings that surround the farm. There will therefore be some views of the proposed development from Perrinpit Farm.

The solar panels are designed to absorb light rather than reflect it. Any glare would appear as a sheen and the solar panels take on a lighter colour for a period of time - glare would not occur in the same way as reflections off a mirror. There few properties nearby are not within very close proximity however notwithstanding this it is not therefore considered that there is any significant potential harm to neighbouring dwellings by means of glint and glare. Nor would there be any harm through noise and disturbance during the operational phase. A noise impact assessment has been submitted. On site measurements of existing noise levels have been undertaken in accordance with current standards and regulations. All the noise generating equipment within the site has been fully assessed against existing background noise levels and has been plotted against the nearest noise sensitive receptors that are closest to the site. The report concludes that there are no identified impacts that would reduce or harm existing levels of

amenity on the nearest noise sensitive receptors. All noise generating equipment has been located towards the centre of the site. In the worst-case scenario where the solar plant will begin generating in the quieter early hours on a very hot sunny day, transformer units and inverters will generate a 'hum' but the noise impact assessment confirms this will not impact on the nearest residential properties. The Council's Environmental Protection officer has confirmed acceptance of this report.

Conditions relating to construction management and hours of work are designed to prelude any harm to residential amenity during the construction phase.

5.16 Ecology

A Preliminary Ecological Appraisal, Landscape and Ecological Management Plan and Biodiversity Net Gain Assessment has been submitted, all of which have been amended throughout the course of the application.

The site is not covered by any designated sites. Habitats present include poor semi-improved grassland, improved grassland, arable, scattered broad-leaved trees, hedgerows, ditches and standing water. Revised details have confirmed that apart from some small sections for field accesses, the existing hedgerows will all be retained. In addition the mature trees and boundary woodland will all be retained.

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

Bats: 43 trees were assessed as having low potential, 14 assessed as having moderate potential and 4 assessed as having high potential for roosting bats. Low potential trees do not require further surveys but works will be completed under a precautionary approach. Recommendations have been made for sensitive lighting, particularly around any buildings required for the solar farm. It has been confirmed that trees that support bat roosting potential will not be removed.

Great crested newt (GCN): Most of the ditches are subject to heavy shading and assessed as being unsuitable for great crested newts. One waterbody was assessed for its suitability and an eDNA survey was undertaken. A negative result was returned. A habitat manipulation exercise has been recommended as buffers will be present around the proposal which will provide suitable habitat for GCN and amphibians.

Dormice: No signs of dormice were found and no recorded were returned from the desk study. Suitable habitat for dormice is confined to the boundary vegetation which will be retained.

Otter: There are limited foraging opportunities for otter on the site, however they are known local to the area so their presence cannot be ruled out. The ditches will be retained, therefore significant impacts are not expected.

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

Birds: Nesting opportunities are present, mainly in the boundary habitats. The proposal is unlikely to significantly adversely impact nesting birds, however the solar panels will reduce the amount of habitat available for ground nesting birds. Enhancements and mitigation have been recommended for this.

Reptiles: There are several areas mainly in the field boundaries and areas of less managed grassland suitable for reptiles. A habitat manipulation exercise has been recommended as buffers will be present around the proposal which will provide suitable habitat for reptiles.

Water Vole: The revised ecology report found that the ditches recorded on site were deemed as being unsuitable for water voles, they are dry for large parts of the year and current management reduces foraging potential. No evidence was recorded.

Badgers protected under the Badger Act 1992: No signs of badgers were recorded, however they are likely to be present within the site. Mitigation has been proposed and should also include a pre-commencement site walkover to check for signs of badgers due to the mobility of the species.

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

Hedgehog: The updated report details that there are opportunities suitable for hedgehogs. Fencing with hedgehog holes (13cm x 13cm) are to be incorporated.

Invertebrates: The updated report details that the habitats present are likely to support common species of invertebrates, and it is unlikely that the habitats will support rare or notable species.

- 5.17 *Ecology Conclusion:* The reduction in the extent of the solar farm, and increased opportunities for biodiversity enhancements which have been reflected in the landscape and ecological management plan and the biodiversity net gain (BNG) assessment calculations are welcomed. Additional details have been submitted to support the BNG assessment which has expected net gains of 103.33% in habitat units, 49.14% in hedgerow units and no change in river units, this is welcomed.

The following ecological enhancements are proposed:

- Wildflower planting of approx. 27.5 acres across site area and throughout a 'biodiversity corridor' connecting significant features
- Buffers observed from all hedgerows across the site to avoid any direct impacts from the components.
- Wildflower and grass seed planting within the main solar farm and along the perimeter edges of the site between the hedgerows and fence line.

- Gaps in the hedgerow will be planted up with native hedgerow, increasing habitat connectivity
- Supplementary hedgerow planting
- Existing dilapidated barn to be brought into use as a bat house, to provide suitable conditions for a roost within the biodiversity corridor
- Creation of Skylark Plots to provide suitable nesting habitat for Skylark within the biodiversity corridor

The landscape and ecological management plan (LEMP) will enhance the site and provide further opportunities for wildlife. The updated LEMP has incorporated brash/log piles into the plan.

- 5.18 It is acknowledged that many of the objections to the proposal are based on ecological concerns. The LEMP confirms that in the interests of best practise for biodiversity, the use of pesticides and herbicides would be minimised wherever possible. In recognition of the site's wildlife value all existing hedgerows, mature trees and boundary woodland are retained and protected within the layout, utilising existing hedgerow gaps and routes for access. The scheme also incorporates new habitat creation and enhancement of existing features through new planting and beneficial management to improve habitat connectivity between the site and the wider landscape and secure the site's value for protected species such as bats and other wildlife in the long-term.

In addition, there will be provision of habitat for ground nesting birds as part of the solar scheme. Securing ground nesting habitat provision through this LEMP negated the requirement for further targeted surveys, it was considered useful information would not have been gained from additional survey that had not already been previously ascertained.

There is therefore no ecology objection subject to conditions covering the following:

The development shall proceed in accordance with the Mitigation and Enhancement Measures provided in the Preliminary Ecological Appraisal and Landscape and Ecological Management Plan.

Lighting to be designed to not spill onto the hedgerows and trees

A pre-commencement site walkover to check for signs of badgers, and if setts present and will be impacted detailed mitigation to inform a license will be required. If work does not commence within 12months of the date of the report, a further site walkover will be required to assess any material changes.

5.19 Public Rights of Way

As noted in the landscape section above, the site is crossed by a number of gated farm access tracks off Perrinpit Road. A strong network of PROW also cross the site and adjoin its boundaries, including:

- Bridleway LIA/42, which crosses the NW site area to then follow Locks Lane to the north of the site.
- Footpath LIA/41, which runs north to south through the centre of the site between Perrinpit Farm and Folly Road (at its northern end).

- Footpaths LFC/3 and 4, which run east to west through the site, to the north of Perrinpit Road.
- Footpath LFC/11, which lies parallel to the southern section of Perrinpit Road before crossing the western part of the site.
- Bridleway LFC/5, which runs east to west across the western part of the site, to overlap with the western section of Footpath LFC/11.
- Footpath LFC/12, which run north to south through the site area lying south of Perrinpit Road.

Since the application was originally submitted, the following improvements in relation to PROWs have been secured:

- Existing Public Rights of Way (PROWs) are proposed to be upgraded with improved signage and gateways, which can be used by both horse riders and pedestrians.
- An additional new permissive path running east west would connect to the existing bridleway network and provide an alternative for riders who might otherwise use Perrinpit Road. This facilitates a wider 'loop' to the existing network.
- At the narrowest points these paths will sit within a 12m buffer between the existing hedgerow and the new hedgerow.

The Council's PROW officer has confirmed that the new permissive bridleway linking the two existing separate bridleways at Locks Lane and Cog Mill Lane will be welcome to local horseriders, giving them an alternative to riding on Perrinpit Road and providing a contribution to equestrian safety. A section of this would be bridleway only, and a longer section would be a combined new permissive bridleway with existing public right of way.

The revised site layout plan indicates the PROWs lying within a corridor width of a minimum of a 12m, so that the recreational route will feel sufficiently open and not constrained by the solar panels or fencing.

It is noted in the consultation response by a member of the public that there is an objection on the grounds of PROW. There are no proposals to divert the footpath, so it is unclear why this comment has been made. There are also no proposals to make the permissive bridleway suitable for bicycles - it will remain as grassland. Further, it is not clear why the objectors believe there will be a requirement for trees to be removed for it to be implemented. The permissive bridleway will only exist for the duration of the site and will have no permanent effect on the landscape and will remain very much in the control of the landowner who will be able to regulate its use, including occasional closure if necessary.

Wildlife is generally accepting of horses, as can be observed on the surrounding bridleways, and the few local people who will ride here are unlikely to have the extreme detrimental effect that the objections suggest. By the same token, improvements to the footpaths in terms of replacing stiles with gates to make the paths more accessible could bring an increase in pedestrians which

could also affect the wildlife with extra disturbance. There is clearly a balance between accessibility and wildlife.

There is a small gap between the new permissive bridleway and Locks Lane, however this is acceptable because where the footpath currently emerges is only a few metres from the Locks Lane entrance so will not cause problems. A condition is required in order to submit for approval a schedule and plan of the footpaths and the permissive bridleway and what types of gates or gaps are proposed to install. This is preferable to having all kissing gates because it gives them the option of field gates and pedestrian gates without a pen or bridle gates and gaps if possible. With regard to the field gate at the western end of LFC3, this will need to be replaced with a gate or gates suitable for the public footpath and permissive bridleway. At the eastern end where it connects to Cog Mill Lane, a long handled gate that could be opened from a horse too is required. Subject to the imposition of these conditions, the proposal will maintain and enhance active travel routes, in accordance with Policy PSP10.

5.20 Highways

As the site straddles Perrinpit Road, there would be an access on each side of the road. The main construction compound would be located at the western end of the site and would be the location for deliveries and welfare facilities. It would be sited at the western end of Perrinpit Road adjacent to Field J, on a straight section of road. In order to reduce hedge and tree loss, it is proposed to use the existing field gateway as the location for the site.

Visibility at the site compound access would be 120m to the south and 90m to the north. Signage would be in place to alert drivers to the presence of the site access, and a banksman would oversee vehicles leaving the site. All traffic would be signed to turn left (north) from the site, avoiding Frampton Cotterell.

The main access to the eastern plots would be close to Field h, to the south east of the main construction access. Visibility would be 120m in each direction from a 2.4m setback. A gate would be set back at least 6m from the carriageway edge to allow a vehicle to pull clear of the road to lock/unlock the gate, and the first section of access track would be constructed with a bound material to minimise dust and debris on the highway. The layout of the site compound would allow these lorries to turn, and therefore enter and exit in a forward gear.

