

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: 49/22

Date to Members: 09/12/2022

Member's Deadline: 15/12/2022 (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 09 December 2022

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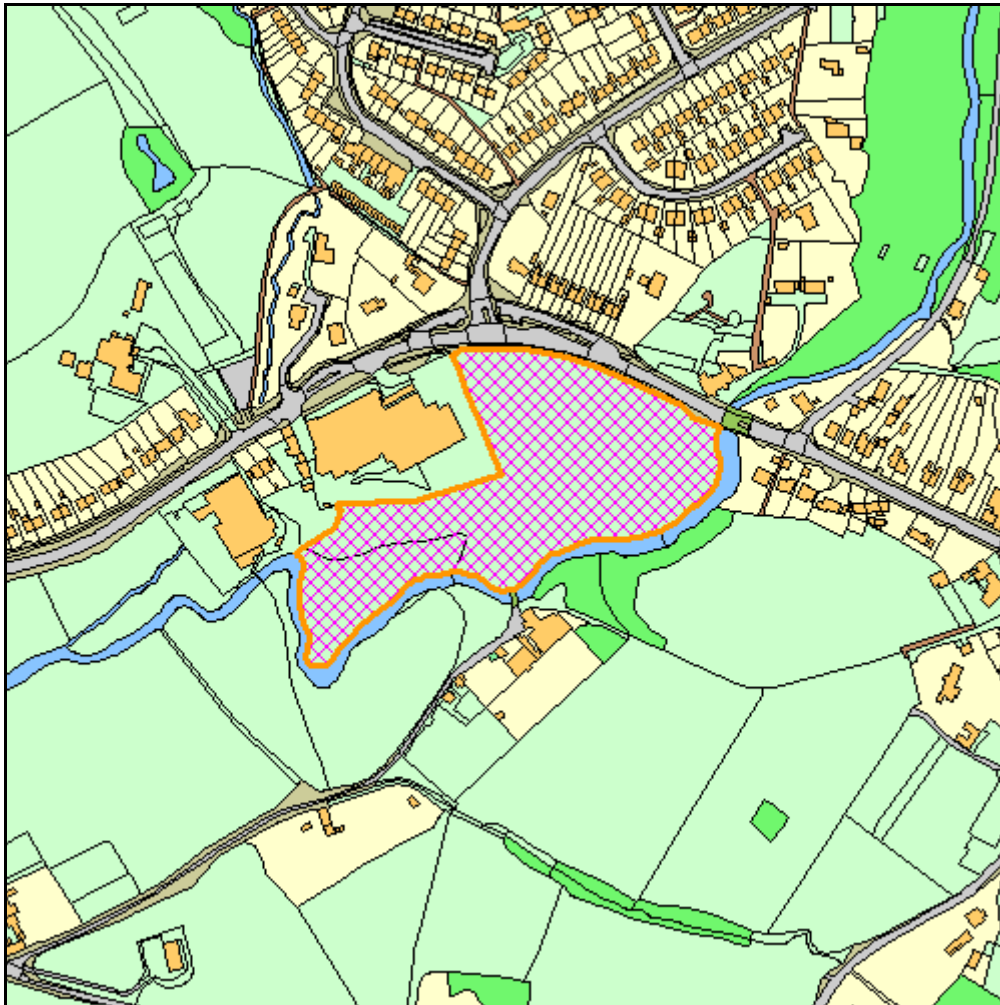
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/07243/O	Refusal	Land To South Of High Street/Church Road Wick South Gloucestershire BS30 5PE	Boyd Valley	Wick And Abson Parish Council
2	P22/01573/HH	Approve with Conditions	86 Northville Road Filton South Gloucestershire BS7 0RL	Filton	Filton Town Council
3	P22/03195/HH	Split decision See D/N	102 Wheatfield Drive Bradley Stoke South Gloucestershire BS32 9DD	Bradley Stoke North	Bradley Stoke Town Council
4	P22/04822/HH	Approve with Conditions	24 Bitterwell Close Coalpit Heath South Gloucestershire BS36 2UQ	Westerleigh	Westerleigh Parish Council
5	P22/05489/HH	Approve with Conditions	19 Parkside Avenue Winterbourne South Gloucestershire BS36 1LU	Winterbourne	Winterbourne Parish Council
6	P22/05803/RVC	Approve with Conditions	Wickwar Quarry The Downs Wickwar South Gloucestershire GL12 8LF	Charfield	Cromhall Parish Council
7	P22/06008/HH	Approve with Conditions	8 Riverwood Road Frenchay South Gloucestershire BS16 1NX	Frenchay And Downend	Winterbourne Parish Council

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
50	14 December by 5pm	16 December by 9am	22 December 5pm	23rd December
51	21 December by 5pm	23 December by 9am	4 January 5pm	5 January
No Circulated 30 December				
1	4 January by 5pm	6 January by 9am	12 January 5pm	13 January

Dates and officer deadlines for Circulated Schedule Christmas Holidays 2022

CIRCULATED SCHEDULE NO. 49/22 -9th December 2022

App No.:	P21/07243/O	Applicant:	Wick Land Ltd
Site:	Land To South Of High Street/Church Road Wick South Gloucestershire BS30 5PE	Date Reg:	25th November 2021
Proposal:	Erection of 22no. dwellings, new public carpark and provision of new public open space and associated works (Outline) with access to be determined, all other matters reserved.	Parish:	Wick And Abson Parish Council
Map Ref:	370045 172764	Ward:	Boyd Valley
Application Category:	Major	Target Date:	24th February 2022



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100023410, 2008.

N.T.S.

P21/07243/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 REFERRAL TO CIRCULATED SCHEDULE

This application appears on the Circulated schedule due to the receipt of 11 letters of support contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks outline permission for the erection of 22 new dwellings with a car park and associated works. The only issue for consideration as part of this outline application is access – all other matters are reserved for future consideration.
- 1.2 The site lies at the southern edge of Wick, which is washed over by the Green Belt. The site comprises a large agricultural field of some 2.6ha, which lies off the south side of the A420 to wrap around the southern edge of an existing commercial site. The River Boyd delineates its southern boundary, which is designated as the Wick Rocks and the River Boyd SNCI and takes in the much of the southern part of the site. A number of large mature trees line the river corridor as well as extending around the SW site boundary. The road frontage is more open with smaller trees and a post and rail fence. A dense conifer hedge extends along the western site boundary with the commercial site.
- 1.3 The site is of an irregular shape. The indicative plans show that the proposed 22No. dwellings will lie within the NE triangular part of the site fronting onto the southern edge of the A420, with a publicly accessible country park laid out on the remainder of the site. A new public car park area is also proposed adjacent to the site access/entrance. The DAS includes illustrations for 2 storey dwellings. Part of the site lies within flood zone 3. The plans show a single point of access onto the A420.
- 1.4 During the course of the application contact was made with the agent to advise of the imminent refusal. The agent was asked if they would like to work to negotiate down the number of matters at dispute and thus make the appeal process more efficient. Revised plans and additional detail was submitted but elements of the scheme are still deficient as discussed in the body of the report.
- 1.5 The applicant has submitted an appeal against no-determination which has been decline by the inspectorate due to procedural issues. It is expected that the appeal will be re-submitted following the determination of this application with this report forming the basis of the Councils appeal statement

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF) 2021
National Planning Policy guidance (NPPG) 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS5	Location of Development
CS6	Infrastructure and developer contributions
CS7	Strategic Transport Infrastructure
CS9	Heritage and the natural environment
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS24	Sport and recreation standards
CS34	Rural Areas

South Gloucestershire Local Plan: Policies, Sites & Places Plan 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP10	Active Traffic
PSP11	Traffic Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Diversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Affordable Housing and Extra Care Housing SPD (Adopted April 2021)
South Gloucestershire Biodiversity Action Plan (Adopted)
The South Gloucestershire Design Check List SPD (Adopted August 2007)
Trees on Development Sites SPD Adopted April 2021
Waste Collection Guidance for new developments January 2015 SPD
South Gloucestershire Council Community Infrastructure Levy (Cil) and Section 106 Planning Obligations Guide SPD (Adopted March 2015)
South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014): LCA 11
Green Infrastructure SPD Adopted April 2021

3. RELEVANT PLANNING HISTORY

- 3.1 N133/9 Erection of 4 factory units totalling 2,160 sq.m (23,250 sq.ft) and eleven detached houses and garages. Construction of roundabout, access roads, parking and manoeuvring area.

Refused 1982

- 3.2 N133/11 Construction of three light industrial units totalling 24,000 sq.ft. ten dwelling houses and garages with related new access roads, parking and manoeuvring areas and provision of a area of public open space.
Refused 1983

4. **CONSULTATION RESPONSES**

4.1 Wick and Abson Parish Council

Object to the application on the following grounds:

The proposed site is outside the settlement boundary and is in the greenbelt. Therefore under POLICY PSP4 - DESIGNATED LOCAL GREEN SPACES Inappropriate development proposal(s) within a designated Local Green Space, as shown on the Policies Map and listed in Appendix 2, will only be acceptable, in very special circumstances. Very special circumstances will not exist unless the potential harm to the designated space by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The construction of new buildings on Local Green Spaces is inappropriate. Exceptions to this are: - buildings for agriculture and forestry, within Local Green Spaces located outside a settlement boundary; or - the provision of appropriate facilities for outdoor sport, outdoor recreation and cemeteries, as long as it does not conflict with the purpose of designating the Local Green Space; or - the extension or alteration of a building, provided that it does not result in a disproportionate addition over and above the size of the original building, in line with Policy PSP7; or - the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. The application states that "There is case law that says that a number of factors, none of them "very special" when considered in isolation, may when combined together amount to very special circumstances and goes on to say that "there is no reason why a number or factors ordinary in themselves cannot combine to create something very special". This should be a qualitative rather than a quantitative assessment where the decision maker has a wide degree of latitude. 1.3 The factors to consider in this case are listed below and developed through the remainder of this report." Therefore taking this to be procedurally correct each of the proposed factors will be dismantled in turn. The inclusion of a public carpark on the site for users of the Golden Valley Nature reserve, with potential revenue stream. During the first year of the lock-down the Nature Reserve was flooded by visitors. So much so that the police had to deal with the situation as it constituted an illegal unmasked gathering. There was also weeks of inconsiderate and dangerous parking associated with the influx of visitors. However since then the numbers of visitors have massively reduced and the parking problems have been alleviated by the introduction of double yellow lines along the problem areas of the A420. The Nature Reserve itself, being quite small and since its surge in popularity, has struggled with the increased percentage of visitors from outside the area that solely utilize it as an area to inconsiderately exercise their dogs off their leads. Therefore so as to protect the wildlife, particularly the otters it is inappropriate to encourage further footfall. This has been voted upon by the Friends Group that shoulder the majority of the day to day running of the reserve and there was a unanimous

rejection of the car park proposal. Provision of a new area of public space. The village of Wick is fortunate enough to be blessed with a large public park with areas varied activity and relaxation opportunities, a nature reserve, sports ground, a plethora of public footpaths and is surrounded by the green belt. Therefore there is little demand for further public space. Protection and Ecological enhancement of the SCNI The introduction of housing, car park and public access to the area in question will be of detriment to what is a very important wildlife corridor. The area provides an undisturbed section of the river for the movement of otters, a nesting and feeding ground for kingfishers and a feeding corridor for bats, including the lesser horseshoe. It would unfortunately provide a large area of riverbank subject to easy entry to the river by people and dogs. The Nature Reserve in comparison has very few such areas hence the presence of otters despite public access. Otters are fully protected as a European protected species and also protected under sections 9 and 11 of the Wildlife and Countryside Act 1981. Kingfishers are afforded Schedule 1 status under the same act. The Lesser Horseshoe is protected in the UK again under the 1981 act, is a Priority Species under the UK Post-2010 Biodiversity Framework and is a European Protected Species under Annex IV of the European Habitats Directive. The grassland itself, having not been heavily grazed for over 30 years is a haven for small mammals. The healthy population of which can be gauged by the high numbers of buzzards and other raptors that regularly use the field as a feeding ground. Provision of new access through the site providing enhanced connectivity - Enhances connectivity between existing public rights of way As above, this field currently provides a wildlife corridor with very low public footfall so is essential in maintaining the biodiversity of the surrounding area including the Nature Reserve. Public benefit of extension of access through the SNCI as part of the Golden Valley Nature reserve. Again, as above, public access to this area has a detrimental effect on the biodiversity of the Nature Reserve as so is not welcome. Potential heritage benefits relating to the setting of a Grade I Listed Wick Court The proposed housing would in fact block the view across the field to the Court from the A420, particularly when waiting at the traffic lights at the bottom of Naishcombe Hill. One of the best times to watch the buzzards hunting. Potential use of small scale Hydro Power as a renewable energy resource The low head of water at the weir near the Court combined with the low flow rate makes any such energy source unviable. Clearly no viability study has been made as even the 5 metre high weir in the Nature Reserve, for which surveys have been made, would struggle to be viable. In addition under usual boundary ruling only half of the weir could be claimed. The other half could well be demolished as has been requested by Bristol and Avon Rivers Trust to improve fish migration. Provision of carbon neutral homes in a sustainable location - Provision of new homes, including above policy compliant affordable housing Again this is considered inappropriate development proposal(s) within a designated Local Green Space. The proposals have limited conflict with the purposes of Green Belt land as set out in paragraph 80 of the NPPF Wick and And In Parish Council consider that the development would have considerably detrimental effects on the Green Belt and have demonstrated that all of the proposed Very Special Circumstances are invalid. Wick and Abson Parish Council would also like to comment regarding the salmonid river where resides a considerable amount of the otters, bats and kingfishers.