The construction phase is likely to last for approximately 28 weeks. During the operational phase, the solar park would be controlled remotely, and therefore no permanent onsite staff are required. Access would be required by light vehicles for maintenance, and the access track will be used for parking.

The main impact of the development in highways and transportation terms will occur during its construction phase. A Construction Traffic Management Plan (CTMP) analysing aspects of the site during this period and after its completion has been provided. This document indicates that during the 28 week construction period, around 10 goods vehicles per day will visit the site, whereas once it is operational there will be very few trips (perhaps 1 a week). It also indicates that the maximum construction workforce will be 60 employees.

Unfortunately, however, it provides no further information about their travel patterns. Hence, this will need to be provided through the final CTMP via a condition including more details of the facilities to be implemented to reduce the car-dependency of these workers.

Access to the site will be via the A38 and not the B4058. This is acceptable to Transport DC, as are the proposed details of the proposed site access arrangements and wheel washing facilities to be provided.

Bound surface material will be installed at all site accesses; in order to ensure that these items are fully implemented, appropriate conditions are placed on any permission granted for this development requiring them to be implemented before construction commences.

The CMTP indicates that no development will commence until a highway condition survey of the adjoining road network is submitted to and approved in writing by South Gloucestershire Council and that a second survey will be submitted to the Council for approval after completion. Once again, to ensure that these are implemented a condition is required.

Subject to the aforementioned conditions, the application is acceptable in highway and transport terms.

5.21 Drainage

Flood Risk

Fluvial: Most of the site is in Flood Zone 1, with Flood Zone 2 bordering the north eastern boundary.

Pluvial: The EA Flood Maps indicate areas of high risk of surface water flooding within the site (300-900mm depth), particularly in the north west corner. Such depths of flood risk could put the PV arrays at risk.

However the 2D model referenced in the FRA shows maximum flood depths of 600mm during the 1 in 100 year event. Therefore given that the base of the PV arrays will be approximately 800mm above ground level, the minimum freeboard of 200mm is considered acceptable.

In addition, all inverter stations would be located in areas outside of surface water flood risk. Electrical connections on the PV arrays would be located on the upper edge of the panels above the maximum pluvial flood depths.

5.22 Surface Water Drainage:

PV Arrays: The design of the PV arrays is such that water will drip evenly along the length of the panels. The distance of 5.5m between rows for maintenance purposes is helpful, as is the proposed vegetation across the site and in particular under the PV array drip line to reduce erosion and the potential for surface water run-off rates to increase.

All access tracks will be of permeable construction.

Substation: Revised plans indicate a permeable sub-base for substation, inverter stations, and storage containers.

Shallow Filter Drains: Due to the shallow gradient of the site, shallow filter drains are proposed every 5th PV row to deal with surface water runoff. Further information has now been provided to confirm that the filter drains will encourage infiltration rather than be connected to an outfall. A design drawing of the filter drains has been provided, as well as a plan showing the location of the filter drains.

A 6m buffer strip is required on any sections of watercourse on/within the boundary of the site, for maintenance purposes, and this will be secured by condition.

The revised drainage details have resolved the outstanding queries of the Council's drainage team, and subject to a condition requiring compliance with the FRA and the revised details, the proposal is acceptable in drainage terms.

5.23 Planning Balance

As set out above there is considered to be a "less than substantial harm" to the grade II listed Perrinpit Farmhouse, which are not directly affected by the development, however part of the solar farm would be located within the historic setting of this heritage asset; the loss of open fields in the proximity of an historic farmhouse would result in a change of setting that would detract from its character, as the sense of connection with the rural landscape and the authenticity this gives a working farmhouse is eroded. In addition, there would be less than substantial harm to the setting of the Barn at Gloucester Rd Farm. Paragraph 196 of the NPPF allows where there is "less than substantial harm" that it may be weighed against any public benefits of the proposal. Notwithstanding any such benefits, special regard must be had to the desirability of preserving the listed building and protecting its setting, taking into account the great weight that is given to the conservation of heritage assets. A finding of less than substantial harm does not, therefore, imply a less than substantial objection to the grant of planning permission and the council must be satisfied that the public benefits resulting from the wider residential aspect of the scheme clearly outweigh the harm to the heritage asset.

Secondly the development does not accord with the adopted development plan in that it does not fall within the limited categories of development permitted in the Green Belt, and therefore constitutes inappropriate development in the Green Belt which, by definition is harmful. The harm in this case is significant as it constitutes the loss of openness over an extensive area of Green Belt, albeit (apart from the substation) low lying loss of openness due to the height of the solar panels being 2.5m in height.

Thirdly, there is harm to the local landscape character, which is 'moderate-major' adverse with a 'minor adverse' effect on its individual characteristics.

In terms of the need for the Green Belt location, the site is close to an available and viable grid connection at Iron Acton substation, allowing the development to connect into overhead cables via an existing pylon that is located within the boundary of the development site. Utilising existing infrastructure means there will be very limited development

associated with the grid connection.

In mitigation, in terms of heritage, the question should not be addressed as a simple balancing exercise but whether there is justification for overriding the presumption in favour of preservation. Only when harm has been minimised should the unavoidable 'residual harm' be weighed against public benefits. The revised plans mitigate to some extent the less than substantial harm due to the removal of the fields to the south of Perrinpit Farm, and the additional tree planting to the south of Field P.

In other mitigation, the revised scheme provides 103% Biodiversity Net Gain enhancements in habitat units; overall, 1,700m of new hedge will be planted. Additional mitigation planting along either side of Perrinpit Lane to filter views into the site is now proposed. Panels have been relocated from alongside Lock's Lane to between the powerlines south of Perrinpit Lane. Two new areas of orchard planting, one near the sub-station and one further south. New tree and orchard planting is proposed along southern boundary of Field P and underplanted with a hedge to provide more effective screening of views from PROW LFC 7. In addition, new hedgerow planting along the southern edge of LFC 11 with a 12m buffer, together with tree planting along western boundary is proposed. A new permissive bridleway is proposed, together with a condition to require all stiles to be upgraded to be more accessible.

- 5.24 The principal benefit of the proposal however is down to the public benefit that would arise from the generation of renewable energy. The National Planning Policy Framework sets out that in the case of renewable energy projects, 'very special circumstances' can include the wider environmental benefits which could be achieved through the development. This carries the objective of reducing the reliance on unsustainable energy generation in the interests of reducing the impacts of climate change. This is directly linked to the UK commitment to reducing the impact of climate change. It is considered that the proposed development would make a positive contribution and would bring positive wider environmental benefits, and this should be given weight in determining this application.

The test for finding very special circumstances (for allowing inappropriate development in the Green Belt) is that the harm to the Green Belt must be considered in conjunction with any other harm found. The NPPF attributes '*substantial*' weight to the harm to Green Belt, and on this basis it is clear that any special circumstances found must be of more substantial weight in order to clearly outweigh that harm. The onus is with the applicant to demonstrate that very special circumstances exist so as to outweigh the defined harm.

The point of connection is a significant driver for site selection and contributing towards very special circumstances discussed below. Paragraph 006 of the NPPG advises that '*Examples of considerations for particular renewable energy technologies that can affect their siting include proximity of grid connection infrastructure and site size.*' It is of course true that a solar farm cannot be developed without a suitable grid connection.

The applicant has stated that solar farm would bring about the following green energy benefits:

- Approximately 14,441 Homes powered with electricity from the project
- 25,787 Tonnes of CO2 saved per annum
- All electricity generated will feed into the national grid.
- The scheme will be delivered without any support from government subsidies and as such, the scale of the site is required to accommodate the quantum of solar arrays to ensure a viable proposal.
- The proposal will generate power to feed into the existing grid infrastructure. Grid capacity is essential for the viability of a renewable energy scheme and is rarely available, making it an excellent opportunity to deliver a scheme in this area where capacity exists.
- The applicant has stated that a Community Benefit Fund would be provided in order to support local projects so that the local community can derive direct benefits from the power generated by the scheme. It is noted that this cannot be considered as a material planning consideration, but nevertheless, the issue has been noted by a local wildlife group.

Policy CS3 acknowledges that given the close proximity of the Green Belt to the main urban areas, this will potentially be an attractive location for renewable energy generation. *'Greater weight will therefore be given to the wider environmental benefits (CO2 reduction) in considering applications in this area, particularly where criteria 2,3 and/or 4 are met.'*

Having regard to the above, the application proposals make an appreciable contribution to meeting the amended Climate Change targets as set out within the Climate Change Act 2008 (2050 Target Amendment) Order 2019. In the context of a declared climate emergency, the benefits of the scheme must weigh heavily in the planning balance. It is considered that the public benefit from the provision of the solar farm outweighs any residual harm to the listed buildings, the landscape character of the area and the harm to the Green Belt.

5.25 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 in terms of persons of protected characteristics.

5.26 Other Matters

The Town and Country Planning (Consultation) (England) Direction 2009 sets out those matters that should be referred to the Secretary of State prior to the issuing of a decision by the Local Planning Authority (the decision-maker).

As set out in this report the proposed development is situated in the Green Belt and does not fall within the list of appropriate development set out in the National Planning Policy Framework. Your officer has, as set out above, accepted the "Very Special Circumstances" set out by the applicant.

Section 4 of the direction in setting out those matters that must be referred to the states:

For the purposes of this Direction, "Green Belt development" means development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which consists of or includes-

- a) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- b) Any other development which by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt

In accordance with "B" above referral to the Secretary of State is required.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Development Plan as 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 be **GRANTED** subject to the conditions written on the decision notice.
- 7.2 Authority is delegated to the Head of Environment and Community Services to refer the resolution to grant planning permission to the Secretary of State for Communities and Local Government.
- 7.3 Provided that the Secretary of State for Communities and Local Government does not recover the application for consideration, that Authority is delegated to the Head of Environment and Community Services to grant planning permission in accordance with the recommendation.

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. Time Limit

The development hereby approved is for a period of 40 operational years from the date that electricity from the development is first exported to the National Grid for commercial operation; or within 3 years of the cessation of the exportation of electricity to the grid, whichever is the sooner.

No later than three months before the cessation of the development a Decommissioning Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include the timing for decommissioning of the solar farm, along with the measures, and a timetable for their completion (to be completed within 12 months from cessation of the export of energy to the grid), to secure the removal of the solar farm equipment and all associated road, equipment and structures in accordance with the Decommissioning Method Statement.

Reason:

In order to ensure that the approved development does not remain in situ beyond the projected lifetime of the equipment so installed in the interests of the visual amenity and character of the surrounding landscape; and to accord with Policy CS3 and CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

3. Export of Electricity (Start Date)

The developer shall notify the Local Planning Authority in writing within 21 days of such time that electricity from the development is first exported to the National Grid for commercial operation.

Reason:

In order to allow the Local Planning Authority to adequately monitor the time scale of the development; and conditions contained in this decision notice.