- 4.2 Tree Officer
No objection subject to a condition to secure a tree protection plan
- 4.3 Environmental Protection – Noise
The EP team (Noise) notes the detailed noise report which properly identifies the essential requirement for a 3m barrier to the adjacent industrial activity; which must be a purpose built, high quality, closed -construction and properly maintained; and/or a solid/stone wall construction.
To avoid acoustic heating for these overlooking and exposed bedroom windows, trickle vents will be required with a performance high quality double glazing design.
- 4.4 Landscape Officer
The new housing will have a significant visual effect on views from the A420 and in private views from overlooking housing as it will reduce the width of currently open views towards the River Boyd and countryside lying beyond, together with transforming the green, open character of the NE part of the site, which in turn will have a significant visual impact on a localised are of the Green Belt. Additional information in the form a tree protection plan, a more detailed landscape/GI design and mitigation strategy, a review of the location of the footprint/location of the play space so it does not impact on the SNCI, a LEMP, a detailed planting plan, and a hard landscaping plan are required.
- 4.5 Conservation Officer
This application has the potential to harm the setting of the grade I listed building of Wick Court, a designated heritage asset of the highest significance. The conservation officer objects to the scheme (discussed more fully in the body of the report below)
- 4.6 Arts and Development
No comment
- 4.7 Historic England
Advise that the principle of developing the site would result in less than substantial harm to significance, as defined under the NPPF. We therefore task your council with weighing the harm against any perceived public benefits of the scheme, but giving the great weight to the conservation of the Grade I house.
- 4.8 Environment Agency
The Environment Agency originally OBJECTED to this application as it was not supported by an acceptable Flood Risk Assessment (FRA). During the course of the application an FRA was submitted and consequently the EA withdraw their objection subject to conditions.
- 4.9 Lead Local Flood Authority
Required the submission of an update, and/or addendum to the Flood Risk Assessment (**FRA**) which sets out a comprehensive 'Drainage Strategy' for the proposal. Upon receipt of the FRA, unanswered questions remain.

- 4.10 Crime Prevention Design Advisor
Raises a series of queries
- 4.11 Ecology Officer
Raises a series of queries but does not raise a fundamental objection to the proposal.
- 4.12 Highway Officer
Additional information required (will be discussed in the main body of the report). The proposal lacks a safe and suitable walking route between the on-site car park and the Nature Reserve, contrary to SGC Policy PSP11.
- 4.13 Environmental Policy and Climate Change
The Energy Statement is insufficient and should be expanded.
- 4.14 Public Open Space Officer
Para 6.26 of the Planning Statement refers to CS24 but the application does not show a policy compliant scheme.
- 4.15 Avon Fire and Rescue
Request 2 fire hydrants be installed
- 4.16 Public Rights of Way Officer
It is noted that the scheme seeks Outline Planning Permission with only Access being determined at this stage. It is noted that there are proposed private path networks with the flood zone three area set out as a landscaping area and that this may facilitate a new connection to footpath LWA/43 which is off site. There is no objection to this from the PROW section but connection to the existing public footpath LWA/43 would need to be agreed with the landowner over which the footpath exists. It is not clear that this is achieved.
- 4.17 Housing Enabling Officer
Object to the application as the clustering and tenure mix do not comply with CS18
- 4.18 Tree officer
A tree protection plan is required prior to determination

Other Representations

4.19 Local Residents

Below is a summary of the **main** points raised in neighbouring letters. Some of the points below were repeated in many letters – the full version of the comments can be found on the Councils web site:

- 4.20 3 Neutral were received (neither objecting or supporting):
Complaining about the lack of advertising or consultation to the application
Consideration should be given to how residents can turn right into the site

- 4.21 118 letters of objection were received (many people wrote in more than once but all letters have been counted in the interests of completeness):
- Land is on a flood plain
 - This is Green Belt
 - Very near a busy junction – access would be difficult
 - Adding even more houses will alter the unique character of the village
 - Additional traffic on the A420 and Naishcombe Hill
 - Will increase flooding and run off
 - The additional parking for the Golden Valley Nature Reserve is no longer needed – the parking issues were caused by an influx of visitors because of the pandemic.
 - The construction vehicles will be dangerous
 - The lack of public access to the undisturbed natural corridor allows for the safe passage of both Kingfisher and Otter. Public access could sever the corridor
 - The area is green belt and should remain as green belt
 - The village has plenty of public green space and public footpaths
 - A small hydro plant is not feasible with such a slow river
 - It is not an ecological wasteland but a popular feeding ground for buzzards and other raptors
 - Is outside of the settlement boundary
 - The company who have applied for permission does not appear to exist
 - Will have a detrimental impact on the SNCI both to the North and South of the A420
 - The harm clearly outweighs the benefits
 - The Very Special Circumstances argument about the car park is based on old and out of date news.
 - Do not want to encourage more cars to the village
 - Very close to Grade I listed Wick Court
 - Detrimental impact on the setting of the listed building
 - Would set a dangerous precedent/open the flood gates
 - Would take away the country/rural feel
 - Brownfield sites should be used instead
 - This is not infill
 - Can the doctors surgery and the school cope with the additional pressure
 - Who will maintain the car park and open space
 - Should not allow a children's play park on the banks of a river
 - The village has seen enough development
 - A neighbours water and electricity cross the site and their sewerage crosses part of the site
 - Loss of privacy for Wick Court. The suggestion that the bridge be restored so that the public can get a better view of someones home is unacceptable. The bedroom windows in the barn directly overlook the bridge at a distance of 11.5metres.
 - The site was a former Mill Pond – who knows what it has been filled with
 - The village doesn't need any more green space
 - In a storm the houses could get flooded
 - At no point have the Golden Valley Committee asked for a car park

- The double yellow lines installed have cured the parking problem
- Would have a negative impact on residents overlooking the site from the North
- Sewage system would not be able to cope
- On the revised plans – previous comments still apply
- Reputation of the applicant
- Dangerous access point – a child has been killed
- Why is there a digger in the field when no permission has been granted?
- Unauthorised hoarding erected around the site
- Surprised the planning department have even entertained the application
- Previous applications have been refused
- More household cats will move in – cats kill wildlife
- Neighbouring business would object to any change to the PROW network
- Allegations that it's a 'done deal', the Council should be held to account, etc.

4.22 11 letters of support were received (some people wrote in more than once but all letters have been counted in the interests of completeness):

- Great idea – affordable housing is much needed in Wick
- The car park for golden valley is a valuable asset
- Great for the environment and habitat
- Would be lovely to walk by the river
- Would enhance a disused field with trees and ecology
- I would be interested in buying
- Field currently has no public benefit
- Is a positive idea
- Would be good for local businesses

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This is an outline application where we seek to consider the principle of development and the means of access ONLY. All other matters are reserved for future consideration. Whilst the application is accompanied by a proposed site plan, we are not establishing the layout of the site at this stage. In establishing the principle of development, the starting point in primary legislation is Section 38 (6) of the 2004 Act which requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) in paragraph 15 also states that the planning system is plan led. Therefore this application has to be first considered in the context of the adopted development plan.

5.2 The Council's adopted Development Plan comprises the South Gloucestershire Local Plan Core Strategy (CS) which was adopted in December 2013. The Development Plan also includes the Policies, Sites and Places Plan adopted in November 2017.

- 5.3 The application site is located outside the settlement boundary of Wick, is within the Green Belt and is in the open countryside. Policy CS5 of the Core Strategy sets out the Council's strategy for development with a hierarchy of preferred locations for development. It states that most new development will take place within the communities of the North and East Fringes of Bristol. The policy states that in the rural areas, communities will be empowered to shape the future of their own local area through neighbourhood planning. CS5 also clarifies that in the Green Belt, small scale infilling may be permitted within the settlement boundaries as may development brought forward through community right to build order. Wick does not benefit from a made Neighbourhood plan.
- 5.4 Policy CS34 of the Core Strategy seeks to protect, conserve and enhance the character of rural areas for reasons relating to beauty, wildlife, landscape, biodiversity and heritage. It states that the settlement boundaries defined on the Policies Map will be maintained around rural settlements until they are reviewed either through Neighbourhood Plans, the Policies Sites and Places DPD or a replacement Local Plan. No review of settlement boundaries was undertaken in the Policies Sites and Places DPD; there is no Neighbourhood Plan for Wick; therefore, a review of the settlement boundaries is next likely to take place in the new South Gloucestershire Local Plan, which will replace the Core Strategy and Policies Sites and Places Plan. The proposal is therefore, contrary to policies CS5 and CS34 in the development plan.
- 5.5 The application site also lies in the Green Belt. Section 13 of the NPPF sets out the government's commitment to prevent urban sprawl by keeping land permanently open – the essential characteristic of Green Belt is its openness and permanence. Para 147 of the NPPF clarifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved in very special circumstances. Para 148 goes on to explain that decision takers should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the harm to the Green Belt and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.6 A full assessment of the harm to the openness of the green belt weighed against the very special circumstances is set out below.
- 5.7 Green Belt
In accordance with local (CS5) and national (NPPF) policy, the construction of new buildings in the green belt is inappropriate unless the development falls within one of the exceptions set out at paras 149 or 150 of the NPPF. The development does not fall within one of these categories and is therefore unacceptable in principle and is inappropriate development that is, by definition, harmful to the Green Belt. The development causes clear and identified harm to the green belt through the construction of 22 dwellings and public car park with associated infrastructure on previously un-developed land.
- 5.8 Having established that the development is unacceptable in principle, it is then necessary to consider a) whether the development conflicts with any of the 5

purposes of including land in the green belt and b) whether very special circumstances that existing that outweigh the harms:

5.9 a) Does the proposed development conflict with the purposes of the Green Belt?

Para 138 of the NPPF sets out the five purposes of the Green Belt:

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

5.10 The proposed development would be contrary to purpose c) of the Green Belt in that the development would facilitate encroachment of the built form into the countryside.

5.11 b) are there any very special circumstances that outweigh the harm?

The applicant accepts that the development is inappropriate in principle and that very special circumstances must be demonstrated. Accordingly, the application is supported by a document titled 'very special circumstances supporting information' dated November 2021. Taken from that document, the factors put to the Council for consideration in making the case for VSC are as follows:

- 1) Provision of a public car park for users of the golden Valley Nature reserve
- 2) Provision of a new area of public open space
- 3) Protection and Ecological enhancement of the SNCI
- 4) Provision of a new access through the site providing enhanced connectivity
- 5) Enhanced connectivity between existing PROW's
- 6) Public benefit of access through SNCI
- 7) Potential benefits relating to the setting of the grade I listed building
- 8) Potential use of small scale Hydro power
- 9) Carbon neutral homes
- 10) Provision of new homes including policy compliant Affordable Housing
- 11) The limited conflict with the purposes of the Green Belt.

5.12 In the interests of clarity, each of the points of very special circumstance raised in para 5.11 will be assessed in turn.

5.13 1) Provision of a public car park for users of the golden Valley Nature reserve

The site is located to the South West of the Golden Valley Nature Reserve located on the opposite side of the A420. During the national lockdowns, an unprecedented number of visitors attended the Nature Reserve that resulted in parking problems in the village. This was widely reported in the local news as per extracts in the applicants VSC document. However, that was a snap shot in time caused as a direct result of the lockdowns resulting from the Covid-19 pandemic. As reported by the Parish Council and in some neighbour letters, this problem no longer exists.

5.14 While the proposed plan shows the provision of a 19 space car park, no information about the parking demand associated with the Nature Reserve has

been submitted to assess the need for or adequacy of the car park. The submitted information indicates that based on 15 vehicle visits with two people in each vehicle staying an estimate 1 hour, up to 60 pedestrian crossings of the A420 during the busiest peak hour period could be generated. This would obviously be more with 3 or 4 people in each car. This is a significant number of people and justifies a suitable crossing facility. The submitted information indicates that pedestrians can walk westwards from the car park to the signalised crossing at Naishcombe Hill. This is a detour of approximately 240m from the desire line to the nature reserve including a very wide road crossing and thus unlikely to be used by most people. The A420 is a busy road and there is a record of a collision involving serious injury to a child crossing the road near the bridge which is on route to the Nature Reserve.

- 5.15 No foot crossing is proposed as part of the application and none is mentioned in the draft S106 heads of terms. On this basis, given that there is no evidence that the car park is needed, that it will be used by patrons visiting the Nature Reserve, or that there is a safe means of getting from the proposed car park to the Nature Reserve, very limited weight is given to the benefits of this when considering the case for Very Special Circumstances.
- 5.16 The Applicants case for VSC also mentions fleetingly that the car park could also be used more widely for tourists visiting the area and help support local businesses such as the shop and pub. No further information has been provided to demonstrate that any local business will benefit by the provision of this car park which is actually quite remote and detached from such facilities. In the event that the officer recommendation was for that of approval, S106 agreement securing matters such as details of the management and maintenance of the car park would need to be resolved.
- 5.17 2) Provision of a new area of public open space
The site is currently in private ownership with no public access. The applicant contends that the scheme would provide public access to and through the site – providing around 2.1 hectares for nature interest and walking/recreation rather than as formal play. Subject to the assessment made in paras 5.67 to 5.77 below, the precise area of space is not known at this stage as large areas may need to be precluded from access to protect some of the species found in the SNCI. This would be worked on through the submission of a Landscape Ecological Management Plan (LEMP) at RM stage when the layout would be worked on.
- 5.18 Nonetheless, it is accepted that the scheme will allow public access to land that is currently private (subject to S106 and other details that would need to be resolved in the event that the officer recommendation is for that of approval). This however is not considered to be very special but is in fact the case for all residential development proposals on green field land that is currently private. Wick is not an area that suffers a shortfall of informal recreation space (evidenced by the existence of the Nature Reserve) and no evidence has been provided to demonstrate how this public access will solve an existing problem or benefit the wider community. Accordingly, very limited weight is given to the benefits of public access when considering the case for Very Special Circumstances.