4. Tree/Hedgerow Protection

The development hereby approved shall be carried out in accordance with the submitted Arboricultural Report - Barton Hyett November 2021 Revision B- and the Tree Retention and Protection Plan contained therein.

No work of any kind shall take place within a particular field (numbered A-P inclusive) until the tree protection fencing has been erected around the area to be developed, in the position shown on tree protection plan in the above Arboricultural report. Such fencing shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all

equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason:

To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area, and in accordance with Policies CS1 and CS2 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP3 of the adopted South Gloucestershire Policies Sites and Places Plan. Prior to commencement is required as the Condition relates to the construction period.

5. Ecology

The development shall proceed in accordance with the Mitigation and Enhancement Measures provided in the Preliminary Ecological Appraisal (Soltys Brewster, Issue 6: April 2022).

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

6. LEMP

During the construction period, the development shall proceed in accordance with the Landscape and Ecology Management Plan (LEMP) (Soltys Brewster, Issue 7 Final E, 31st May 2022) .

Prior to the first use of the development hereby approved, the LEMP referred to above shall be updated to include a long-term management prescription for the 40 years of operation, and submitted to and approved in writing by the LPA. All such details as approved shall be fully implemented thereafter.

Reason:

To secure the protection and enhancement of the landscape and wildlife habitats during and following the completion of development construction, and in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policies PSP18 and PSP19 of the adopted South Gloucestershire Policies Sites and Places Plan. Prior to commencement is required in order that the implementation can be carried out in a timely manner.

7. Lighting

Prior to the installation of any external lighting, details of its location and specification shall have been first submitted to and approved in writing by the local planning authority. Only such details as approved shall be installed. Such lighting shall be designed to not spill onto the hedgerows and trees.

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

8. Badgers

Prior to the commencement of the development hereby approved, a site walkover to check for signs of badgers shall be undertaken by a qualified Ecologist, the details of such a survey shall be submitted to and approved in writing by the Local Planning Authority (LPA) prior to commencement of development. If setts are present and will be impacted by the development, detailed mitigation to inform a license will be required to be detailed in the said report. If the development does not commence within 12 months of the date of the report, details of a further site walkover will be required to assess any material changes, details of which shall have been submitted to and approved in writing by the LPA prior to commencement.

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

9. Landscape Phasing

Prior to the commencement of the development hereby approved, a phasing plan for all landscape, including identification of any areas of advanced/early mitigation planting shall be submitted to and approved in writing by the local planning authority. The phasing plan as approved shall be adhered to.

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 as advance planting is proposed.

10. Prior to the commencement of development, detailed planting plans specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting for the advance planting shall be submitted and approved in writing by the LPA (to be implemented in the first season following completion of construction works of the adjacent development area, and in accordance with the approved phasing in pursuant to Condition 9); this could be a combination of 1:1000 scale plans covering the whole site with 1:500 plans showing key areas in more detail.

Other tree and structure planting which is not advance planting, as well details of all proposed levels and any soil retention/retaining walls that may be required shall be submitted prior to the commencement of the construction of any solar panels and approved in writing by the LPA (to be implemented in the first season following completion of construction works of the adjacent development area, and in accordance with the approved phasing in pursuant to Condition 9).

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 as advance planting is proposed.

11. PROW

Prior to the first use of the solar farm hereby approved, details of the replacement of all stiles with gates or gaps within the application site area shall have been submitted to and approved in writing by the local planning authority. Such details shall include a schedule and plan of the footpaths and the permissive bridleway and what gates it is proposed to install. With regard to the approved new permissive bridleway to be constructed, the field gate at the western end of LFC3 shall be replaced with a gate or gates suitable for the public footpath and new permissive bridleway. At the eastern end where it connects to Cog Mill Lane, the existing field gate should be fitted with a long handled gate that can be opened by a horse rider. All such details as approved shall be implemented within 6 months of the first use of the solar farm hereby approved.

Reason:

To enhance active travel routes, in accordance with Policy PSP10 of the adopted Policies Sites and Places Plan.

12. Construction Management Plan

No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. For the avoidance of doubt the statement shall be based on the details set out in the submitted Transport Statement (Key Transport October 2020), and include details of:

Parking of vehicle of site operatives and visitors;

Routes for construction traffic;

The Construction Hours;

Method of prevention of mud being carried onto highway and provision of wheel washing facilities on site;

Pedestrian and cyclist protection;

Details of sustainable travel methods for construction workers

Arrangements for turning facilities of site for vehicles;

Method to prevent dust;

Temporary signage and its location in relation to the agreed routing details to and from the site.

The approved plan/statement shall be adhered to throughout the construction period thereafter.

Reason:

In the interests of highway safety and to accord with Policy CS8 of the South Gloucestershire Council Local Plan Core Strategy 2013. A pre-commencement condition is required as it relates to the construction period.

13. Dilapidation survey

Prior to commencement of development a full dilapidation survey shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt this

will require agreement with the highway authority to identify any existing damage on the existing public highway with each defect and its location being mapped on a plan for the area (one mile from the application site entrance).

A post construction condition survey will then be required across the same extent of adopted highway in order to identify and agree with the Council any remedial works reasonably attributable to construction activities. Any identified highways defects resulting from construction activities will then be corrected to the satisfaction of the Council. Thereafter any damage arising from the development or construction traffic must be properly rectified with full construction depth and to satisfaction of the Highway Authority.

Reason:

In the interests of highway safety and to accord with Policy CS8 of the South Gloucestershire Council Local Plan Core Strategy 2013. A pre-commencement condition is required as it relates to the construction period.

14. Construction on site will take place from 07:00 to 18:00 Monday to Friday and 08:00 to 12:00 on Saturdays. No construction work or deliveries are programmed to take place outside of these hours, except in emergency or exceptional cases. All HGV deliveries are expected to arrive Monday to Friday.

Reason:

In the interests of residential amenity, in accordance with Policies PSP8 and PSP21 of the adopted Policies Sites and Places Plan.

15. Prior to the first use of the development hereby approved, information/interpretation boards at a point where the installation will be in close proximity to a public rights of way shall be erected.

Reason:

In order to raise awareness of the benefits of the scheme, and in accordance Policy CS3 - Renewable and low carbon energy generation of the South Gloucestershire Council Local Plan Core Strategy 2013.

16. Drainage
The development must be implemented in accordance with the Flood Risk Assessment hereby approved, (Arcus, Version 2.0 November 2021), and Filter Drains location plan and details received 9.5.22. The substation, inverter stations and storage containers hereby approved shall be constructed with a permeable sub-base. A 6m buffer strip shall be provided on any sections of watercourse on/within the boundary of the site for maintenance purposes.

Reason:

In the interests of surface water drainage and flood risk, and in accordance with Policy CS9 of the South Gloucestershire Council Local Plan Core Strategy 2013 and Policy PSP20 of the South Gloucestershire Council Local Plan, Policies Sites and Places Plan 2017.

17. The development hereby approved shall be implemented in accordance with the following plans:

01_module layout 1_2500 - 17.02.2022
Substation Overview 29.10.2020
04_detail_container - storage 1_1 06.10.2020
Control and Customer Station 29.10.2020
02_detail_module_mounting_1_1 06.10.2020
04_detail_transformer station 1_1 16.09.2020
10_detail_fence and gate 1_1 16.09.2020
10_detail_security camera 16.09.2020
04_detail_gravel road 1_5 06.10.2020
Site Location Plan: Site Location Plan 15 Sep 2021
Landscape Softworks Plan: E2094801 - SBE - 00 - 00 - DR -L - 002 REV PL07

Reason:

To define the terms of the permission and for the avoidance of doubt.

18. 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.

Reason:

To comply with Paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.

19. The development shall not be brought into its intended use until (i) the results of the programme of archaeological investigation and post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation and (ii) that the provision for analysis, publication and dissemination of results, and archive deposition, has been confirmed in writing to, and approved by, the Local Planning Authority.

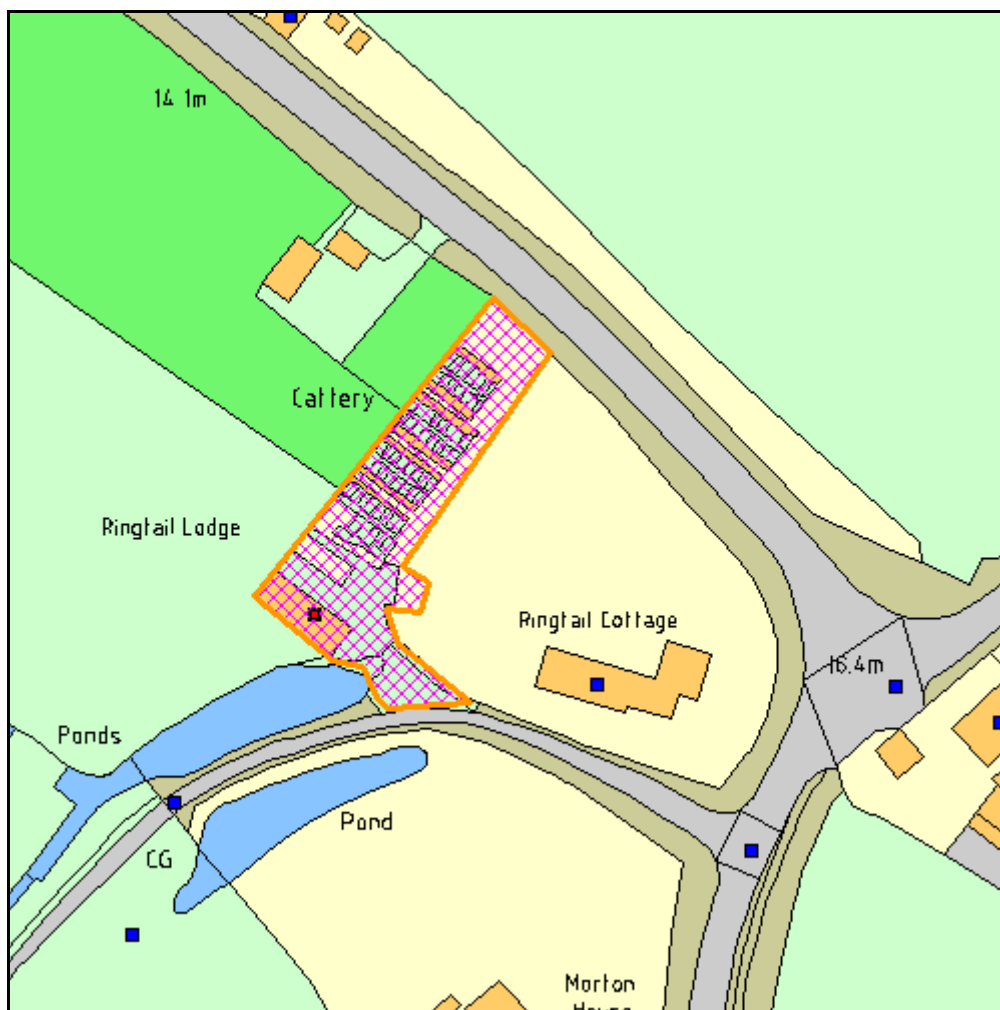
Reason:

To comply with Paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.