- 5.19 3) Protection and Ecological enhancement of the SNCI
It is the applicant's case that great weight should be given to a biodiversity net gain of more than 10% and the assorted biodiversity improvements. Subject to the assessments in paras 5.67 and 5.68 below, it is accepted that the current state of the natural grassland is poor. The proposed management of the site which retains the SNCI and enhancing it is welcomed and likely to improve the SNCI qualifying features. The proposed buffer is important and will provide further protection to the SNCI. Mitigation has been recommended to ensure the SNCI is protected throughout works.
- 5.20 However, the proposed indicative site layout now includes orchard planting in an area which is part of the SNCI. The SNCI is designated for its calcareous grassland, the report details that the grassland is neutral and has been improved as some point, however tree planting may reduce the quality of the grassland even further. On this basis, the revised plan submitted during the course of the application, calls into question whether the ecological enhancements will actually result. Appreciating this is an outline application only and we are not considering the precise site layout, limited weight will be given to the potential ecological and biodiversity enhancements. Whilst it is accepted that there could be some, insufficient evidence to substantiate this fact is available at the time of determination.
- 5.21 4) Provision of a new access through the site providing enhanced connectivity
The applicant contends that the new link through the SNCI would provide an interesting and visually appealing option giving alternative views of the river and allowing the public to get better views of Wick Court. It is accepted that the applicant can provide new routes within the land of their ownership but the paths will be located within the flood zone. Given the propensity of the entire landscaped area to flood or be very wet underfoot the PROW team would be unlikely to agree to dedicate these paths as PROW and as such they should form part of a management agreement if they weigh in favour of the development. Again, officers are mindful that public access to certain areas may need to be restricted through the submission of an agreement to a LEMP. Very limited weight is given to the fact that new paths may be provided on site due to the fact that the paths may not go anywhere (just be circular) and unlikely to be useable or be unattractive for use for parts of the year due to the fact that they may be flooded.
- 5.22 5) Enhanced connectivity between existing PROW's
The plans also show a *potential* connection to the existing PROW LWA/43 running to the west of the site. Whilst this would be a benefit of some limited weight, permission/agreement would be required from the landowner over which the current PROW runs to connect to the existing PROW network. At this stage, the Council have firm reason to believe that such agreement would **not** be reached (see the objection letter from Mr. Jones dated 7th August 2022). In the absence of any evidence to the contrary, no weight is given to the possible links between existing PROW networks as there is no evidence that this can actually be achieved
- 5.23 6) Public benefit of access through SNCI

Whilst it is accepted that some members of the public would enjoy having access to the SNCI, this is not Very Special in Green Belt terms. The wider SNCI is accessible from many other locations and PROW's – the Golden Valley Nature Reserve all forms part of the SNCI.

5.24 There is a potential benefit in that the quality of the SNCI could be enhanced but this would be expected of any application irrespective of its location in the green belt. It is a basic policy requirement (PSP19) that where appropriate, biodiversity gain will be sought from development proposals. Whilst there is a small potential benefit here (subject to the final design), none is demonstrated at this stage because orchard trees are shown on the indicative plan which would have the opposite effect of enhancing the SNCI. Enhancement of the SNCI is given very limited weight in the assessment of Very Special Circumstances.

5.25 7) Potential benefits relating to the setting of the grade I listed building

Detailed assessment of this issue can be found at paras 5.37 to 5.60. No weight is given to potential benefits to the setting of the Grade I listed building as harm has been identified.

5.26 8) Potential use of small scale Hydro power

Whilst this is quoted in the VSC case, no detail or information has been provided in the Sustainable Energy Statement to identify if this is feasible. No weight will therefore be given to the potential to use alternative renewable sources due to the lack of evidence that a) this is achievable or b) this would be acceptable from an ecological perspective.

5.27 9) Carbon neutral homes

Whilst this is quoted in the VSC case, no detail or information has been provided in the Sustainable Energy Statement to identify if this is feasible. The VSC document identifies that gas boilers will not be included with air source heat pumps being offered as an alternative. Whilst of course this is encouraged by the Council, the use of such technologies is becoming increasingly common and will eventually become mandatory. The use of heat pumps is not considered to be very special but is in fact increasingly becoming rather normal.

5.28 10) Provision of new homes including policy compliant Affordable Housing

The provision of additional housing and policy compliant affordable housing does weigh favourably in the planning balance but, the same principle applies to all such residential applications – it is not very special in Green Belt terms. It is acknowledged that this scheme proposed 1 unit over and above policy compliant levels. For the avoidance of doubt, Policy CS18 requires the provision of 35% affordable homes. As currently proposed (see the detailed assessment in paragraphs 5.100 below), the scheme does not comply with the requirements of CS18 and thus no weight is given to this argument when considering the case for very special circumstances.

5.29 11) The limited conflict with the purposes of the Green Belt

In the applicants case for VSC, it is stated that 'the site does not appear as open countryside'. The Council strongly refutes this suggestion. Whilst agreeing that there is commercial development immediately to the west and

residential to the east, the site has a very rural sense of feel and character. The proposed development would entirely remove this character particularly when viewed from the A420.

5.30 Green Belt conclusion

There is agreement between the Council and the applicant that the scheme is inappropriate development and should not be approved unless Very Special Circumstances can be demonstrated. For the reasons as set out in the detailed assessment above, no case for Very Special Circumstances has been found that individually or cumulatively outweigh the identified harm to the green belt. The development is therefore un-acceptable in principle and, in accordance with the NPPF, should not be approved. Despite the principle of development being unacceptable, the scheme will still be assessed in full below.

5.31 Landscape

Landscape is not a matter for consideration at this stage. Rather, details relating to the landscaping of the site would be considered at reserved matters stage. The indicative layout plans show that the proposed 22 No. dwellings will lie within the NE triangular part of the site fronting onto the southern edge of the A420, with a publicly accessible country park laid out on the remainder of the site. A new public car park area is also proposed adjacent to the site access/entrance. The DAS includes illustrations for 2 storey dwellings.

5.32 The new housing will have a significant visual effect on views from the A420 and in private views from overlooking housing as it will reduce the width of currently open views towards the River Boyd and countryside lying beyond, together with transforming the green, open character of the NE part of the site, which in turn will have a significant visual impact on a localised area of the Green Belt. Therefore, the proposed landscape/GI design and mitigation strategy will need to be robust to off-set these visual and landscape effects both in terms of the GI infrastructure of the proposed country park and new frontage treatment to the housing area. The landscape officer has made a whole series of suggestion on what additional detail is needed to ensure that the scheme is acceptable from a landscape perspective. Additional information was requested during the course of the application but was not submitted.

5.33 As proposed on the indicative layouts, there are a number of outstanding landscape concerns and queries. However, this is not a matter for consideration at this outline stage. Disaggregating the Green Belt and landscape issues, on balance, if the officer recommendation was for that of approval, it is felt likely that the current landscape concerns could be addressed at reserved matters stage. On this basis, no refusal reason can be substantiated at appeal relating solely to the impact on the landscape.

5.34 Trees

Planning Statement para. 6.38 states that the illustrative site layout requires the removal of 1No. tree. However, to repeat, layout would be reserved for future consideration. The total number of required replacement trees will need to be calculated at RMA stage in accordance with Trees and Development Sites: Guidance for New Development SPD (page 13).

5.35 The application is supported by an Arboricultural Report dated November 2021 and prepared by Silverback Consultancy Ltd which sufficiently identifies the constraints posed by the trees and that the trees RPAs are not within the extent of excavation and therefore will not restrict development, however the report does not contain a tree protection plan (TPP), which is required to be approved in writing by the Local Planning Authority. Subject to a series of conditions to a) secure a tree protection plan, b) a condition requiring any works to be carried out in accordance with BS 3998:2010, and c) a condition to prevent fires or chemical storage near to protected trees, there is no refusal reason relating to the impact on trees.

5.36 Noise

The application is accompanied by a Noise Impact Assessment. While it is noted that the plans in the Noise Impact Assessment are incorrect, the salient point taken from the report is that on the western boundary of the site, noise from the adjacent industrial facility is audible. At section 5.3 of the Noise Impact Assessment, it is recommended that a 3m high timber fence should be installed along the entire western boundary of the residential part of the site. Accepting that the site layout is indicative only, no such acoustic barrier is shown on the indicative layout. The addition of a 3m high fence is likely to result in design and residential amenity issues if the site were to be developed out as per the indicative plan. That said, with a site re-design at reserved matters stage, it is accepted that the matter of noise from the adjacent estate could reasonably be accommodated on site. No refusal reason is therefore substantiated at this time given that the outline permission seeks to agree the principle of development and the access to the site only.

5.37 Conservation and Heritage

Wick Court is designated as Grade I, and as such is in the top 2% of listed buildings. Therefore, greater weight should be given to its conservation. The National Planning Policy Framework (NPPF) defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'. The Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) requires the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". Section 72 of the act refers to the council's need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties. When considering the current proposals, in line with Para 194 of the NPPF, the significance of the asset's setting requires consideration. Para 199 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Para 200 goes on to say that clear and convincing justification is needed if there is loss or harm.

5.38 This application has the potential to harm the setting of the grade I listed building of Wick Court, a designated heritage asset of the highest significance. The Court is believed to have been built by Thomas Haynes, a Bristol merchant in c1665, and is noted in the list description as appearing to be of one build,

with few later alterations. The Court has a typical U-plan footprint of the second half of the 17th century, with a grand entrance hall and stair, and with symmetrical south-east front of 2½ storeys and 7 windows, all stone cross windows with ovolo- moulded mullions and transoms and leaded lights. The building lies on level ground, close to the River Boyd, with an enclosed garden to the southeast, comprising 18th century walls and gate piers and a 19th century summerhouse (all grade II listed), which form an important group with the Court. On the rear, NW side of the building, a single storey entrance block sits between the two rear wings of the building and faces the present entrance to the site. This has a stone doorway with segmental moulding over, pilasters, ovolo-moulded side-lights and 2-light casement with ovolo mullions (20th century replicas), and gives what was a secondary entrance to the building an elevated status. Facing this entrance is a grade II listed wall and doorway, the doorway possibly being reset in the 19th century but incorporating 17th century material, further reinforcing the sense of arrival and status of the Court.

- 5.39 Wick Court is believed to have been built as a very fine example of a grand 17th century country house which reflected Thomas Haynes's acquired wealth and social status, and which survives in a remarkably unspoilt state. The context and landscape setting of the house also contribute to that significance. The house and its grounds were drawn and engraved by Johannes Kip in c1700, with the view taken from the SE looking over the house, its gardens, and the land beyond which includes the application site. The engraving clearly shows the River Boyd and the mill stream and mill pond beyond, which survived until the mid-20th century, along with the former mill buildings (now site of the industrial estate), the road bridge (grade II listed) and the Carpenter's Arms. While the land to the front of the Court was designed as formal gardens, the land to the southwest and to the northwest was planted as orchards and with avenues and copses of trees that would have been viewed from the rooms in the rear wings of the house.
- 5.40 Despite being separated by the river, the land to the rear of the Court (including the area of the application site) is recorded in the 1840 as being in the ownership of Wick Court, with one field named 'Mill Pond Orchard', and other areas used as pasture. The land between the present A420, including the site of the former mill as well as the application site all, therefore, formed part of the historic estate of Wick Court and provided an important landscape setting that reflected the wealth and status of the owner. The gradual encroachment of 19th and 20th century settlement expansion to the north and east, the redevelopment of the former mill site to an industrial works site, and the introduction of 'horsiculture' has incrementally eroded the open, rural countryside setting of the 17th century mansion but there remain large areas of undeveloped pasture around the Court (including the application site) which still positively contribute to an appreciation of its historic landscape setting.
- 5.41 As originally submitted, no heritage statement was provided, contrary to paragraph 194 of the NPPF. Following officer comment, a Heritage Statement was subsequently produced along with revisions to the landscaping and house design (despite this being an Outline application).

5.42 Having walked the public footpaths around the site, including those from higher ground to the south, the application site will feature in views to, from and across Wick Court. The application site is clearly visible from the land immediately at the rear of the listed building, with open views across the river towards the present housing on the A420 and the rear of the works site. The development would be perceived as a further intrusion of built form, alongside the works buildings, into the setting of the listed building. From the grade II listed wall/doorway to the Court, the presence of evergreen tree species along the river's edge does filter this view slightly but the land is still discernible, and views can quickly open up through loss of tree cover resulting from management, disease or death of the trees. Views from the interior rooms of the grade I listed building were not available during the site visit but should be considered, taking into account the potential for the encroachment and intrusion of new development into the open setting of the Court being noticeable from these rooms.

5.43 Views from the immediate setting at the western gateway entrance and around the private footbridge were not assessed as part of the Heritage Statement. When viewed from the entrance, these views are filtered by a mix of tree species but this, as noted previously, could quickly change through natural or man-made causes. As can be seen below, such changes can occur within the space of a decade; the image on the left being 1991 and that on the right 1999. The belt of trees on the approximate location of the northern mill pond were removed altogether, coupled with a thinning of trees to the west of the Court which may have previously helped provide screening from the industrial buildings. While mitigation planting and screening is being proposed in this application (subject to reserved matters approval), this is ephemeral in the context of the heritage asset and will come and go over time either as a result of seasonal variation in cover, or the result of natural or man-made changes



5.44 The application site is co-visible with the Court in various locations from the surrounding public footpath network, with existing dwellings on the north side of the A420 already visible in the background. The industrial works site also features in certain views, as do modern stabling and horse-related paraphernalia, these being existing intrusive features in the landscape. From the east, the Court is glimpsed through the tree cover as a result of its bright, lime-rendered elevations, with filtered views of the buildings along the A420. These buildings mark the edge of the present settlement, with the open fields

- providing an important open buffer that protects the landscape setting of the Court and prevents the encroachment of built form into the open countryside. Views during the spring and summer months from the east will inevitably be heavily filtered when the trees are in leaf, but any loss of tree cover would result in a significant change to the degree of visibility and should not be relied on as justification for development.
- 5.45 Issue is taken in paragraph 4.2.6 of the Heritage Statement with the suggestion that the undeveloped nature of this pasture provides protection to the landscape setting of the Court by preventing encroachment of built form into the open countryside. The site is an open, undeveloped field that forms a green buffer between the Court and the A420 and the developed edge of Wick, while also forming part of the historic landscape that surrounded the Court which, based on map evidence, served as pasture and orchards to the estate as well as being part of the water management systems associated with the mill. By that rationale, its openness provides protection against ongoing encroachment of suburban sprawl south of the A420 which would bring built form much closer to the grade I listed manor house, thus compromising the surviving, rural, landscape context, and exacerbating the impact of the industrial site development.
- 5.46 Paragraph 3.4.14 of the Heritage Statement states that “the Site can be said to make a small contribution to the significance of Wick Court in helping to retain the relative isolation of Wick Court.” However, it then seeks to make a distinction between the northern and southern parts of the site by virtue of the visual intrusion of the factory complex and the built development around the A420 (immediately north and north-east of the Site), suggesting that the bulk of any contribution in this respect is limited to the southern belt of the Site. It is agreed that the application site is not a major contributor to significance, but the fact that it remains undeveloped land historically part of the estate helps to reinforce the sense of separation and relative isolation of Wick Court. The conservation and planning officer both disagree that there is a meaningful or tangible differentiation between the northern and southern halves of the site simply due to the proximity of the industrial site and development north of the A420 when the site is presently one open, undivided field, and viewed as such from the public realm.
- 5.47 From the south, elevated views of the Court and the edge of the settlement of Wick can be obtained from various footpaths leading off Barrow Hill and Manor Road. The gables and roof of Wick Court are visible above the trees, with the 20th century housing developments forming a prominent backdrop on the rising ground to the north. The houses along the northern side of the A420 are visible as the southern edge of the settlement, with the intervening fields providing an important open buffer between the Court and the settlement. Encroachment of development into the field south of the A420 will bring built form physically and visually closer to the Court and result in the further erosion of its countryside setting, and the sense of separation between it and the 20th century housing to the north.
- 5.48 The above paragraph was questioned in the Heritage Statement in section 4.2.5, suggesting that the site cannot be seen from Barrow Hill and that the

development would be screened from view by existing trees. Above the roof of the Court sits the 20th century housing development rising up over Naishcombe Hill, creating a strong horizontal band of built form hovering above the trees and the Court roof. During Autumn and Winter months, built form will likely be visible through the tree canopies, visually drawing the existing built form down to the listed building, further eroding the sense of its isolation within a green buffer. The choice of darker roof and facing materials suggested through this outline permission should reduce the degree of visual intrusion but will not, in the opinion of both the conservation and planning officer opinion, negate it.

- 5.49 From the north, views down to the Court are available along the A420 frontage and on Naishcombe Hill although, as with other views, these are filtered by the tree cover. Nevertheless, the Court, with its prominent lime-rendered gables, is visible amongst the trees during autumn and winter months, occupying a remote position in the open countryside that is reflective of its status and character as an important country house of the 17th century. Development of the application site would obscure the majority of views of the Court from the A420 as well as diminishing the distinct, rural character of the locality that comes from having the open fields and pasture running up to the southern edge of the road.
- 5.50 Paragraph 4.2.10 of the heritage statement notes that “Collectively, [the] landscaping proposals present a very real opportunity to sensitively manage the Site in a way that can provide natural screening that will, over time, provide robust native tree cover to the current urban/industrial views when looking north.” It is accepted that if the landscaping scheme is implemented, as proposed in the indicative layout, and managed and maintained in perpetuity, views north from the listed building will be of a broken/staggered belt of orchard trees with backdrop of woodland copse/layered tree planting. However, for ecological reasons as explained elsewhere in this report (see para 5.68), such planting cannot be supported thus negating this possible mitigation measure.
- 5.51 Having regard to the potential impact of development in the application site, the conservation officer is of the opinion that there will be harm to the setting and thus significance of the grade I listed Wick Court as a result of the proximity of the proposed residential development to the listed building, the encroachment and intrusion of built form on the southern side of the A420 and the resultant loss of openness of the historic landscape setting of the Court. The development will be contrary to CS9 of the Core Strategy, Policy PSP17 of the adopted Local Plan; Policies, Sites and Places Plan and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.52 Further to this, due to the conflict between ecology and conversation with respect to the need to plant Orchard trees, there is no confidence that any level of suitable mitigation could be satisfactorily addressed at RM stage.
- 5.53 Parallels may be drawn between this site and the Land South of Gloucester Road appeal (APP/P0119/W/17/3189592), where residential development was proposed in agricultural fields c120m to the west of Morton Grange, a grade II* listed building, the setting of which had previously been compromised by urban development. Although open space and planting were proposed to mitigate the

encroachment of additional built form, the Inspector opined that the encroachment of further housing development would further compromise the positive contribution the site made to the significance of the listed building by providing a rural context for the significance of the building. A level of harm at “less than substantial harm in the middle of the lower end of that scale” was defined by the Inspector. Paragraph 55 of the Inspector’s decision highlights the context for undertaking the heritage balance, noting that “*Relevant judgements reiterate that a finding of harm to the setting of a Listed Building gives rise to a strong presumption against planning permission being granted*”. Paragraphs 56 to 58 of the appeal decision are summarised as:

Heritage assets are an irreplaceable resource and they should be conserved in a manner appropriate to their significance and Grade 2 Listed Buildings are regarded as assets of the highest significance. The effect of Framework paragraph 193 is that in applying the strong presumption against permission being granted, great weight is to be afforded to the conservation of the Yew Tree Farmhouse, Old Malthouse, Malt Cottage and Manor Farmhouse and even greater weight is to be afforded to Morton Grange as a Grade 2* Listed Building. Framework paragraph 194 says that any harm to or loss of, the significance of a designated heritage asset from, amongst other things, development within its setting requires clear and convincing justification.... The development would further weaken the degree of separation enjoyed by Morton Grange [and] on balance, the weight that attaches to those benefits does not outweigh the strong presumption against permission being granted and the great weight afforded to the conservation of Morton Grange, Yew Tree Farmhouse, Old Malthouse, Malt Cottage and Manor Farmhouse.*

- 5.54 While this application affects just one collection of heritage assets, rather than multiple dispersed assets, Wick Court is a designated heritage asset of the highest significance, forming an important group with the grade II listed courtyard, garden/courtyard walls and summerhouse, all just 60m south of the proposed housing on the application site. The site at present is undeveloped pasture that provides a rural context for the significance of the building, as well as historically forming part of the functional land associated with the estate, historically comprising the mill pond, orchards and pastures on the northwest side of the Court. The development would result in a further compromise to the already compromised setting of the Court on this side and would further weaken the degree of separation of the Court from the encroachment of the 20th Century housing along the A420, as well as weakening its sense of isolation south of the road.
- 5.55 The proposed development would result in change to the setting of a listed building of high significance such that it is noticeably changed. Using the frameworks established in the Design Manual for Roads and Bridges and the ICOMOS Guidance on Heritage Impact Assessments for Cultural World Heritage Properties, the significance of impact would, in the opinion of the conservation officer, equate to moderate adverse. The overall heritage significance of Wick Court lies in a complex combination of its historic, architectural and artistic interest, with the building’s setting allowing its significance as a high-status, 17th century country house to be appreciated. In terms of the Framework, the identified harm would equate to ‘less than

substantial' around the middle of the spectrum. This triggers paragraph 202 of the Framework which requires the harm to be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use, taking into account the great weight that 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.

5.56 As Wick Court is already in a viable use, the applicant needs to demonstrate public benefits that are sufficient to outweigh the identified harm to the significance of the heritage asset taking into account the very great weight that is afforded to the conservation of a grade I listed building. Reference is made to 'Potential heritage benefits relating to the setting of a grade I listed Wick Court' but details are absent and the ability to see the house from the new public open space is not a significant public benefit that could be deemed to outweigh the encroachment and intrusion of residential housing into an otherwise open field that reinforces the Court's rural setting. Renovation of a dilapidated bridge linking Wick Court to the proposed new meadow is also not a heritage benefit that would carry weight, especially where the access is to remain private. The development will not introduce heritage benefits to the grade I listed Wick Court, nor will the introduction of 22 new houses in the setting of the Court preserve or enhance its significance. The ability to see the Court from the proposed meadow is not a heritage benefit that would carry significant weight, and there is a risk of double-counting the heritage benefit; once to outweigh any harm to the setting of the listed buildings, and then to justify a case for VSC. The introduction of additional screen planting would also only serve to try and hide the development from the court but would equally screen the court from public views from the fields and environs, and, conversely, reduce the sense of openness around the court, negating any perceived benefit.

5.57 There is, therefore, an objection in principle to this outline application on the grounds of harm to the setting and thus significance of the grade I listed Wick Court. Despite the submission of the Heritage Statement, the development will cause harm to the significance of Wick Court and its associated assets, contrary to Local Plan Policy PSP17, and triggering paragraph 202 of the Framework. Policy PSP17 also requires that 'where development would result in harm to the significance of a heritage asset or its setting, planning permission will only be granted when it can be clearly demonstrated that all of the following can be met:

- the proposal results in public benefits that outweigh the harm to the heritage asset, considering the balance between the significance of the asset affected, the degree of harm and the public benefits achieved;
- there is no other means of delivering similar public benefits through development of an alternative site;
- the harm to the heritage asset is minimised and mitigated through the form and design of the development and the provision of heritage enhancements; and
- the heritage asset will be properly recorded to professionally accepted standards.'

- 5.58 The first bullet point is for the decision taker to weigh in the planning balance having regard to the great weight that should be given to the asset's conservation and the strong presumption against planning permission being granted where harm is identified. Given the Councils proven 5 year housing land supply, the public benefit of providing the 22 dwellings (with 35% affordable units) is not considered sufficient to outweigh the harm to the Grade I listed building. No evidence has been provided by the applicant to demonstrate that similar public benefit could not be met through development of an alternative site.
- 5.59 The third bullet point could potentially be seen as having been addressed through the revisions to the scheme, with the intention of minimising and mitigating the harm through a combination of additional planting and changes to material selections. However, as clarified above, the orchard planting shown on the illustrative layout plan conflicts with the ecological enhancements to the SNCI and thus are unlikely to be supported through any RM application. Even should the planting of some description be negotiated through the RM process, a residual level of harm has, been identified which requires consideration against the first bullet point.
- 5.60 The fourth bullet point could be deemed to have been partially undertaken through the Heritage Statement study since a survey of Wick Court itself would be difficult to secure in this instance.
- 5.61 Heritage Conclusion
Notwithstanding that this is an outline application where layout, landscape and design are not for consideration at this stage, the development of this site for 22 dwellings will result in harm to the setting and thus significance of the grade I listed Wick Court as a result of the proximity of the proposed residential development to the listed building, the encroachment and intrusion of built form on the southern side of the A420 and the resultant loss of openness of the historic landscape setting of the Court. The development will be contrary to CS9 of the Core Strategy, Policy PSP17 of the adopted Local Plan; Policies, Sites and Places Plan and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.62 In accordance with Para 194 of the NPPF, the significance of the asset's setting has been given due consideration. In accordance with Para 199 in considering the impact of proposed development on significance great weight has been given to the asset's conservation – given the buildings grade I listed status, great weight has been given to the significance of the asset. In the absence of a clear and convincing justification for the harm to the significance of the designated heritage asset, the application is contrary to the requirements of para 200 of the NPPF.
- 5.63 Drainage and Flooding
As originally submitted, the Environment Agency raised an objection to the scheme due to the fact that it was not supported by an acceptable Flood Risk Assessment (FRA). The indicative layout plan shows that all of the proposed development will be within flood zone 1. During the course of the application a

- FRA was submitted which allowed the EA to withdraw their objection subject to a series of conditions.
- 5.64 The Lead Local Flood Authority raise a number of concerns with respect to the indicative layout. The concerns are as follows:
- Currently a play area has been proposed on-site which is located within Flood Zone 3B which is an area of active floodplain, therefore this must be re-located outside of the Flood Zone.
 - All proposed attenuation basins are to include an all-around access track which should be a minimum 3 – 5 Metres for the allowance of relevant suitable equipment to conduct maintenance activities.
 - There is to be no planting of trees over, or within close proximity (3 metres) of any existing or proposed drainage infrastructure, which may include but not limited to, pipework, gullies and attenuation features such as ponds, basins and tanks (3 metre offset from top of bank including access track).
- 5.65 Whilst accepting that this is an outline application with layout to be considered at a further stage, to grant outline permission, your officer must be satisfied that it is possible to accommodate the quantum of development on site. It is important to note that this application is for the erection of precisely 22 homes – not ‘*up to*’ 22 homes. On this basis, your officer cannot be confident that it is possible to move the play area (as required through policy – see para 5.95 below) out of Flood Zone 3B and still accommodate 22 dwellings on site. However, this is considered to be a refusal more closely linked with the application of other policies rather than flooding and thus is discussed in more detail in the conclusion to this report.
- 5.66 Notwithstanding the concern in para 5.63 above, there is no reason to believe that the drainage of the site could not be adequately accommodated via condition and the submission of details at Reserved Matters stage.
- 5.67 Crime Prevention Design Advisor
At this early stage where only outline planning is sought, it is very difficult from a crime reduction/prevention point of view to give any detailed comments as the areas to be addressed such as access, layout and detailed design would normally be decided upon at Reserved Matters stage. Paragraphs 92, 97 and 130 of the National Planning Policy Framework July 2021 require crime and disorder and fear of crime to be considered in the design stage of a development. Other paragraphs such as 8, 106, 110, 108, 112, and 119 also require the creation of safe environments within the context of the appropriate section. In addition Policy CS1 – High Quality Design of the South Gloucestershire Local Plan: Core Strategy (December 2013) in Point 9 states that development proposals will be required to demonstrate that they take account of personal safety, security and crime prevention.
- 5.68 The Crime Prevention Design Advisor makes a number of comments on the indicative layout suggesting amendments and/or alterations. Other than to state that the indicative layout would not be supported, it is fair to say that crime and safety issues could potentially be suitably addressed at RM stage. No refusal reason is therefore proposed that relates to safety.