Case Officer: Helen Ainsley
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 27/22 -8th July 2022

App No.:	P22/01348/O	Applicant:	Mr & Mrs Reid
Site:	Ringtail Cattery Ringtail Lodge Butt Lane Thornbury South Gloucestershire BS35 1RA	Date Reg:	2nd March 2022
Proposal:	Demolition of cattery buildings. Erection of up to 1no. dwelling (outline) with all matters reserved.	Parish:	Thornbury Town Council
Map Ref:	363972 191637	Ward:	Thornbury
Application Category:	Minor	Target Date:	27th April 2022



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100023410, 2008. N.T.S. P22/01348/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.

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received from the Parish Council which is contrary to the Officer's recommendation.

1 THE PROPOSAL

- 1.1 The application seeks outline planning permission for the demolition of cattery buildings and the erection of 1no. dwelling with all matters reserved. As such, the determination of this application will be informed primarily by the acceptability of the development in principle, all other matters are to be addressed in detail at the reserved matters stage.
- 1.2 The application site relates to Ringtail Cattery, Ringtail Lodge, Butt Lane, Thornbury.
- 1.3 The site is located outside of the defined settlement of Thornbury. It is currently made up of 7 single storey shed-like blocks to the northeast of Ringtail Lodge, providing accommodation for up to 65 cats. Prior to the erection of the cattery building, the land formed part of the residential curtilage of the adjacent Ringtail Cottage.
- 1.4 Following concerns raised by the case officer in relation to the capability of the site accommodating 2no dwellings, during the course of the application the description of proposal was amended from 'the erection of up to 2no. dwellings' to 'the erection of 1no. dwelling'. A re-consultation was not considered necessary given the application is in outline and the number of proposed dwellings was reduced in number.

2 POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
National Design Guide

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS2 Green infrastructure
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage

CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP38 Development within Existing Residential Curtilages
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Waste Collection SPD (Adopted) 2015 (Updated 2017)

3 RELEVANT PLANNING HISTORY

3.1 **PT05/0080/F**

Conversion of garage/workshop to 3 no. bedroom dwelling.
Approved with conditions: 10/02/2005

3.2 **PT05/1088/RVC**

Variation of Condition 5 attached to planning permission P91/2633 dated 08 January 1992 (to allow the cattery to be used in association with Ringtail Barn as approved by planning approval PT05/0080/F).
Approved with conditions: 19/05/2005

3.3 **P91/2633**

Use of land and buildings as boarding cattery.
Approved: 08/01/1992

3.4 **N6261/1**

Erection of outbuildings for use as a boarding cattery.
Approved: 28/01/1982

4 **Consultation RESPONSES**

4.1 **Thornbury Town Council**

Object- outside settlement boundary. It would extend housing further into the countryside.

4.2 **Sustainable Transport**

No objections, condition recommended.

4.3 **Lead Local Flood Authority**

Clarity required on method of foul sewage disposal.

4.4 **Conservation**

No objections in principle.

Other Representations

4.5 **Local Residents**

No comments received.

5 **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

Policy CS5 of the Core Strategy outlines the locations at which development is considered to be appropriate; new development is directed towards existing urban areas and defined rural settlements. The application site falls outside of any defined settlement. Policy PSP40 of the Policies, Sites and Places Plan allows only for specific forms of residential development in the countryside. The proposed development does not fall within any of the allowable forms of development stated within policy PSP40.

5.2 None of the above criteria would allow for the demolition and replacement of an existing stables and garage with a new dwelling. It therefore follows that there would be an in principle objection to the proposed development as it would not accord with the requirements of policies CS5 of the Core Strategy or PSP40 of the Policies, Sites and Places Plan.

5.3 **Location of Development- Relationship with nearest defined settlement**

Notwithstanding the above, whilst the majority of applications for new residential development outside of the settlement boundaries should be resisted in accordance with the Council's spatial strategy, the Local Planning Authority do consider that it may be suitable, in a few circumstances, to recommend approval of dwellings outside of the settlement boundary. This will only apply where the site lies close to the edge of the defined settlement boundary and has a direct relationship with it. Essentially, it should read as a

- natural extension to the settlement boundary. This should only apply to small developments of 1-2 dwellings
- 5.4 In this instance, the application is proposing 'up to' 2 no. dwellings in outline. The site falls just outside the settlement boundary, approximately 50m in distance, and is not separated from the settlement by any agricultural land. It also benefits from good pedestrian links to the nearby settlement.
- 5.5 It should also be noted that 3no. new dwelling have recently been approved outside the settlement, on land immediately adjacent to the application site (reference: P21/02980/F), though this has not yet been implemented. Therefore, in this instance the site is considered to relate well to the settlement boundary and as such the proposal would form one of the few cases where development could be allowed. Notwithstanding this, while the site is essentially viewed as part of the settlement, the detailed design of the site will need to be of a sufficiently high standard to maintain the character of the edge of the settlement.
- 5.6 Given the above, the proposed development is acceptable in principle. Although all matters are reserved at this stage, the fundamentals of the scheme should still be considered at this stage.
- 5.7 **Loss of employment land**
Although the site is currently used as a cattery, it sits within the context of residential property, Ringtail Lodge, and works ancillary to this dwelling. The cattery only has a single employee and so its loss would not significantly affect employment in the area. Furthermore, the site originally formed part of the residential curtilage of the adjacent Ringtail Cottage and so would be returned to its previous use. Therefore, in this instance the loss of employment land would not cause any significant harm.
- 5.8 **Design and Visual Amenity**
It is noted that the application seeks outline permission with all matters reserved. Therefore, only the general principles of design can be assessed as no details of the proposed layout or appearance have been included. The potential layout of the development is a key consideration and whether the site is capable of successfully accommodating a new residential property.
- 5.9 The applicant has not stated the proposed number of bedrooms, intended scale or appearance and this remains undecided. As such, this assessment is limited to the consideration of the site's capability to accommodate a dwelling of an undetermined scale or design.
- 5.10 The application site consists of Ringtail Lodge, a single storey dwelling of simple dual pitched roof design and natural stone elevations; a relatively narrow strip of land sits to the north-east containing the cattery buildings. Ringtail Lodge would remain, and it is on the land to the north-east that the

- proposed dwelling would sit. It is noted that the more suburban style layout of the recently approved scheme to the immediate south, which sits back from the highway, and the surrounding major residential sites have somewhat altered the character of the area. It is therefore not thought that the erection of residential properties on this land would be contrary to the pattern of development or appear out of character.
- 5.11 That said, given the restrictive shape and size of the plot, there were concerns over how the original proposal of 2no. dwellings could be comfortably accommodated without causing subsequent harm; the proposal would be expected to provide sufficient private amenity space in accordance with policy PSP43 and off-street parking facilities in accordance with Policy PSP16. The narrow shape of the land would limit the access arrangements and amount of functional amenity space that could realistically be provided. It would also be expected that the existing Ringtail Lodge is afforded some outdoor amenity space. With that in mind it was suggested that one new dwelling would be more suitable for the land in question. Subsequently, it was agreed with the applicant that the proposal would be reduced to the erection of 1no. dwelling. Although the layout is not being assessed at this stage and, no indicative plans have been provided, a modest single dwelling is thought to be able to sit comfortably within the plot.
- 5.12 In terms of scale, the existing single storey Ringtail Lodge and two storey properties approved on land to the immediate east should be considered when submitting the details at reserved matters stage. There are concerns relating to residential amenity that would result from a two-storey dwelling in this location, these are discussed later in the report.
- 5.13 In terms of form and appearance, as the new dwelling would be visually read in the context of the existing dwelling, a property that reflects the design of Ringtail Lodge is thought appropriate; a simplistic dual pitched roof design would be in keeping with the surrounding built form. Please note that the best examples of materials characterising the area, are natural stone and painted render elevations with clay roof tiles. This should be reflected in the design submitted at reserved matters stage.
- 5.14 Having regard to the assessment above and given that all matters are reserved at this stage, there are no in-principle objections to the proposal in terms of design and site layout. Further details relating to the layout, scale, design, and finish of the proposed building and any proposed parking arrangements shall be submitted at reserved matters stage for further consideration.
- 5.15 **Heritage**
Grade II listed Morton House sits to the south of the site, separated by Butt Lane. Ringtail Cottage, to the immediate south, can be considered to represent a non-designated heritage asset by reason of its scale, form and style. Considering the existing major development surrounding the site and the

approved dwellings to the east, combined with the impact of the existing cattery buildings on the site, the significance of the heritage assets would, in-principle, be suitably preserved. This would be subject to a more detailed assessment at reserved matters stage.

5.16 **Residential Amenity**

Policy PSP8 of the PSP Plan (November 2017) sets out that development proposals will be acceptable provided they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from; loss of privacy and overlooking; overbearing and dominant impact; or loss of light; noise or disturbance; and odours, fumes or vibration.

5.17 It is acknowledged that all matters are reserved at this stage and therefore it is not possible to make a full assessment of the potential impact of the development on the residential amenity of the neighbours. However, the location and shape of the plot would somewhat restrict the siting of any new property. It is more than likely to be in very close proximity to the shared boundary with the recently approved dwellings and given the orientation of the two sites, a two-storey dwelling is likely to result in an unacceptable sense of enclosure to at least one of the gardens of the approved dwellings to the southeast. Therefore, it is thought necessary to restrict the height of any proposed dwelling in this location to mitigate any overbearing impact; a condition will be included on the decision limiting the new dwelling to a single storey building. The placement of the dwelling within the plot and any proposed windows should be carefully considered in the design, to avoid any harmful inter-visibility/loss of privacy.

5.18 It is thought possible to achieve acceptable levels of private amenity space for the existing dwelling and proposed dwelling. However, the proposed garden arrangements should be indicated on a proposed block plan at reserved matters stage.

5.19 **Transportation**

The access to the property would be agreed at reserved matters stage. However, there is an existing access that serves the existing dwelling and cattery, and the number of vehicle trips generated by an additional dwelling is not thought to result in any severe highway impact, given the existing use as a cattery. The existing dwelling consists of 3 bedrooms and the proposed dwelling is not thought likely to contain more than 4 bedrooms; in accordance with policy PSP16, 3 and 4 bedroom properties are required to provide 2no off-street parking spaces. The site is considered large enough to accommodate the required number of parking spaces, though the layout is yet to be decided. On that basis, there are no fundamental concerns regarding the impact of the development in terms of transportation. However, further details regarding access and parking should be provided at reserved matters stage for review.

This should also include provision of cycle and bin storage and an electric vehicle charging point.