5.69 **Ecological Issues**

A Preliminary Ecological Appraisal (Plan for Ecology, August 2021), Ecological Impact Assessment (Plan for Ecology, November 2021) and a Biodiversity Net Gain Report (Plan for Ecology, November 2021) has been submitted. The site boundary lies within River Boyd SNCI and Wick Rocks SNCI, the current state of the neutral grassland, which is one of the designated features, is poor. The proposed management of the site which is intended to retain and enhance the SNCI is welcomed and has potential to improve the SNCI qualifying features. As originally submitted, the proposed buffer was considered important and would provide further protection to the SNCI. Mitigation has been recommended to ensure the SNCI is protected throughout works. It is welcomed that recommendations for mosaic habitats are to be created as part of the development.

5.70 However, whilst appreciating that layout and landscaping is a reserved matter, the indicative site layout now includes orchard planting in an area which is part of the SNCI. As per paragraph 5.50 above, it is presumed that this orchard planting has been introduced in attempt to mitigate the impact on the listed building. The SNCI is designated for its calcareous grassland, the report details that the grassland is neutral and has been improved as some point, however tree planting may reduce the quality of the grassland even further. Whilst the originally submitted indicative plans were acceptable as the grassland was to be improved, insufficient evidence is available to consider the impact on the SNCI by the proposed orchard planting. On the basis of the evidence available, it is reasonable to assume that ecological improvements can be secured via condition and via the submission of additional details at RM stage that would retain and enhance the ecological value of the SNCI. However, in ensuring that the ecological benefits are appreciated, the adverse impact on the setting of the Grade I listed building is likely to be increased. In any event, the indicative site layout is unlikely to be supported at RM stage.

5.71 **Bats**

All trees within the housing development area were assessed as being negligible. The river, grassland and trees are likely to provide a good source of foraging habitat, the majority of which will be retained. In the event that the recommendation was for that of approval, a sensitive lighting strategy would need to be secured.

5.72 **Great crested newt (GCN)**

The site is bordered by a road to the north and the river Boyd to the south with no waterbodies in between these barriers. Though suitable habitat is present for amphibians, it is unlikely that GCN are present due to the lack of breeding habitat.

- 5.73 **Otter**
The River Boyd is suitable for otter, however this will remain unaffected by the proposal.
- 5.74 **Birds**
Bird nesting opportunities are found throughout the site, due to the frequent management of the grassland it is unlikely that ground nesting birds are present. Mitigation has been recommended in the PEA that would be conditions should the recommendation be for that of approval.
- 5.75 **Reptiles**
There is suitable habitat present for reptiles, no dedicated surveys were recommended due to the retention of the majority of the grassland, a precautionary approach has been recommended. Due to suitability all vegetation cutting is to be supervised by a suitably qualified ecologist.
- 5.76 **Badgers**
No evidence was recorded, however there is suitable foraging habitat found on site.
- 5.77 **Hedgehog**
There is suitable habitat for hedgehogs on site.
- 5.78 **Invertebrates**
Based on the current quality of the grassland, the site is unlikely to support a wide diverse assemblage of invertebrates including rare and notable species. The enhancements are likely to provide further opportunities.
- 5.79 **Ecology Conclusion**
The indicative site layout showing orchard planting is highly unlikely to be supported on Ecological grounds. Notwithstanding this, subject to a series of strict conditions, the submission of greater detail at RM stage, it is considered possible to protect and enhance the SNCI. No ecological objection is therefore raised, but the comments with respect to the orchard planting give greater weight to the heritage refusal as detailed in para 5.59 and 5.60.
- 5.80 **Transport and Access**
- 5.81 **Sustainability**
There are a number of local facilities and services in the village including three shops, a post office, a public house, a GP surgery, primary school and community centre. Other facilities including a secondary school, supermarket, designated town centre, pharmacy and major employment areas are accessible using the bus services which stop nearby on High Street, Naishcombe Hill and Church Road.

5.82 Although the nearby bus stops have shelters they have been audited recently and found to be inaccessible to wheelchair users and people with buggies. They also lack lighting and Real Time Information. Given the relatively rural location of the site and the need to use bus services to access a number of higher level key facilities in the event that the recommendation was for that of approval, condition/S106 would be necessary to secure replacement of the existing two shelters outside of the site on High Street and Naishcombe Hill. The replacement shelters would need to have 3 bays a power supply with lighting and Real Time Information. Whilst it is noted that the updated transport statement provided during the course of the application disagrees with this, Para 112 of the NPPF indicates that priority should be given to pedestrians to facilitate access to high quality public transport services and appropriate facilities to encourage public transport use. However, despite this request from the highway officer, it is the opinion of the planning officer that to request such upgrades from this scheme for 22 dwellings would be unreasonable. Whilst accepting that the upgrades are needed, the upgrades are not needed as a result of this development or strictly to make this development acceptable. It would not be appropriate to use this permission to remedy an existing problem.

5.83 Access

A simple priority junction is proposed onto the A420. Traffic flows on the A420 are high, however the proportion of vehicles turning into the proposed development would be low. As originally submitted the highway officer commented that it would still be necessary to model the junction using the PICADY software to demonstrate that it will operate within an RFC of 0.85 and will not result in vehicles obstructing the free flow of traffic on the A420. An Automatic Traffic Count for a two-week period should be placed on the A420 between the site access and Naishcombe Hill. The counter should also record vehicle speeds. This will need to be carried out in a neutral month.

5.84 Following the highway officer advice mentioned above, the proposed T junction has been modelled as requested. The development vehicle trip rates for both the residential and car park elements are agreed.

5.85 Existing traffic flow data has been taken from a 2016 survey and factored up to 2022 using local background growth rates from TEMPRO. Normally more up to date traffic flows would be required, however given the impact of Covid on traffic flows the factored data is accepted. The results show that the site access works well within capacity with development traffic.

5.86 As requested the design of the access has been changed to a Copenhagen style with ramps either side to indicate pedestrian priority. This is agreed subject to detailed design and the completion of a Stage 1 Road safety Audit. A Stage 1 Road Safety Audit will be required. This should be carried out in accordance with the Council's adopted procedures. In the first instance a Brief should be submitted to the Council for approval. The Brief must include details of the Auditors including CV's and a list of sites audited over the last two years,

the accident record on the A420 in the vicinity of the site covering the last 5 years, the speed and volume of traffic at the site access and all drawings of the access and any associated off-site works. Other information may be required once the Brief has been received. South Gloucestershire Council provides a Roads Safety Audit Service. Further details on this and the Council's procedures can be found on the Council's web page. The Audit Brief should also include details of a pedestrian crossing facility on the A420 required to provide a safe route between the proposed care park and the Nature Reserve.

5.87 Nature Reserve Car Park.

As previously discussed in paragraphs 5.13 to 5.15, a 19-space car park is being proposed to provide car parking for people visiting the nearby Golden Valley Nature Reserve to the north of the A420. No information about the parking demand associated with the Nature Reserve has been submitted to assess the adequacy of, or need for, the car park. The submitted information indicates that based on 15 vehicle visits with two people in each vehicle staying an estimate 1 hour, up to 60 pedestrian crossings of the A420 during the busiest peak hour period could be generated. This would obviously be more with 3 or 4 people in each car. This is a significant number of people and justifies a suitable crossing facility. The submitted information indicates that pedestrians can walk westwards from the car park to the signalised crossing at Naishcombe Hill. This is a detour of approximately 240m from the desire line to the nature reserve including a very wide road crossing and unlikely to be used by most people. The A420 is a busy road and there is a record of a collision involving serious injury to a child crossing the road near the bridge which is on route to the Nature Reserve. For these reasons a suitable crossing point should be provided. It doesn't necessarily have to be a signalised crossing. A central refuge may be suitable. In the first instance a detailed assessment of the site and options should be carried out in accordance with The Traffic Signs Manual Chapter 6 section II. The assessment should include a traffic volume and speed survey in both directions at the proposed crossing location. No such crossing is provided or mentioned in the draft Heads of Terms.

5.88 Site layout

The site layout is indicative only at this stage and, as mentioned in other parts of this report, the indicative site layout is unacceptable. In the interests of completeness, the following comments would need to be addressed in any reserved matters application. The 5.5m carriageway with 2m footways on both sides should extend up to a point just past the car park access where there should be a block paved gateway feature transition to a shared surface. The internal road layout will require swept path tracking to demonstrate that the Council's standard 11.3m 3 axle waste collection vehicle can access all bin collection points and turn within the end turning area. Residents in plots 2 and 3 will need carry waste to a collection area near plot 4. There should be a clear demarcation at the end of the adoptable highway transition to private drive leading to plots 2, 3 and 4. The path leading to Church Road should be included for adoption.

5.89 Parking

At RM stage, visitor parking should be designed into the layout at a ratio of 1 space per 5 dwellings. Car parking for each dwelling will need to be provided in accordance with policy PSP16. As shown on the indicative plan, there is an under provision of parking for plots 15 – 22. Each 3 bed dwelling should have 2 spaces and each 2 bed 1.5 spaces. Double garages should have minimum internal dimensions of 5.6m wide and 6m long and single garages 3m x 6m. These dimensions will also accommodate the cycle parking for the dwelling. Houses without garages and flats should be provided with a suitable accessible store. Houses require a minimum of two cycle spaces and flats a minimum of one. Electric Vehicle Charging Points will need to be provided in accordance with the Council's policy at the time of submission of a reserved matters application. The current standard is for each dwelling with an on-plot space to have a live 7 Kw 32 Amp charging point.

5.90 Highways Conclusion

There is no objection to the design of the access to the site from the A420 as proposed. In the event of a recommendation for approval, details would be secured via condition. Whilst upgrades to the existing bus shelters are necessary, it would be unreasonable to attach such upgrades to this permission. Other matters relating to access and parking, would be considered at reserved matters stage.

5.91 However, a highway refusal reason is substantiated on the lack of a safe and suitable walking route between the car park and the Nature Reserve contrary to the requirements of policy PSP11.

5.92 Public Open Space

Delivery of sustainable communities requires provision of a full range of open spaces which support residents' health and social well-being. Such facilities are important for the successful delivery of national and local planning policies as well as many of the objectives of the Sustainable Community Strategy and Council Plan. Requirements for open space are exempt from CIL and are dealt with using S106.

5.93 Predicted future population of proposed development

The schedule of accommodation has changed the application is now for (17 houses, 3 two bed flats and 2 1 bed flats) Using current average occupancy data and the proposed number of dwellings, we estimate the proposed development of 22 dwellings generate a population increase of 48.3 residents.

If however, the dwelling mix changed at RM stage and there would be an increased proportion of houses, the POS requirements would be higher. Unless the applicant is happy for all dwellings to be classed as houses, then formulae will be required in the S106 to allow for increased POS requirements.

5.94 Public Open Space (POS)

Set out below are comments and recommended S106 requirements needed to address the impacts of the proposed development on public open space.

These are based on the above dwelling mix and expected future population. This is a new residential development and it is reasonable to expect the future residents to have access to a full range of open spaces. Where existing provision, in terms of quantity, quality and accessibility would be inadequate to meet the needs of future residents, then new provision and/or enhancement must be made in accordance with the appropriate local standards set out in Core Strategy Appendix 5.

- 5.95 An audit of existing provision has demonstrated an existing shortfall of Outdoor Sports Provision, Provision for Children and Young People and Allotment Provision. The following table shows the **minimum** open space requirements arising from the proposed development, (based on the stated dwelling mix) and shows the contributions that will be requested if open space is not proposed on site. Providing more than the minimum policy requirement of one category of POS does not mitigate for an under provision of another category.

Policy CS24 requires provision to be delivered on site unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal:

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount proposed on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space (IROS)	The audit shows an adequate existing supply of IROS accessible from the proposed development. However there is likely to be some IROS so it would be included in a S106 on-site POS schedule to secure its provision and ongoing management and maintenance				
Natural and Semi-natural Open Space (NSN)	The audit shows an adequate existing supply of NSN accessible from the proposed development. However there is a considerable area of the site proposed as POS so it would be included in a S106 POS schedule to secure its provision and ongoing management and maintenance				
Outdoor Sports Facilities (OSF)	772.8	0	772.8	£45,034.84	£13,630.57
Provision for Children and Young People (PCYP)	113.25	0	113.25	Should be provided on site	
Allotments	96.6	0	96.6	Should be provided on site	

- 5.96 Para 6.26 of the Planning Statement refers to CS24 but the application does not show a policy compliant scheme. Outdoor Sports Facilities are not mentioned. An off-site contribution would be acceptable.