5.20 **Drainage**

The Lead Local Flood Authority have queried the method of foul sewage disposal. No details of surface water drainage have been provided. Therefore, a condition will be included to secure the details of the proposed method for surface water and foul sewage disposal at the site. The preferred method for foul water disposal is to connect to a public sewer, if this is not economically viable by gravity or pumping, a Package Sewage Treatment Plant is preferred.

5.21 **Ecology**

Development should not have a direct or indirect adverse effect on protected species. Any impact should be avoided and suitably mitigated in order to be acceptable. No ecological information has been submitted; however it is acknowledged that no detailed design has been provided at this stage. Given the site is almost entirely covered by existing built form and the nature of these shed-like structures, it is unlikely to raise any immediate issues. Therefore no objections are raised at this stage. That said, it would be necessary for an ecological survey to be carried out and submitted prior to the demolition of any buildings on site and as part of a reserved matters application.

5.22 **Trees and Landscape**

The majority of the site consists of the existing built form of the cattery buildings, however there are established trees/hedgerow on the northern boundary with Oldbury Lane and north western boundary separating the site from the surrounding countryside. This provides some important screening/separation from the wider landscape and therefore should be retained where possible, suitable mitigation should be provided for any loss of vegetation. There is also opportunity for further planting on the south western boundary to offer further screening from the neighbouring development, details of which should be submitted as part of a landscaping scheme at reserved matters stage.

5.23 **Equalities**

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

5.24 With regards to the above this planning application is considered to have a neutral impact on equality as it does not impact on any protected characteristics.

6 CONCLUSION

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

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

7 RECOMMENDATION

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

CONDITIONS

1. Approval of the details of the site access, 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.

Reason

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

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the access, layout, scale and appearance of any buildings to be erected and the landscaping of the site, 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.

3. 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

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

4. 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

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

5. As part of the reserved matters outlined in Condition 1 details of the proposed access and off-street parking facilities for both the existing dwelling (known as Ringtail Lodge) and proposed dwelling, including covered and secure cycle parking spaces, provision of car parking facilities and an electric vehicle charging point are to be submitted to the Local Planning Authority for approval.

Reason

To promote sustainable forms of transport, ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

6. Any new dwelling constructed at the site shall be single storey and not exceed the maximum height of the existing dwelling known as Ringtail Lodge.

Reason

In the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

7. As part of the reserved matters, required by Condition 1, the landscaping details submitted shall include details of the following: a detailed plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting including locally indigenous native species and those to be retained; and details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required.

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; Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

8. As part of the reserved matters, required by Condition 1, details of the surface water drainage including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), and method of foul sewage disposal shall be submitted for approval in writing to the Local Planning Authority. The development shall proceed in accordance with the agreed details.

Note: soakaways must be located 5 metres from any structure including the public highway.

Reason

To ensure a satisfactory means of drainage and pollution control in order to comply with South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 Policy PSP21; and South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS9.

9. Prior to the demolition of any buildings on site, and as part of the reserved matters required by Condition 1, a Preliminary Ecological Assessment (undertaken by a suitably qualified ecologist) shall be provided detailing the impact of the development on any protected species and appropriate mitigation where required.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of conserving the local biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework

10. The development hereby permitted shall take place in accordance with the following plans:

Received by the Council on 25th February 2022:
Existing Site Location and Block Plan - drawing no. 22/0386/100

Reason

To define the terms and extent of the permission.

Case Officer: James Reynolds
Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 27/22 -8th July 2022

App No.:	P22/02248/F	Applicant:	Mr Michael Sterling
Site:	15 Church Road Winterbourne Down South Gloucestershire BS36 1BX	Date Reg:	19th April 2022
Proposal:	Erection of 1no. detached dwelling with new access, parking and associated works (resubmission of P21/06817/F)	Parish:	Winterbourne Parish Council
Map Ref:	365040 179567	Ward:	Winterbourne
Application Category:	Minor	Target Date:	14th June 2022



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 100023410, 2008. **N.T.S.** **P22/02248/F**

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule because more than 3no. responses from interested parties have been received that are contrary to the findings of this report and officer recommendation. A representation from the Parish Council has also been received that is contrary to the findings of this report and officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of 1no. detached dwelling with new access, parking, and associated works.
- 1.2 This application is a re-submission of withdrawn application P21/06817/F. The previous application was withdrawn following officer concerns in relation to the design and scale of the proposed dwelling. Negotiations took place to achieve a more acceptable design, and it was considered appropriate to start afresh within a new application.
- 1.3 Further amendments have taken place within this application's consideration; however the changes were much less drastic than within P21/06817/F. Revised plans have been submitted to amend the roof tiles and photomontages have been submitted. As these montages were missing initially, a period of public re-consultation was carried out. The latest iteration of the revised plans which reduce the width of the West facing gable by c.500mm have not been subject to any re-consultation, as the changes was not substantial and it was not considered that anyone would be disadvantaged as a result.
- 1.4 The application site is a parcel of land to the West of 15 Church Road, which formed part of the extensive garden of no.15. The site is within the Winterbourne Down settlement boundary. 15 Church Road is in an elevated position above Church Road and is on the hillside which falls from East to West. The site rises gently and is at its lowest in the SW corner and highest in the NE corner. The site also falls within the settings of two listed buildings (All Saints Church and The Old Vicarage, both grade II listed).

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

- 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
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
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

Landscape Character Assessment SPD (Adopted) November 2014

CIL and S106 SPD (Adopted) March 2015

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

Trees and Development Sites SPD (Adopted) April 2021

Winterbourne Down Village Design Statement (endorsed) November 2012

3. RELEVANT PLANNING HISTORY

3.1 P21/06817/F (withdrawn 23/03/2022):

Erection of 1no. detached dwelling with new access, parking, and associated works.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

First response

Objection – concerns regarding parking and access (inc. visibility), and not enough thought given to the Winterbourne Down Village Design Statement.

Updated response

Objection due to traffic and how the steepness of the terrain will be managed. The application is still not in keeping with the village design statement. There is a lack of sustainability features.

4.2 Sustainable Transport

No objection, subject to the highway improvements being implemented prior to first occupation of the proposed dwelling.

4.3 Highway Structures

No comments have been received.

4.4 Drainage (LLFA)

No objection. Informative recommended.

4.5 Tree Officer

No objection subject to works proceeding in accordance with the submitted arboricultural report. In light of tree removals, a landscaping plan to include tree replacement will be required.

4.6 Conservation Officer

Initial response

No objection in principle. Notes that photomontages are yet to be submitted. Queries raised in relation to how the new building will be perceived against backdrop of other buildings. Query how the landscaping will be achieved and what is proposed in this respect.

Updated response

Having seen the photomontages, concern is raised in relation to the width of the West gable in contrast to other buildings in the locality. Queries raised in relation to the landscaping.

Following the submission of updated plans after the above comments, the conservation officer has confirmed that they are now content with the proposals, but suggest a suitably worded landscaping condition.

4.7 Ecology Officer

No objection. Conditions recommended.

4.8 Local Residents

6no. objections have been received (two of which from the same individual), summarised as follows:

- Traffic concerns
- Visibility concerns
- Impact on highway safety
- Traffic survey data taken in the pandemic, so not reflective of true levels
- Traffic survey does not show the distribution of the traffic flow

- Dismayed that chimney is part of the design
- Concern that this will lead to further development
- Appears scope to further develop the site
- Not in keeping with the Winterbourne Down VDS
- Will affect my quality of life
- Did not receive notification
- Impact on pedestrian safety
- Access will create a further hazard
- Intent to develop the site further
- Will result in overlooking and loss of privacy
- Information missing from application
- Proposal will reduce on street parking. Not all properties have off street parking
- Insufficient parking
- Not in keeping with the historic surrounding area
- Not sufficient number of people consulted
- Environmental concerns – impacts on flooding
- Overbearing
- Sceptical of ground conditions in relation to planting
- Adds nothing to the quality of the area

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal seeks to erect 1no. detached dwelling with new access, parking and associated works.

Principle of Development

- 5.2 The application site is within a designated settlement boundary (Winterbourne Down). CS5 sets out the locations within the district that will be considered appropriate for new development. Policy CS5 instructs that development will be directed to the urban fringes of Bristol and at appropriate scales, to within the settlement boundaries as designated by the policies map. The application site falling within a designated settlement boundary means that on a purely locational basis, residential development is acceptable in principle in this location. Moreover, policy PSP38 is supportive of development within existing residential curtilages, including new dwellings in designated settlement boundaries, subject to consideration of design, residential amenity, the provision of adequate parking and the provision of appropriate levels of private amenity space.
- 5.3 Policy CS1 is the Council's principal design policy. CS1 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. Policy PSP1 submits that development proposals will be acceptable where they demonstrate an understanding of and respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area/locality.

5.4 The nearby listed buildings and their setting(s) benefit from statutory protection under the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66(1) of this act states that “in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” At a national policy level, the NPPF states in para. 199 that: 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. Local plan policies PSP17 and CS9 also require the conservation of designated heritage assets.

5.5 Design and Layout

15 Church Road is a c.19th century semi-detached dwelling fronting Church Road, which runs downhill from East to west where it adjoins Mill Road at the bottom of the hill. The parent dwelling (no.15) comprises roughcast render with clay double roman tiles to the roof and is characterised to the rear by later flat roofed additions as well as a small porch to the front constructed out of stone. The attached neighbour to no.15, no. 19 is a taller pennant sandstone Victorian dwelling. Within the immediate locality there is a mixture of more vernacular buildings and several early 20th century buildings. The application site itself is a c.970sqm section of garden associated with and to the west of no.15. The site is higher to the NE and its lowest point is to the SW where there are currently a couple of old glass houses. The site occupies a higher position than All Saints Cottage, and Old School House to the West which are accessed from Mill Road, and the site is separated from these dwellings by the extended garden of The Old Vicarage. The general layout of the area has elements of organisation, for example dwellings address Church Road on both sides, however there is also an element of informality with some buildings appearing scattered on the hillside.

5.6 The proposed development would see the erection of 1no. detached two storey dwelling, c.19.5 metres back from the site boundary and c.14 metres due West of no.15. The new dwelling would be oriented to face Church Road (as opposed to the original design of it being perpendicular) and would be of a two-storey gabled roof design, with two storey rear wing and single storey flat roofed section to the rear. In terms of scale, the dwelling would have a ridge of c.7.5 metres and height to the eaves of c.4.5 metres. The length of the front elevation would be c.10.5 metres, and the depth of the main part of the dwelling c.7.4 metres, with a c.5 metre wide, c.3.9 metre deep rear wing projecting from the left hand (East) side of the rear elevation.

5.7 Concerns were raised initially and in the previous application about the scale and siting of the dwelling, which initially did not directly address Church Road and was proposed to be sited perpendicular. The final plans have reduced the scale and re-sited the dwelling so that, whilst set back, it fronts and addresses Church Road, in line with no.15 and no.19 to the East.

- 5.8 The pitched roof design with side facing gables and double roman tiles to the roof responds appropriately to the characteristics of surrounding buildings, and the orientation to address Church Road can be considered to be in keeping with its neighbours. The scale of the dwelling upon reduction broadly reflects the scale of some of the larger detached dwellings in the area and can be considered acceptable.
- 5.9 The overall design of the dwelling also appears reflective of the character of the buildings that surround the site and would result in a dwelling set within a generous sized plot with front and rear garden, which is a characteristic noted in the Winterbourne Village Design Statement.
- 5.10 Naturally, the hillside setting means that consideration is needed as to how and if the dwelling will integrate, as key to success is avoiding a building that appears unduly prominent on the hillside. This was a concern raised initially, and forms part of the rationale behind reducing the scale, amending the siting and requiring further information such as street scene elevations, and wireframe photomontages which have been duly submitted.
- 5.11 The application suggests that the dwelling, once the site has been appropriately levelled, will be set just below the ridge line of no.15. As suggested by the submitted wireframes and indeed as would be expected, the dwelling will be apparent in views from the field from the West and Worrells Lane/Mill Road to the South-west. However, the scale and overall design of the dwelling are such that it will not appear out of keeping or discordant, and will appear as another dwelling located within its hillside setting amongst the other dwellings.
- 5.12 Officers note from the submitted wireframes and elevation plans that landscaping will be proposed to soften the visual impact and help integrate the new dwelling. This is welcomed, and should permission be granted, an appropriately worded landscaping condition will be required to capture hard and soft landscape details, including screen planting. Given that this will be relatively central to the scheme's success, this condition should be triggered as prior to the commencement of above ground works, to ensure that the landscaping is acceptable and avoid the need for any remedial works. An appropriately worded condition should also be applied to secure details of the external facing materials, in the interest of ensuring a satisfactory standard of external appearance, should permission be granted.
- 5.13 Heritage Consideration
The application site is within the setting of The Old Vicarage to the NW and All Saints Church to the NE, both of which are grade II listed. Concerns were raised with the initial designs in terms of how the dwelling would interact with and impact upon the setting of these heritage assets. To reiterate, the LPA has a statutory obligation to ensure that when discharging its planning functions, special regard is had to the desirability of preserving the listed buildings and their setting(s).
- 5.14 The revisions made to reduce the scale and re-site the dwelling so that it fronts Church Road have resulted in a scheme where the impact is far reduced, and

- the submitted wireframe images help to visualise how the dwelling will appear on the hillside, which is crucial due to the sensitive location.
- 5.15 The new dwelling will be visible in key views from the West and will be able to be viewed in the setting of both the Vicarage and the All-Saints Church. The addition of a dwelling will result in a degree of change to their respective settings in key views from the West, however at this point it is important to bear in mind that change does not necessarily equate to harm.
- 5.16 The submitted detail is sufficient to allow officers to understand how the resultant development will appear in its setting. Further to the amendments made to the scale and siting, the proposed dwelling whilst perceptible from within the settings of the noted listed buildings, would not result in any degree of change that could be considered harmful. This is because the new dwelling would sufficiently assimilate into its hillside setting and would once established appear in views as another dwelling on the hillside.
- 5.17 On the above basis, officers are content that the proposed dwelling would not result in any change to the setting of the listed buildings that could be considered harmful. As such, the case officer is satisfied that the proposed development accords with the statutory obligations set out in section 66 of the LBaCA Act 1990, as well as para. 199 of the NPPF and local plan policies CS9 and PSP17.
- 5.18 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.
- Amenity of future occupiers*
- 5.19 The proposed dwelling would provide a generous internal arrangement and all primary rooms would benefit from sufficient light and outlook. As such, the level of amenity provided to future occupiers is considered to be acceptable.
- 5.20 In terms of private amenity space, the new dwelling having four bedrooms should provide at least 70sqm of private amenity space as set out by PSP43. There would be well in excess of this minimum requirement and so the new dwelling is acceptable in this regard. The existing dwelling would also retain well over the 70sqm stipulated by PSP43 for 4+ bed dwellings.
- Amenity of neighbouring occupiers*
- 5.21 The dwelling and its site need to be carefully considered due to the levels to ensure that no unacceptable amenity impacts would occur. The dwellings that stand to be most affected by the development are All Saints Cottage, Old School House and The Old Vicarage to the West, no. 8 Church Road to the South and the host dwelling, no.15 Church Road to the East.
- 5.22 The main openings would be to the front, rear, and West side elevation, though there is noted to be one first floor bedroom window on the East elevation of the

dwelling. The front of the new dwelling would look across Church Road towards no.8 Church Road. There would be 30 metres separation between the two which is more than the 20 metres recommended in the Householder Design Guide SPD ('the SPD') for first floor facing windows and moreover, the dwelling would look at no.8 across a road. As noted in the SPD, there is no minimum separation criteria when dwellings front one another across the public realm (subject to respecting the existing development pattern). Whilst the garden of no.8 would be visible from the new dwelling, the SPD notes that first floor rear facing windows should be at least 7 metres from any facing boundary gardens. Although not rear windows, the principle remains the same and with more than 30 metres between the new dwelling and the garden of no.8, there would not be any unacceptable levels of overlooking created. In terms of overbearing, light and outlook, the separation distances are such that the new dwelling would also have no such impacts on no.8, either.

- 5.23 The new dwelling's west (side) elevation would face All Saints Cottage to the West, with a c. 16.6 metre section of land in between understood to form part of the extended garden of the Old Vicarage. The separation of well over 7 metres as noted in the SPD means that notwithstanding the difference in levels, the first floor openings on the new dwelling would not have any unacceptable impacts in terms of privacy in relation to this property. Old School House sits to the North of All Saints Cottage, and is off set from the West elevation of the new dwelling meaning there is no direct intervisibility between the new dwelling and Old School House. Given the off-set relationship and the separation, there would also be no unacceptable levels of overlooking created. Given its distance, the new dwelling would have no impacts on the Old Vicarage itself. For the above reasons (sufficient separation distances), the proposed dwelling would not result in any unacceptable overbearing, loss of light or outlook with respect of the dwellings to the West.
- 5.24 The West elevation windows would however allow increased overlooking of the land between the new dwelling and All Saints Cottage as they would be c.3.6 metres from that boundary. This land is understood to form part of the garden of The Old Vicarage.
- 5.25 In context, the gardens/land associated with The Old Vicarage is extensive, and the area that would be overlooked represents a remote part of the gardens, far away from The Old Vicarage itself or the land immediately adjacent to the rear of that dwelling which is noted within the SPD to be the area of a house that offers the highest amenity value. Taking a balanced approach, this area of adjacent land being overlooked would not be sufficient grounds to sustain a refusal reason.
- 5.26 In terms of the parent dwelling (no.15), the siting of the new dwelling is such that there would not be any unacceptable levels of overlooking, loss of light or loss of outlook created. The East facing window on the proposed dwelling is noted, however this window would not directly face any of the side elevation windows of no.15 and so direct intervisibility would be avoided. In terms of overlooking, the garage associated with no.15 to the East would be directly overlooked but sufficient separation (over 7 metres) would be present between

- this window and the rest of the rear garden of no.15, or indeed the attached neighbour to the East.
- 5.27 Comments are noted in relation to there being a chimney on the new dwelling. Chimneys are a common feature on residential properties, including those in the locality. It is not considered that the dwelling having a chimney would result in any unacceptable amenity impacts in terms of odours or fumes.
- 5.28 Having regard to the above consideration, the proposed dwelling would not have any unacceptable impacts on the amenity of neighbouring occupiers and would provide a sufficient level of amenity for future occupiers, including sufficient private amenity space. On that basis, the proposed development is acceptable in amenity terms and would accord with PSP8 and PSP38.
- 5.29 Transportation
The application site is located within a settlement boundary and as such broadly accords with the locational requirements of PSP11 in terms of juxtaposition with key services and facilities. It is however noted that concerns are raised with regards to parking and access.
- 5.30 No.15 benefits from an existing access onto Church Road. The proposed development would see this access widened to allow access to the new dwelling which would be served by parking and its own turning head to allow egress in a forward gear. As addressed in the previously withdrawn application, the visibility is somewhat lower than what would normally be expected and the set back at 2 metres for the splay is lower than the 2.4 metres that would also normally be expected. However, the application has been provided with speed survey data suggesting that the 85th percentile speed eastbound is 18.01mph and 19.46 westbound. Responses provided by the highways officers in the previous application based on this and a site visit were that the lower 'Y' distance and reduced set back are acceptable in this instance. This is on the basis of the lower speeds of the highway. Moreover, the access would serve only one additional dwelling and so any additional movements will be low and unlikely to have any severe or unacceptable impacts.
- 5.31 In terms of parking, the new dwelling having four bedrooms generates a parking demand of 2no. spaces to accord with PSP16. The plans show that this is possible and would be provided, in addition to a turning head. The parking situation for the existing dwelling would remain broadly the same. Whilst noting the concern is raised about on street parking and other residents not having access to their own off-street parking, the fact of the matter is that the proposed development would cater for its own parking demand, as required by policy. As the development provides a policy compliant level of parking, no objection can be raised in this regard.
- 5.32 Having regard to the above, the proposed development is acceptable in terms of parking and access. Should permission be granted, appropriately worded conditions will be required to ensure that the parking and access arrangements are provided prior to occupation. A condition should also be applied to secure the provision of electric vehicle charging points to promote sustainable travel and accord with CS8, should permission be granted.

5.33 Arboriculture

The application site is bordered by trees and vegetation, and trees were present on site, but it is noted some clearance has taken place, particularly along the Southern border of the site. PSP3 instructs that development proposals should, where appropriate, include the protection of trees and the replacement of trees where loss or damage is essential to facilitate development.

5.34 The application is furnished with a arboricultural report, impact assessment and method statement (Wotton Tree Consultancy, October 2021). In terms of removal, it is noted in the report that 1no. category C damson hedge is to be removed.

5.35 All other trees are to be retained and appropriate protection has been recommended, as reviewed by the Council's tree officer who has no objection to the works, provided they are carried out in accordance with the submitted arboricultural report. This can be ensured by means of an appropriately worded planning condition. It is noted that a landscaping scheme is requested by the Tree Officer in light of the tree removal. A landscaping scheme is already recommended as discussed previously in this report, however said condition should also specify the need for replacement tree planting.

5.36 Ecology

The application site is not subject to any specific ecological designations, however it is within a semi-rural setting and could harbour ecological potential. Accordingly, the application is furnished with a preliminary ecological appraisal (PEA) prepared by Smart Ecology (February 2022).

5.37 The buildings on site do not provide any suitability for roosting bats, however the habitats on site do provide foraging and commuting habitat. In that respect, mitigation and enhancements have been recommended which are welcomed. Habitats on site such as brash piles provide nesting opportunities for birds, and so suitable mitigation in that respect has also been provided.