5.97 Provision for Children and Young People

There is an existing shortfall of Provision for Children and Young People within reasonable access of the proposed development, the minimum policy requirement is 118.5sqm and this should be provided on site. The Landscape Proposals Plan (Rev C) does not tally with the current site layout plan (Rev B), but the proposed site plan does now show an area marked 'play space'. It is not apparent in any of the documentation whether the applicant proposes this

as an equipped play space, which is required in order to comply with the policy. If this is the intended play area location, it lacks passive surveillance and ambient lighting. It would be in a shady location, which can cause problems with algae/moss on surfaces and equipment. Additionally, it is shown within the canopy area of several trees and would no doubt impact upon the root protection areas. It is also in the flood zone and in the SNCI. Consequently, the play space would need to be relocated through and RM submission. This adds weight to the argument that 22 dwellings cannot be reasonably accommodated on the site.

5.98 Allotments

The minimum policy requirement for Allotments is 94.8sq.m. No allotments are proposed on site. As there is a shortfall of allotments to cater for the new population, provision should be made on site unless the applicant can demonstrate a more acceptable off-site solution. There would be no objections to provision of a larger amount of allotment land on site; the proposed gardens are very small. On-site provision could be in the form of a community-style allotment. As no allotments pace is provided, and the indicative layout shows no possible location for them that is both outside of the SNCI and outside of the flood zone, this adds weight to the argument that 22 dwellings cannot be reasonably accommodated on the site.

5.99 On-site open space maintenance

Core Strategy policy CS24 seeks appropriate arrangements to secure the satisfactory future maintenance of any open spaces and outdoor recreation facilities (for sport, recreation and play) that are provided in conjunction with new development. Where these are provided on site the Council may be willing to negotiate their adoption and future maintenance providing that the developer meets the cost associated with future maintenance and all fees associated with land transfers. The Council will not adopt timber play equipment and will not adopt play equipment sited above underground structures such as attenuation tanks or utility easements. The Council will not adopt loose fill surfaces in play areas e.g. sand or bark. If the applicant proposes private management of POS and surface water infrastructure the Council must be confident that the value of any service to the public is sustainable and does not create ambiguity in how people access those services should they have concerns or requests; it is important that the community receives a seamless service. Provisions to ensure suitable and secure in-perpetuity arrangements for operation, management and maintenance of all the public open spaces and surface water infrastructure (SWI within POS that is not adoptable by a statutory undertaker) will need to be incorporated into the Section 106. The Council charges a fee (£63.96 per 100sq.m. plus £615.90 core service fee) to inspect the open spaces to ensure their compliance with the approved plans prior to transfer to the private management entity.

5.100 Energy and Climate Change

As per paragraph 5.26, part of the applicant's case for Very Special Circumstances is the provision of carbon neutral homes. Accordingly, a sustainable energy statement is submitted with the application. The

Sustainable Energy Statement is lacking and needs to be expanded to provide information on the following:

- Fabric efficiency and proposed U-values for key elements i.e. roofs, external walls, floors and openings.
 - Details of the heating and domestic hot water system in dwellings. We strongly encourage the specification of renewable heating (i.e. communal or individual air or ground source heat pumps).
 - Proposed specification of the PV system(s) including peak capacity (kW_{peak}) and projected annual yield (kWh/annum).
 - Reductions in energy demand and CO₂ emissions from energy efficiency and on-site renewables.
 - Details of the EV charge points to be provided including the minimum power output (kW).
 - Information on how the scheme will be adapted to projected changes in the local climate and resilient to overheating during the lifetime of the scheme.
- In the event that the officer recommendation is for that of approval, these additional details could be secured via condition or at Reserved Matters stage.

5.101 Affordable Housing

If the officer recommendation was for that of approval, Affordable housing in accordance with CS18 of the Core Strategy (Adopted) would be required. The updated proposal does not comply with required policy under CS18 in regard to the tenure mix and clustering.

5.102 The updated proposal does not comply with required policy under CS18 in regard to tenure mix and clustering. The updated Affordable Housing Statement submitted in support of the application states that the AH contribution would be 40%, consisting of 9 x 2 & 3-beds, all of a First Homes tenure. This tenure split does not meet the housing need and policy requirements within South Gloucestershire as determined by the 2019 SHMA and as set out in policy CS18 or the Core Strategy.

5.103 The updated site layout plan indicates that 8 Affordable Homes (plots 15-22) are proposed in a single cluster. This does not meet the requirements under policy CS18 or within the Affordable Housing & Extracare SPD. Whilst the scheme proposed 1 more affordable unit that is required by policy, the clustering and tenure is not policy compliant.

5.104 Quantum

35% of 22 dwellings generates a requirement of 8 Affordable Homes (rounded-up from 7.7), without public subsidy, to be provided on-site and distributed throughout the development in clusters of no more than 6.

5.105 Tenure and Type

The applicant has offered all of the Affordable Homes as First Homes which does not meet the required tenure split. To meet identified housing need (NPPF First Homes policy & Wider Bristol SHMA) the following tenures shall be provided:

- 71% Social Rent
- 4% Shared Ownership
- 25% First Homes

However, as the 4% for Shared Ownership generates just .32 of a unit, this requirement will be absorbed within the First Homes tenure:

- 71% Social Rent or 6 homes
- 29% First Homes or 2 homes

With a range of house types (Wider Bristol SHMA) sought.

Social Rent: 6 homes

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

5.106 Planning Balance

The application site lies in the green belt and is inappropriate development. The development conflicts with the purpose of including land in the green belt and would result in harm to the openness. In accordance with para 147 of the NPPF, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Whilst a case for Very special circumstances has been put, very special circumstances have not been found that clearly outweigh the harm to the green belt and any other harm. Substantial weight had been given to the harm to the Green Belt in determining the application.

5.107 The application site lies within the setting of Wick Court – a grade I listed building. The development would have a harmful impact on the setting of the Grade I listed building. In accordance with para 199 of the NPPF, great weight has been given to the need to conserve the asset. Greater weight has been applied as the building is Grade I listed.

5.108 The application has also been determined in light of the benefits of the application including the provision of 22 residential units including 9 affordable units.

5.109 The development has been found to be unacceptable in principle with the harms arising significantly and demonstrably outweighing the benefits.

5.110 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.

5.111 With regards to the above this planning application it is considered to have a neutral impact on equality as no protected characteristics are affected.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application is refused for the reasons on the decision notice

1. The application site lies in the green belt and the development represents inappropriate development that is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The development conflicts with the purpose of including land in the green belt and would result in harm to the openness. The Very special circumstances do not clearly outweigh the harm to the green belt and any other harm. The application is therefore contrary to the requirements of CS5 of the Cores Strategy (Adopted), PSP7 of the Policies Sites and Places Plan (Adopted) and the requirements of the NPPF.
2. The application site lies within the setting of Wick Court - a Grade I listed building. The development would have a harmful impact on the setting of the Grade I listed building and greater weight has been given to this impact because of the significance of the asset.. The public benefits of the scheme do not outweigh the harm and thus the application is contrary to the requirements of Policy CS9 of the Core Strategy (Adopted), PSP17 of the Policies Sites and Places Plan (Adopted), Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the provisions of the NPPF.
3. Whilst accepting that this is an outline application with layout to be considered at a further stage, when given the site constraints, insufficient evidence is available to demonstrate that the site is capable of accommodating 22 dwellings whilst adequately providing all other necessary infrastructure including:

- policy compliant public open space;
- policy compliant parking provision;
- adequate and suitable landscaping to mitigate both the impact on the landscape and the impact on the listed building, - adequate and satisfactory drainage infrastructure;
- noise mitigation
- adequate mitigation for the SNCI.

The application therefore fails to demonstrate compliance with Policies CS1, CS2, CS9, CS23 of the Core Strategy (Adopted), Policies PSP1, PSP3, PSP16, PSP17, PSP19, PSP20 and PSP21 of the Policies Sites and Places Plan (Adopted) and the requirements of the NPPF.

4. The application includes a public car park to serve Golden Valley Nature Reserve and the provision of this car park is central to the argument put forward to demonstrate Very Special Circumstances. The proposed car park is on the opposite side of the A420 which is a busy road with accident history close to the site. For these reasons, a suitable crossing point is necessary but none is provided. The application therefore fails to provide safe, convenient and attractive access for pedestrians using this facility resulting in an unacceptable impact on highway safety. The application is therefore contrary to the requirements of Policy PSP11 of the Policies Sites and Places Plan (Adopted) and the requirements of the NPPF.
5. In the absence of an appropriate planning obligation to secure a contribution towards the provision, enhancement, and maintenance thereof, public open space the proposal fails to mitigate its own impact to the detriment of the locality. The proposed development is therefore contrary to policy CS6 and CS24 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework 2021.
6. In the absence of an appropriate planning obligation to secure affordable housing, in accordance with the provisions of Policy CS18 of the South Gloucestershire Local Plan : Core Strategy (Adopted) Dec. 2013, the proposed development would fail to make appropriate provision for affordable housing in the district. The development is therefore contrary to Policy CS6 and, CS18 and of the South Gloucestershire Local Plan : Core Strategy (Adopted) Dec. 2013; The South Gloucestershire Affordable Housing and ExtraCare SPD (Adopted) April 2021 and the provisions of the National Planning Policy Framework 2021.
7. The site is situated outside the existing urban area and it is not within a defined rural settlement; it is therefore in a location where development should be strictly controlled. The proposed development would conflict with the spatial strategy of the District: the amount of development cannot be considered limited. The proposed development is therefore contrary to policy CS5, and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP40 of the South Gloucestershire Local plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework February 2021.

Case Officer: Marie Bath

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 49/22 -9th December 2022

App No.:	P22/01573/HH	Applicant:	Ed Davis
Site:	86 Northville Road Filton South Gloucestershire BS7 0RL	Date Reg:	16th March 2022
Proposal:	Demolition of existing garage. Erection of first floor/two storey side and single storey rear extensions to provide additional living accommodation and integral garage.	Parish:	Filton Town Council
Map Ref:	360354 178171	Ward:	Filton
Application Category:	Householder	Target Date:	5th May 2022



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100023410, 2008.

N.T.S.

P22/01573/HH

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 due to the receipt of objections for the ward member and 11 local residents contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the demolition of existing garage to facilitate the erection of a first floor/two storey side and single storey rear extensions with replacement integral garage.
- 1.2 The application site comprises a two storey semi-detached dwelling. The application site is located within the defined Bristol northern fringe settlement boundary.
- 1.3 During the course of the application revised plans were received to simplify and reduce the size of the proposed extension and also to retain all parking to the front of the property.
- 1.4 It is important to note at this stage that this is NOT an application to change the use of the dwelling to an HMO. The site is already in use as a licensed 6-bed HMO (C3) with the intention to continue as a licensed 6 bed HMO. The purpose of the extension is to improve the specification of the property. If the applicant wanted to increase the number of beds in the property to accommodate 7+ in the future, that would constitute a material change of use for which planning permission would be required. An application would be necessary which would be subject to the usual assessment.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plan

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Assessing Residential Amenity TAN (Endorsed) 2016
Household Design Guide SPD (Adopted) March 2021

3. **RELEVANT PLANNING HISTORY**

- 3.1 P19/19092/CLP Installation of hip to gable roof extension of rear dormer to facilitate loft conversion.
Approved as lawful development Jan 2020
- 3.2 P21/03028/F Part demolition of existing property. Erection of 1 no. semi detached dwelling and associated works
Refused Feb 2022
- 1) *The proposed development, if built, by reason of its sitting, size, scale and design would appear cramped and contrived, resulting in harm to the character and appearance of the site and its context. The proposed development would therefore fail to comply with policy CS1 of the Core Strategy (Adopted 2013), and policies PSP1 and PSP38 of the Policies, Sites and Places Plan (Adopted 2017).*
 - 2) *Policy PSP16 requires a three bedroomed dwelling to be provided with two off street parking spaces, due to the loss of the existing parking both the existing and proposed dwelling would require two off street parking spaces per dwelling, a total of four. The scheme proposes two parking spaces in the rear garden to be accessed from the lane. However, due to its gated nature, the narrowness of the rear access lane and the highly overgrown nature of the rear access lane, it is not considered that the parking spaces in the rear garden would be useable and thus they are not being given weight. The applicant has not provided any evidence to support the case that any displaced parking requirement could be adequately accommodated on street and the application is thus contrary to the requirements of PSP16 of the Policies Sites and Places Plan (Adopted 2017).*
- 3.3 P21/03029/F Demolition of existing garage and lean to. Erection of single storey rear extension to form additional living accommodation.
- 1) *Policy PSP16 requires a three bedroomed dwelling to be provided with two off street parking spaces. The existing dwelling currently has these two spaces. Following from the proposed development, the existing parking arrangement would be altered and the parking space in the garage would be lost. To mitigate this, the scheme proposes two parking spaces in the rear garden to be accessed from the lane. However, due to its gated nature, the narrowness of the rear access lane and the highly overgrown nature of the rear access lane, it is not considered that the parking spaces in the rear garden would be useable and thus they are not being given weight. The applicant has not provided any evidence to support the case*

that any displaced parking requirement could be adequately accommodated on street and the application is thus contrary to the requirements of PSP16 of the Polices Sites and Places Plan (Adopted).

- 3.4 Other relevant history from elsewhere on Northville Road where there are appeal decisions that look specifically at the parking conditions in the street include the following applications – P21/00420 at No.25 and P20/16687/F at No.64.