5.38 The site offers suitable habitat for foraging and sheltering reptiles, mitigation has been included in the reasonable avoidance measures (RAMs) within the report, however as reptile surveys have not been undertaken and it is unclear the use of the site by reptiles, supervision of all site clearance works will need to be undertaken, which should include vegetation clearance and soil stripping. This has been updated within the report along with details of a retention area for any reptiles if found and creation of a hibernacula to place reptiles and common amphibians if found.

5.39 Habitats were recorded as being suitable for hedgehogs, mitigation has been proposed during and post construction. The site will offer some habitat to invertebrates and enhancement options have been recommended which is welcomed. A mammal hole has been previously inspected, and it was concluded that it was not used by badger. Badger signs were recorded on site including badger guard hairs and a dung pit. Mitigation has been proposed, however due to the mobility of badgers this also includes a pre-works

inspection immediately prior to works commencing to confirm continued absence of badger setts. If a sett is recorded, appropriate survey effort is to be completed and where applicable a badger licence obtained.

5.40 Having reviewed the submitted report, the Council's ecologist raises no objections. Suitably worded conditions are recommended to ensure that works proceed in accordance with the submitted mitigation measures. Given the semi-rural location it would be necessary to seek details of external lighting prior to installation, and exact locations and specifications of the proposed ecological enhancements will be required to be submitted by condition, should permission be granted. Subject to the above, the development is acceptable in ecological terms.

5.41 Drainage Consideration

The application proposes to remove surface water by means of a soakaway, and foul drainage will be dealt with by connection to an existing mains sewer. Having reviewed the proposed development, the Council's technical drainage officers have no objection to the proposed development. Given the scale of the development, no specific drainage conditions are considered appropriate or necessary in this instance, and the technical matters relating to the soakaway and foul sewer connection will be appropriately addressed at the building regulations stage.

Impact on Equalities

5.42 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.

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

Other Matters

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

5.45 Concerns relating to future development are noted. This application must be determined on its own merits, and any future application for any other development would stand to be assessed against the relevant policies and would be subject to full public consultation.

5.46 Consultation was carried out in accordance with the SGC Statement of Community Involvement, and all those who should have been consulted, were consulted as part of the determination process.

Planning Balance

5.47 The development would result in the creation of one additional dwelling within an area where such development is acceptable in principle because it can be considered sustainable development. This is afforded weight in favour of the proposed development.

5.48 Officers have raised concerns previously in relation to the design, impact on the character of the area and impact on the settings of the nearby listed buildings. However, through negotiation the scheme has been reduced in scale, the dwelling re-sited and the design amended. The resultant scheme is now in a position where the previous design and heritage concerns have fallen away, and the proposed development is now acceptable in terms of design and heritage. Appropriate conditions have been recommended to secure details of landscaping and materials/detailing at the appropriate stages to ensure that the development fully integrates with the locality. This is given neutral weight because any development is expected to be of an acceptable standard of design and not have any adverse heritage impacts.

5.49 The development would provide a satisfactory standard of amenity for future occupants and would not unacceptably harm the amenity of neighbouring occupiers. The development would also provide an acceptable level of parking and the access arrangements would not present any material safety issues. Finally, the development would provide appropriate protection for trees, and ecological mitigation/enhancements. Again, these matters attract neutral weight as they are expected by default of any development.

5.50 In light of the above, the positive weight of the provision of one additional dwelling to the district's housing supply in a sustainable location is not clearly and demonstrably outweighed by any other matters, and on that basis, the proposed development should be granted planning permission, subject to the conditions set out below.

6. CONCLUSION

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

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

6.3 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission is

sought for any works to have special regard to the desirability of preserving the listed building or its setting, or any features of special architectural or historic interest in which it possesses. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

7. **RECOMMENDATION**

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

CONDITIONS

1. Standard Time Limit

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

Reason

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

2. Landscaping

Prior to commencement of above ground works (excluding any site clearance or excavation), a detailed hard and soft landscaping scheme shall be submitted to the local planning authority for approval in writing. For the avoidance of doubt, the landscaping scheme shall include the following:

- All hard landscape features to include the paving/finish to the parking and turning area and any boundary treatments
- All proposed planting to include locations, species, and stock size. For the avoidance of doubt, this should include replacement tree planting.
- Any proposed landscape frontage treatment for the Southern boundary of the site with Church Road.

The approved landscaping shall be implemented in accordance with the approved details prior to first occupation in the case of hard landscaping, and in the first available planting season following substantial completion in the case of soft landscaping and planting.

Reason

In the interest of ensuring a satisfactory standard of external appearance and to ensure that the development sufficiently integrates with the surrounding locality, and to accord with CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

3. Materials

Prior to the commencement of the relevant parts of the development, details/samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. In the case of facing

stonework, this shall include a 1 metre by 1 metre sample panel to demonstrate colour, texture, coursing, jointing and pointing which shall be erected on site and retained for consistency until completion of development. Development shall be carried out in accordance with the approved details.

Reason

In the interest of ensuring a satisfactory standard of external appearance and to ensure that the development sufficiently integrates with the surrounding locality, and to accord with CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. Transport - Parking and Access

Prior to first occupation of the development, the parking and access arrangements as indicated on plan PA21/170/03 B (proposed site plan, as received 20th June 2022) shall be provided and retained thereafter, free from obstruction for their intended purpose.

Reason

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

5. Parking - EVCP

Prior to first occupation, the dwelling shall be provided with at least one electric vehicle charging point to the parking area, rated at 7KW 32amp minimum. The charging points shall be installed to an operational standard and shall be retained thereafter.

Reason

To ensure provision for sustainable travel and to accord with CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

6. Arboriculture - Compliance

Development shall proceed in strict accordance with the submitted Arboricultural Report, Impact Assessment and Method Statement (Wotton Tree Consultancy, ref. WTC_823.01, October 2021), as received by the local planning authority 14th April 2022.

Reason

To ensure that trees to be retained are not harmed by the development and to accord with PSP3 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

7. Ecology - Mitigation

The development shall proceed in strict accordance with the ecological Mitigation Measures provided in the Preliminary Ecological Appraisal (February 2022, Smart Ecology), as received the local planning authority 14th April 2022.

Reason

To ensure that appropriate ecological mitigation is in place during development and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

8. Ecology - Lighting

Prior to the installation of any lighting, details of the proposed external lighting is to be submitted to the local authority for approval in writing. The details submitted shall include the specifications and location of lighting to allow continued use of the site by bats and other nocturnal/crepuscular wildlife. Lighting shall be installed in accordance with the agreed details.

Reason

To ensure that any lighting as part of the development does not adversely impact protected species and other biodiversity, and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

9. Ecology - Enhancements

Prior to occupation, a plan detailing the locations and specifications of the proposed ecological enhancements detailed within Preliminary Ecological Appraisal (Smart Ecology, February 2022) is to be submitted to the local authority for approval. This includes, but is not limited to hedgehog holes of 13cm x13cm, hedgehog nest box, bee bricks, bat and bird boxes. The enhancements shall be installed in accordance with the agreed details prior to first occupation.

Reason

To ensure that appropriate ecological enhancements are made and that the enhancements are in suitable location so as to be effective and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

10. Plans Condition

Development shall be implemented in accordance with the following plans:

PA21/170/02 - Existing block plan

PA21/170/01 - The location plan

As received 14th April 2022

PA21/170/03 B - Proposed site plan

PA21/170/04 A - Proposed plans

PA21/170/05 B - Proposed elevations

PA21/170/06 B - Proposed street scene

As received 20th June 2022

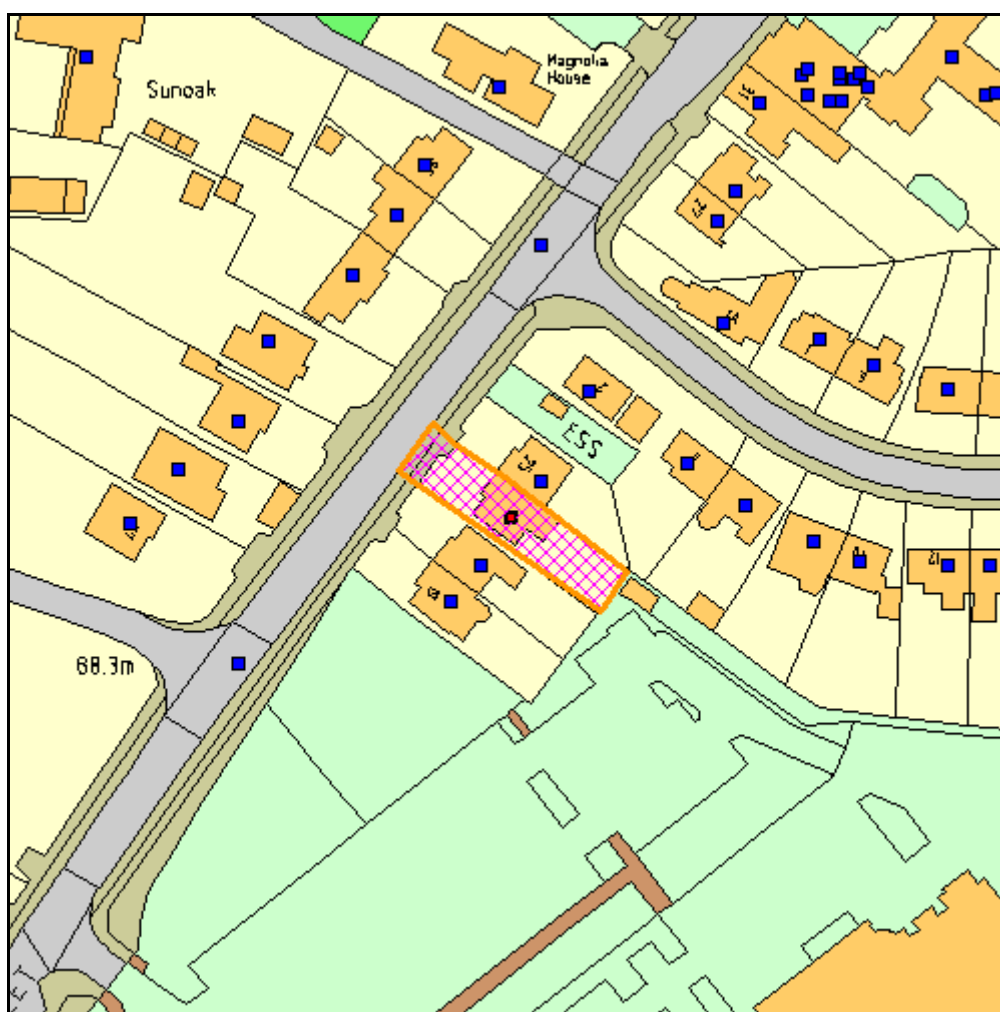
Reason

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

Case Officer: Alex Hemming
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 27/22 -8th July 2022

App No.:	P22/02811/F	Applicant:	Mr Michael Maby
Site:	Land Adjacent To 23 High Street Winterbourne South Gloucestershire BS36 1JJ	Date Reg:	30th May 2022
Proposal:	Enlargement of existing vehicular access point on High Street (Class B highway).	Parish:	Winterbourne Parish Council
Map Ref:	364936 180830	Ward:	Winterbourne
Application Category:	Minor	Target Date:	21st July 2022



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P22/02811/F

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

This planning application will be added to the Circulated Schedule because the proposal has received 1No objection from Winterbourne Parish Council, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the enlargement of existing vehicular access point on the High Street (a 'Class B' highway) to the front of 23 High Street, Winterbourne as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site comprises of a semi-detached property set within a moderate sized plot, fronting onto the B4058 High Street within Winterbourne.

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
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPD (Adopted 2013)

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council

1 No letter of Objection –

- *The comments of the Parish Council are Objection. The Parish Council concur with officer requirements for detailed documentation to ensure the finish meets Council standards.*

4.2 Other Consultees

Sustainable Transport – Transportation DC

No Objections.

Local Lead Flood Authority

No Objections – Informatives recommended.

Highway Structures

No Comments received.

Other Representations

4.3 Local Residents

No Comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the enlargement of an existing vehicular access point onto the High Street (a Class B highway) at a residential property. Policy PSP38 of the Policies, Sites and Places Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. Consequently the main issue to deliberate is the impact on highway safety/parking provision. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Transport

Policy CS8 of the Core Strategy outlines that vehicular access to a site should be well integrated and situated so it supports the street scene and does not compromise walking, cycling, public transport infrastructure and highway safety. Policy PSP11 of the Policies, Sites and Places Plan outlines that appropriate, safe, accessible, convenient and attractive access should be provided for all mode trips arising to and from a particular site. In terms of parking, policy PSP16 of the Policies, Sites and Places Plan sets out the Council's minimum parking standards for residential development.

5.3 The proposal seeks to provide an enlargement to an existing vehicular access point onto the B4058 High Street (Class B highway) within Winterbourne. This proposal would also allow vehicles to park off-street to the front of the existing dwellinghouse of No 23 High Street, and also permit vehicles to manoeuvre, in order to exit the application site in a forward gear.

5.4 Whilst there is no objection in principle to what is proposed, and it is noted that the applicant recognises that they will require permission and a licence from the Council's Streetcare for the works in addition to agreeing the specification. On

that basis, there are no fundamental concerns with the proposal from a highway safety perspective.

- 5.5 However as some works relate to the highway, any works must be carried out in accordance to the Council's standards of construction, with all details and method of construction first to be agreed by the Council's Streetcare Manager. Following consultee comments received and the recommendation of a condition to be applied should officers be minded to approve the application, further information/detail has been submitted to the case officer; as such the details of the works required will be issued as part of the specification pack issued for the dropped kerb application but this would normally involve excavating the footpath to a depth of 270mm, reinstating with 200mm depth of type 1 sub base, 50mm binder course and 20mm surface course. The development proposal is therefore considered to comply with policies CS8, PSP11 and PSP16 and there are no transportation objections.
- 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 It is understood that the proposed enlargement would be visible to the frontage of Nos 23 High Street and the attached and adjacent properties of Nos 19; 21 and 25 High Street and as such, the proposed works are considered to have some impacts on the visual amenity of the street scene. However, given other various location sites along the High Street (i.e the Walled Garden), this proposal to reduce the existing low stone wall from approximate 4.2 to 2.2 meters in length overall, is not considered detrimental to the visual amenity of the streetscene. Therefore it is considered that an enlargement of the existing vehicular access to the property would not appear out of character and that the proposal is considered to comply with policies CS1 and PSP38.
- 5.8 Residential Amenity
Given the nature of the proposals, it is not considered that the proposed works would have any significant adverse impact the residential amenity of neighbouring residents.
- 5.9 Arboricultural
It is noted, that no information or details have been submitted in relation to the significant existing tree, within the residential curtilage of the application site. It has been clarified by the applicants that for the purposes of this application this tree would need to be removed, however the applicants understand that guidance is available to them for working around trees as part of the dropped kerb application.
- 5.10 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.

5.11 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 **APPROVED** subject to the conditions detailed on the decision notice.

CONDITIONS

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

Reason

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

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

Site Location Plan (Date both received 13/05/22)
Proposed Block Plan

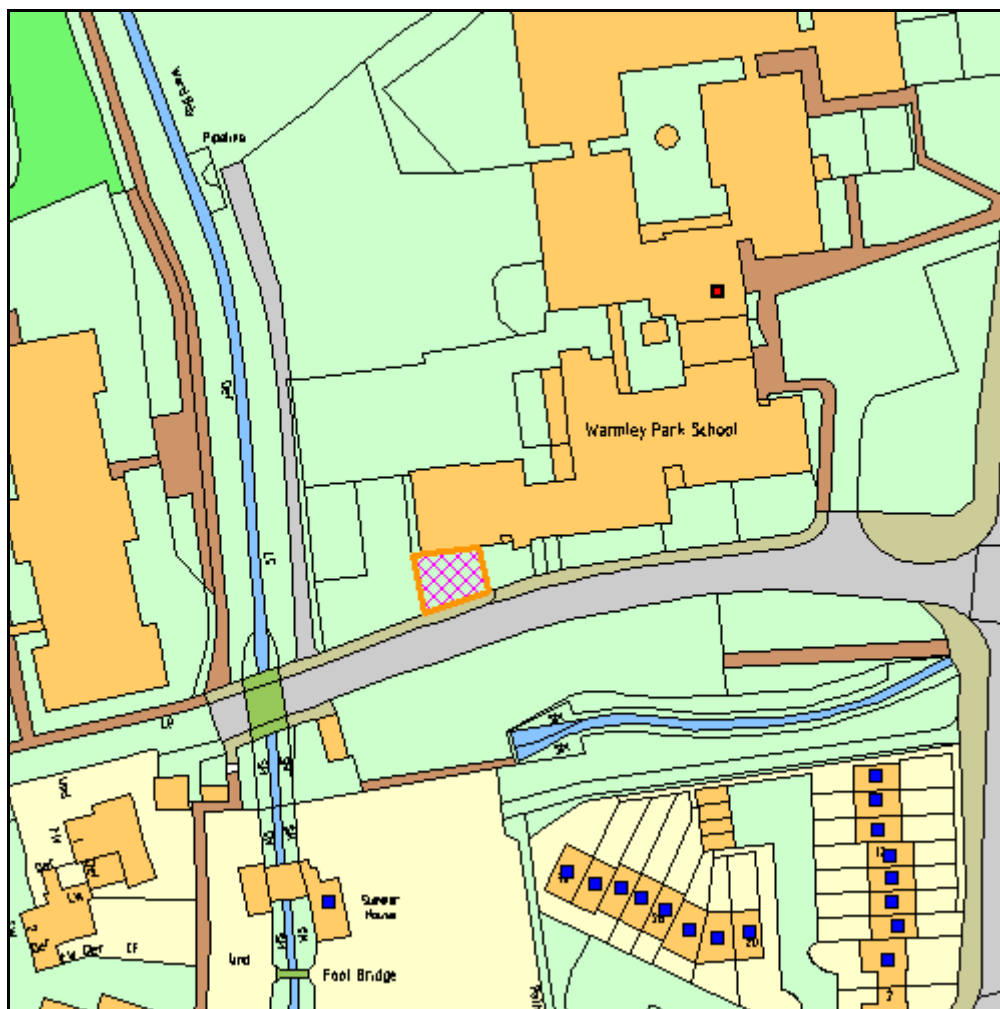
Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 27/22 -8th July 2022

App No.:	P22/03019/R3F	Applicant:	Mr. Peter White South Gloucestershire Council - Property Services
Site:	Warmley Park School Tower Road North Warmley South Gloucestershire BS30 8XL	Date Reg:	31st May 2022
Proposal:	Erection of Vehicle Canopy over existing 3 No School Mini Bus parking bays.	Parish:	Siston Parish Council
Map Ref:	366946 173258	Ward:	Siston
Application Category:	Minor	Target Date:	22nd July 2022



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P22/03019/R3F

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

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application appears on the circulated schedule in accordance with the Constitution because the Council is the applicant

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a canopy over 3 mini Bus parking bays situated to the front of the school. The canopy will have a height of approximately 4 metres.
- 1.2 Warmley Park school is a special school for pupils with severe learning difficulties and those on the Autistic Spectrum with associated learning difficulties. The application site lies in the built up area of Warmley and within the East Fringe of Bristol.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure
CS29 Communities of the East Fringe of Bristol Urban Area

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP44 Open Space, Sport and Recreation

- 2.3 Supplementary Planning Guidance
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 P21/02121/R3F Creation of new carpark with 2.4m boundary fencing, landscaping, and other associated works. Resolution to approve but currently with the Secretary of State for review.
- 3.2 P19/2199/R3F Erection of nursery, with access, parking, play area and associated works.
Approved June 2019
- 3.3 PK17/4413/NMA Non-material amendment to planning permission PK16/3758/R3F to install ventilation pipe for petrol, replace gates with automatic gates and revision to highways access design.
No Objection October 2017
- 3.4 PK16/3758/R3F Erection of single storey extensions and refurbishment to existing school to provide 6no. additional classrooms, auxiliary areas including therapy rooms, group rooms, offices and toilets. Amendments to the external elevations to allow for internal remodelling and sheltered canopies to play areas and entrance area with parking and associated works.
Approved August 2016

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No objection

Other Representations

- 4.8 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application site is an established school site. Policy CS23. This policy sets out that the Council will work with partners to provide additional, extended or enhanced community infrastructure. The canopy will support the use of the school. It should be noted that the parking places are not connected to the application to create a new car park currently under consideration see 3.1 above. The proposal is acceptable in principle and therefore the remainder of the report will consider the detailed material planning considerations.

- 5.2 Visual and Residential Amenity

The proposed development will be seen against the backdrop of the school site. It is not considered that the proposal given the location and its scale will detract either from visual or residential amenity

5.3 Transportation

The proposed development which is within the school grounds and serving three existing parking spaces will not have any impact upon highway safety.

5.4 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.

5.20 With regards to the above, this planning application is considered to have a positive impact on equality. This application would provide facilities that support education establishments for young children with protected characteristics.

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 planning permission is granted

CONDITIONS

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

Reason

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

2. The development shall be carried out in accordance with the following plans/drawings

Received 27th May 2022

Proposed Elevations and Block Plan

Location Plan

received 14th June 2022

WSPC-SGC-00-00-DR-A-01000 P02 Existing mini bus parking (section and elevations)

Reason:

For the avoidance of doubt

Case Officer: David Stockdale

Authorising Officer: Suzanne D'Arcy