4. CONSULTATION RESPONSES

- 4.1 Filton Parish Council
No response received

- 4.2 Cllr Adam Monk
Objects to the application: 'I strongly object to this application. This property has already had a change use to a HMO. There is a HMO SPD to manage the number of HMO's within any one area, increasing the size of a existing HMO should be treated as a new application, therefore the SPD provides the reasoning for refusal. There is a high density of licensed HMO's on this street. South Glos can not provide any meaningful data on the number of unlicensed HMO's which again are in high numbers on this street. By the nature of shared accommodation that increases traffic and parking issues. Parking concerns in this street are well known. Finally this property very to border of Bristol City Council, there is density of HMO's as well on Eden Grove and surrounding streets, this is also a consideration'

- 4.3 Sustainable Transport Team
Neutral

- 4.4 Local Residents
11 no. objection comment from local residents has been received making the following points:
- Filton has gone downhill due to the number of HMO's
 - Impact of HMO's on the character of the area
 - Parking is already a problem
 - Takeaways cause litter
 - Impact on privacy and loss of light
 - The back lane is locked and pedestrian only
 - Noise and disturbance during the build period
 - Non-payment of council tax
 - Concerns over highway safety
 - Rear access is unsuitable and overgrown
 - Other rooms have potential to be used as bedrooms
 - Previous applications have been refused on the grounds of parking
 - Overdevelopment of the site
 - Impact on wildlife

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for extensions and alterations at an existing residential property. Policy PSP38 of the Policies, Sites and Places Plan permits development within established residential curtilages subject to an assessment of design, amenity and transport. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and Policy PSP1 and 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 have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.3 As originally submitted, the design of the extension was deemed unacceptable. It was too large and bulky and included an awkward taper along the boundary. Contact was made with the applicant to advise of the unacceptable design and a set of revised plans were received accordingly. The application is being determined on the basis of the revised plans.

5.4 The proposed two storey side extension would be of a simple design that is subservient to the existing dwelling. The side extension is both set down and set back and would be finished in materials to match the finish of the existing dwelling. The proposed two storey side extension would appear subservient to, and in keeping with, the existing dwelling.

5.5 The two storey side extension would project a modest amount (3.5m) out beyond the main rear wall of the dwelling. A single storey rear extension, at the same depth of 3.5m would then be installed across the rear of the property. The single storey rear would have a simple lean too style roof and also be finished with materials to match the existing.

5.6 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the building or negatively impact the visual amenity of the street scene or character of the area.

5.7 Residential Amenity

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

5.8 The extensions now for consideration are smaller than originally submitted with the two storey element being further from the boundary with No. 84 than

originally submitted. There is now plenty of distance between the two storey extension and No. 84. It is noted that a new window is to be installed in the side elevation of the extension that will face towards No. 84. This is shown to be a secondary window to serve bedroom 3 and is not therefore essential to serve the bedroom. A condition will therefore be attached to ensure that this window is fitted with frosted glazing and non-opening at the lower level to prevent any issues of overlooking. Due to its moderate depth at 3.5m, there are no concerns that the single storey rear extension will adversely impact on the level of residential amenity afforded to the attached dwelling No. 88.

5.9 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.

5.10 Highway Safety and Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposed development would not increase the number of bedrooms in the property and would not remove any on-site parking spaces.

5.11 As is raised by several of the objectors, two previous applications at this property have been refused on parking grounds. However it is important to note that the previously refused applications have relied on parking in the rear garden from the rear access lane. Your officer visited the site and shares the concerns of the neighbours that this rear access land is not suitable due to the ownership, locked gates and very overgrown nature. During the course of this application, the revised plans show that the two off street parking spaces will now be retained to the front of the property – one on the driveway and one in the garage (which has been increased in size to comply with policy).

5.12 Whilst Policy PSP16 does state that a dwelling of this size should have three spaces, this application simply seeks to maintain the 'status quo' in terms of bed spaces and parking spaces. Especially given the previous appeal decisions elsewhere on Northville Road (see history section), subject to a condition to ensure the provision of the car, bin and cycle parking and retention of the garage for parking at all times, no refusal reason can be substantiated with respect to parking provision.

5.13 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 minor positive impact on equality in that it will improve the

living conditions of those residents in the HMO who have a protected characteristic.

6 CONCLUSION

6.13 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.

6.14 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

7.13 That the application be **Approved** subject to the conditions included on the decision notice.

CONDITIONS

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

Reason

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

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

Reason

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

3. Notwithstanding the submitted plans, the secondary window to bedroom 3 (on the southwestern elevation facing No. 84 Northville Road) shall at all times be of obscured glass to a level 3 standard or above and non opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

4. The off-street parking facilities for all vehicles, including cycles shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter

retained for that purpose. Notwithstanding the provisions of the GPDO (as amended), the garage shall be retained as such and must remain available for the parking of cars in perpetuity.

Reason

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

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

All received by the Council on 21st October 2022:

Ground Floor Plans dwg no. 86/NR/F/301 P A

First Floor Plans dwg no. 86/NR/F/302 P A

Second Floor Plan Existing dwg no. 86/NR/F/303 P A

Second Floor Plan Proposed dwg no. 86/NR/F/304 P A

Front/Rear Elevations dwg no. 86/NR/F/305 P A

Side Elevations dwg no. 86/NR/F/306 P A

Block Plan Existing dwg no. 86/NR/F/307 P

Block Plan Proposed dwg no. 86/NR/F/308 P A

Bike/Bin store details dwg no. 86/NR/F/311 P

Received by the Council on 9th March 2022:

Site Location Plan

Reason

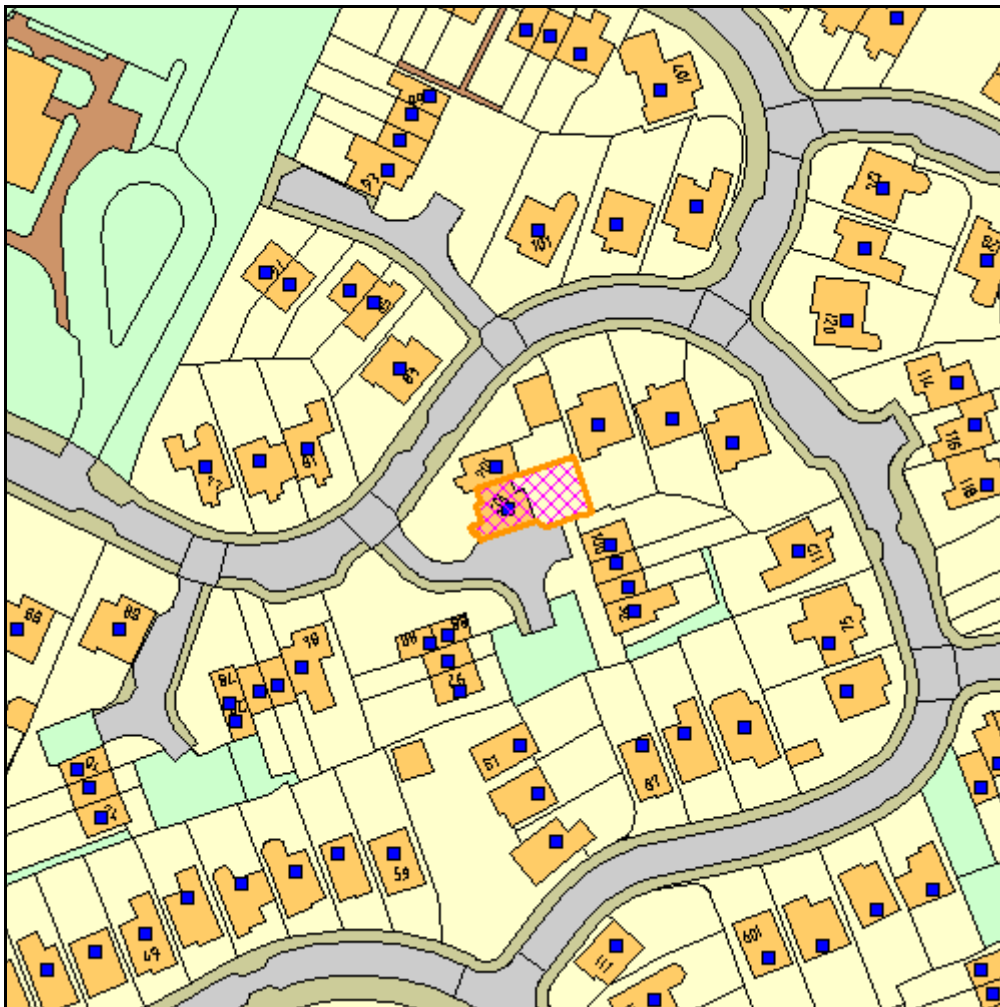
To define and clarify the permission.

Case Officer: Marie Bath

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 49/22 -9th December 2022

App No.:	P22/03195/HH	Applicant:	Mr Wasim Abbas
Site:	102 Wheatfield Drive Bradley Stoke South Gloucestershire BS32 9DD	Date Reg:	23rd June 2022
Proposal:	Erection of a single storey rear extension to form additional living accommodation. Installation of 1no rear dormer to facilitate loft conversion.	Parish:	Bradley Stoke Town Council
Map Ref:	361756 182334	Ward:	Bradley Stoke North
Application Category:	Householder	Target Date:	17th August 2022



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P22/03195/HH

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of a representation from Bradley Stoke Town Council objecting to the proposal, contrary in part to the officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a single storey rear extension to form additional living accommodation and the installation of 1no. rear dormer to facilitate loft conversion.
- 1.2 The application site is a 3no. bedroom semi-detached dwelling, located at 102 Wheatfield Drive, and is set within the area of Bradley Stoke.
- 1.3 Throughout the course of the application process, concerns were raised with regards to the design and visual amenity of the rear dormer. Revised plans were sought to address these concerns and the size of the dormer was reduced. However, it was subsequently deemed that a box dormer in this location would be inappropriate and further plans were sought to alter this arrangement to 2no. traditional style dormers. An agreement was not forthcoming; therefore, the case officer is proceeding on the basis on the plans which present a flat roof dormer.

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

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

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

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

3.1 No relevant planning history

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

Bradley Stoke Town Council objects to this planning application on grounds of overdevelopment of the site, out of keeping with the street scene and concerns regarding the height of the dormer and the flat roof.

4.2 Archaeology

With regards to Planning Application P22/03195/HH, archaeological potential was identified at this site during an evaluation carried out prior to the housing development being built. However, the archaeology is likely to have been truncated during the building of the housing development. The proposed work will not go particularly deep underground, and as such it is unlikely that any underground archaeology will be reached that has not already been disturbed by the building of the houses. Therefore, in my opinion it is unnecessary to carry out an archaeological watching brief or any other archaeological work. In conclusion, there is no objection to the proposal.

4.3 Residents

No comments have been received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 The proposal seeks to erect a flat roof box dormer to the rear of the application property. The revised plans show that the dormer would project 3.3m from the existing roof slope and would measure 4.9m in width and 2.4m in height. All materials would match the existing dwelling.

- 5.3 The proposal also seeks to erect a single storey extension to the rear of the property. The plans show that this would be essentially 'L' shape in nature, infilling a small section to the rear of the existing garage and to the size of the existing dining room. This extension would measure 3m in depth from the rear elevation and 4.6m to where it would meet the back of the garage. The extension would span 8.5m in width and would be finished with a flat roof measuring 2.6m in height.
- 5.4 Design & Visual Amenity
Policy CS1 of the Core Strategy and policy PSP1 and 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.
- 5.5 Whilst becoming an increasingly common feature across the unitary area as a whole, box dormers are generally carried out by exercising permitted development rights which allow for additions and alterations to the roof of a dwellinghouse under Classes B and C of the General Permitted Development Order 2015 (as amended). However, in this instance, permitted development rights have been removed as part of a condition attached to planning reference P92/0020/353, removing rights under all Classes of the Order. This therefore triggers the need for full planning permission and for the design of the scheme to be considered under its own planning merit.
- 5.6 In terms of design and visual amenity, flat roof box dormers are generally considered an inappropriate form of development. Guidance within the Householder Design SPD states explicitly that they "*do not represent good design and do not comply with the requirements of the Council's design policies and are therefore considered unacceptable in most cases*". The guidance also goes on to explain that if a box dormer is considered to be the only viable option and justification to demonstrate this is provided, then the dormer should be designed in such a way which mitigates against its most harmful impacts and should therefore be in accordance with the following principles:
- All box dormers should:
- *Be aligned with and in proportion to the host building in terms of fenestration arrangements;*
 - *Be sited 300mm below the main ridge;*
 - *Be sited 300mm from the roof verges or sides;*
 - *Be sited 500mm above the eaves; and*
 - *Set back from the principal elevation*
- 5.7 In this instance, revised plans were submitted to the Council which demonstrated compliance with the principles set out above. Whilst this has been taken into account, subsequent concerns were raised with regards to the prominence and visibility of the dormer from the street scene and public realm. A box dormer of this nature has also not been justified as the only viable option, thus confirming that a traditional style dormer would be the more suitable and appropriate form of design when considering extending the living accommodation into the loft of the dwelling. Negotiations were had between the

case officer, the agent for the application and the applicant however, a revised scheme for 2no. traditional pitched roof dormers was considered but did not come to fruition and the scheme is therefore being determined on the basis of the installation of 1no. box dormer.

- 5.8 Examples within the surrounding street scene are noted which show that box dormers have been installed at some neighbouring properties, namely at Nos. 24 and 68. With regards to No. 24, this sits further up Wheatfield Drive and is largely shielded from public view. Planning permission was also granted for this dormer in 2018, which is prior to the adoption of the Householder Design SPD. Similarly, No. 68 does sit closer to the application property and would present a comparable level of prominence however, again this approved planning permission also pre-dates the adoption of the SPD, which does form a material consideration when assessing the merit of this application.
- 5.9 Therefore, when considering the design of the box dormer in line with local planning policy and accompanying guidance, the proposed rear dormer would appear top heavy and bulky within its context. Due to the siting and orientation of the property, the dormer would also be highly visible from Wheatfield Drive, thus having an impact on the prevailing character and visual amenity of the street scene. This would be contrary to CS1 and PSP1 of the development plan.
- 5.10 However, it is duly noted that the proposed rear extension is of an appropriate size, form and scale so as to present as a subservient and well-balanced addition to the property. The rear extension shows compliance with the general design principles set out within the SPD by virtue of its depth, height and use of materials and finishes which match the host property. Therefore, no objections are raised with respect to the proposed extension to the rear of the application property.
- 5.11 The case officer has considered whether the proposal should therefore be refused in its entirety, or whether a split decision would be possible. In this instance, the erection of the single storey rear extension and installation of the rear dormer are not dependent on one another. Accordingly, a split decision is therefore recommended as the two different forms of development can be carried out in isolation and the element that is to be refused can be sufficiently articulated in a part refusal reason.
- 5.12 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Similarly, policy PSP43 reinstates the requirement for the provision of sufficient private amenity space standards and that private and communal external amenity space should be; functional, safe, accessible, of sufficient size and should take into account the context of the development and, including the character of the surrounding area. The proposal has been carefully assessed and has found to be in compliance with these policies.

5.13 Parking Standards

PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand. The proposal has been carefully assessed and has found to be in compliance with this policy.

5.14 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that permission is **APPROVED** for the erection of a single storey rear extension to form additional living accommodation, subject to the following conditions.

AND

It is recommended that permission is **REFUSED** for the installation of 1no. rear dormer to facilitate loft conversion.

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 proposed rear extension to form additional living accommodation shall be implemented in accordance with the following plans:

Received by the Local Authority on 09 June 2022:

Site Location Plan

Existing Block Plan

Proposed Block Plan

Proposed Ground Floor Plan (Drawing No. WD002-22)

Existing Rear Elevation (Drawing No. WD005-22)

Existing Side Elevation (Drawing No. WD006-22)

Existing Front Elevation (Drawing No. WD007-22)

Proposed Front Elevation (Drawing No. WD014-22)

Received by the Local Authority on 22 June 2022:

Existing Ground Floor Plan (Drawing No. WD001-22)

Received by the Local Authority on 30 August 2022:

Proposed Side Elevations (Drawing No. WD012-22)

Received by the Local Authority on 05 September 2022:

Proposed Rear Elevation (Drawing No. WD011-22)

Proposed Side Elevation (2) (Drawing No. WD013-22)

Reason

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

1. Part refusal - Proposed installation of 1no. rear dormer to facilitate loft conversion, as shown on the following plans:

Received by the Local Authority on 30 August 2022:

Proposed Side Elevations (Drawing No. WD012-22)

Received by the Local Authority on 05 September 2022:

Proposed Rear Elevation (Drawing No. WD011-22)

Proposed Side Elevation (2) (Drawing No. WD013-22)

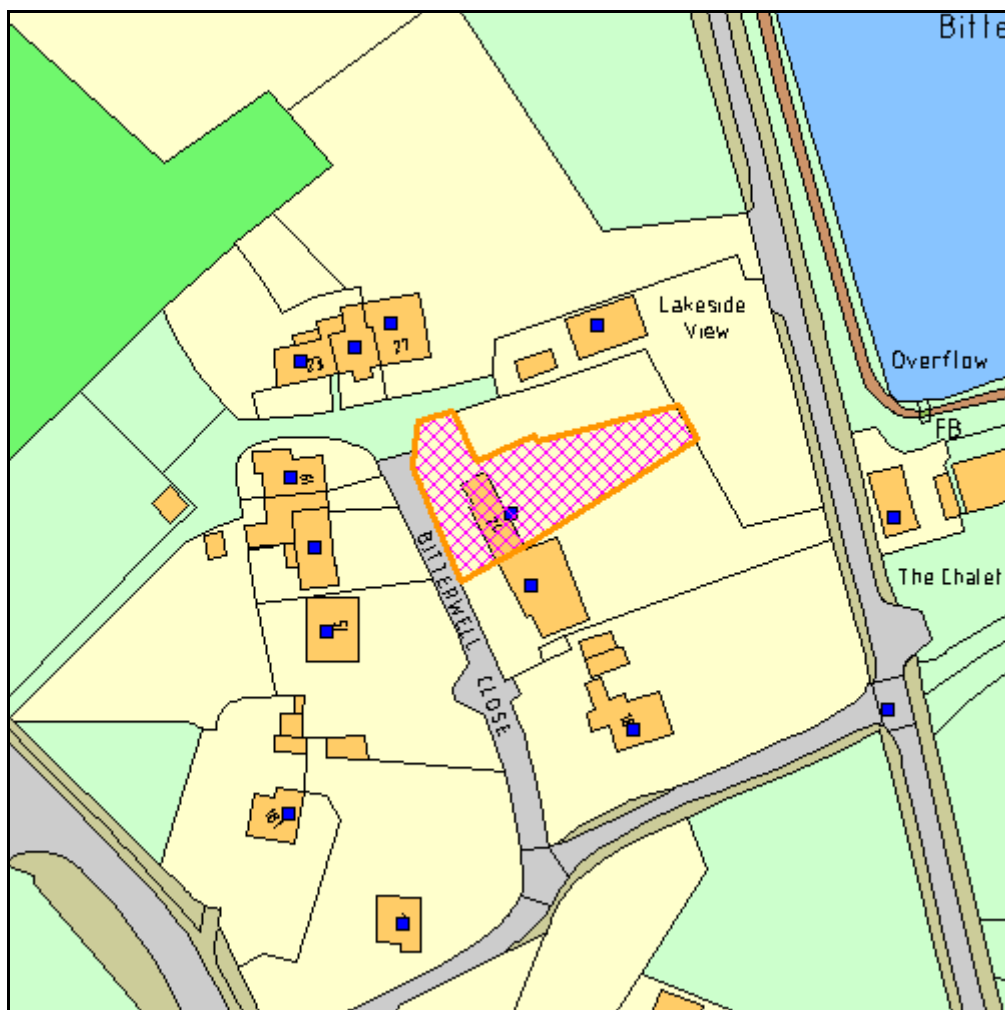
The proposed installation of a rear dormer, by reason of its size, design and appearance, would be out of keeping with the existing dwellinghouse and other nearby properties and, if allowed, would detract from the visual amenities and character and appearance of the locality. The proposal is therefore considered contrary to Policy PSP38; and Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, the South Gloucestershire Council Householder Design Guide and the National Planning Policy Framework.

Case Officer: Lucie Rozsos

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 49/22 -9th December 2022

App No.:	P22/04822/HH	Applicant:	Mr Mark Cole
Site:	24 Bitterwell Close Coalpit Heath South Gloucestershire BS36 2UQ	Date Reg:	15th August 2022
Proposal:	Installation of 3 no. front and 3 no. rear dormer windows with alterations to the roof line to facilitate loft conversion. Demolition of existing conservatory and erection of a single storey rear extension to form additional living accommodation. Erection of front porch.	Parish:	Westerleigh Parish Council
Map Ref:	367824 179439	Ward:	Westerleigh
Application Category:	Householder	Target Date:	6th October 2022



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P22/04822/HH

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 an objection has been received from the Parish Council that is contrary to the findings of this report and officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the installation of 3no. front and 3no. rear dormer windows, with alterations to the roof line to facilitate a loft conversion. Demolition of an existing conservatory, and erection of a single storey rear extension to form additional living accommodation, and erection of a front porch.
- 1.2 The application site is single storey dwelling on Bitterwell Close, a private (unadopted) road located in Coalpit Heath. The site is within the open countryside, and the Green Belt.
- 1.3 During the application's consideration, revised plans have been accepted to omit a rear balcony (this has also been removed from the development description). As the change omitted an element to the scheme, no re-consultation was considered necessary as nobody would be disadvantaged as a result.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2021
National Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water, and Watercourse Management

PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Development in the Green Belt SPD (Adopted) June 2007
Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 P20/11256/F (approved 26/08/2020):
Conversion and extension of the existing detached garage to form 1 no new dwelling with parking and associated works (amendment to previously approved scheme P20/04416/F)
- 3.2 P20/04416/F (approved 28/04/2020):
Erection of first floor and single storey rear extensions to existing garage to form 1 No. dwelling with associated works.

The above two schemes appear to have been implemented.

- 3.3 PT18/1065/F (approved 12/06/2018):
Raising of roof line to facilitate first floor extension to form additional living accommodation.

The above scheme appears to have not been implemented and has therefore lapsed.

- 3.3 PT05/3069/F (approved 01/12/2005):
Erection of single storey rear extension to form bedroom, lounge and utility.
- 3.4 PT06/1205/F (approved 19/05/2006):
Erection of detached double garage.

4. **CONSULTATION RESPONSES**

- 4.1 Westerleigh Parish Council
Objection:
- Concerns regarding the increased size
- Impact on privacy caused by the balcony
- Insufficient parking
- 4.2 Transport
No objection. Conditions recommended.
- 4.3 Archaeology Officer
No comments have been received.
- 4.4 Local Residents
No comments have been received.

5. ANALYSIS OF PROPOSAL

- 5.1 Planning permission is sought for the installation of 3no. front and 3no. rear dormer windows, with alterations to the roof line to facilitate a loft conversion. Demolition of an existing conservatory, and erection of a single storey rear extension to form additional living accommodation, and erection of a front porch.

Principle of Development

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

5.3 Green Belt

The development is in the Green Belt, an area within the district where development is strictly controlled. Within the Green Belt, only limited forms of development are appropriate. These are outlined in paragraph 149 of the NPPF. One form of appropriate development listed is the extension or alteration of existing buildings, provided they are proportionate. PSP7 sets out that additions resulting in a volume increase of up to 30% over and above that of the original dwelling are likely to be acceptable. Additions of over 30% and up to 50% stand to be carefully assessed, and additions over 50% normally stand to be refused by reason of being disproportionate.

- 5.4 Material to the consideration of this application is PT18/1065/F, which gave consent for similar development. Whilst this consent has lapsed, it was determined under current local plan policies, and the policies within the NPPF in relation to Green Belt have not materially changed in the intervening period. The PT18 scheme was found to result in a proportionate addition, when considering previous additions (extension and detached garage), and the appearance of the resultant dwelling. The previous detached garage is now an independent dwelling in its own right by virtue of P20/04416/F (later amended by P20/11256/F). This is therefore removed from the existing volume as it now forms a separate planning unit.

- 5.5 As was found previously, the resultant development would take place within the footprint of the existing dwelling, but would increase the height. In this case, the overall height would be c.200mm greater than that approved under the PT18

scheme, which is negligible at best in terms of additional impacts. Previously it was found that the the increase in height was not so significant that it would markedly increase the impact on the openness of the Green Belt, and it was noted that the dwelling was surrounded by other residential development. The previous scheme was therefore found to be proportionate. Given that this scheme also seeks to add first floor accommodation and is not substantially different overall in terms of what is intending to be achieved (a first floor), the case officer does not find any reason to depart from the previous conclusion, and the development would therefore be appropriate in the Green Belt by reason of being a proportionate addition to the original dwelling.

5.6 Design and Visual Amenity

The existing dwelling is a semi-detached single storey property that has been extended to the rear and now has a double gabled form. It is proposed to 'square off' the Northern end of the dwelling and increase the eaves height by c.600mm. The roof would be capped at the ridge to form a flat roof section, which appears obscured by parapets as indicated on the block plan. To the rear would be a small single storey projection in place of and similar in scale to the existing conservatory, and the front a small open porch would be added. 3no. pitched roof traditional dormers would be added to the front and rear roof slopes.

5.7 The first part of the development relates to the increase in roof height and the design of the new ridge. This would not have much of an appreciable impact to the front elevation, as the flat part would be hidden by the ridge. The view to the side would be somewhat different, however this would only be afforded limited public visibility and would be obscured by coping. Whilst it would be somewhat unusual in appearance, the case officer would not consider this part to appear visually unacceptable, and would note that the resultant frontage is an improvement on the previously approved but not implemented scheme of altering the roof line.

5.8 The 3no. dormers to the front are suitably scaled to appear subservient, and are aligned appropriately above existing openings. To the rear the central dormer would be larger than the outer two, however given that this is to the rear, the case officer does not consider it to be objectionable.

5.9 The front porch is a modest open sided structure which appears suitably in keeping with the surrounding built form. The rear single storey projection is very modest in scale and would match the rest of the dwelling in terms of material and detailing, and so there is no objection to this element.

5.10 Overall, the proposed development represents a suitably designed enlargement to the host dwelling, which would be in keeping with the character of the existing building and surrounding area. The proposal is accordingly in compliance with policies PSP1, PSP38 and CS1.

5.11 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss

- of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.12 The increased massing would not result in any overbearing or overshadowing impacts due to the relationship between the host and neighbouring dwellings. In terms of privacy, new openings to the front are a sufficient distance to avoid any overlooking or intervisibility issues. The new rear first floor openings would overlook the garden, and would not result in any direct intervisibility with the new dwelling to the North-east (24a Bitterwell Close), or overlook the approved garden for 24a. The removal of the balcony on the rear roof of the single storey part has negated any overlooking issues in that respect, though a suitably worded condition should be applied in the event that permission is granted to ensure that no balconies are created on that roof. Subject to this condition, there are no residential amenity issues.
- 5.13 Transport
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand.
- 5.14 Bitterwell Close is an unadopted road, accessed via Henfield Road to the West. The existing dwelling has two bedrooms, and the dwelling as enlarged would have five bedrooms. Under PSP16, 2 bed dwellings require 1no. parking space, and 5 bed dwellings require 3no. parking spaces.
- 5.15 The dwelling benefits from 3no. spaces as existing, which is satisfactory in terms of amount. There are therefore no objections in terms of parking as the development benefits from a policy compliant level of parking.

Impact on Equalities

- 5.16 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.
- 5.17 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. The flat roof area of the single storey rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason

To protect the amenities of neighbouring occupiers and to accord with PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

3. Development shall be implemented in accordance with the following plans:

01 - Site location plan
02 - Combined existing plans
As received 11th August 2022

03A - Combined proposed
04A - Proposed site plan
As received 21st November 2022

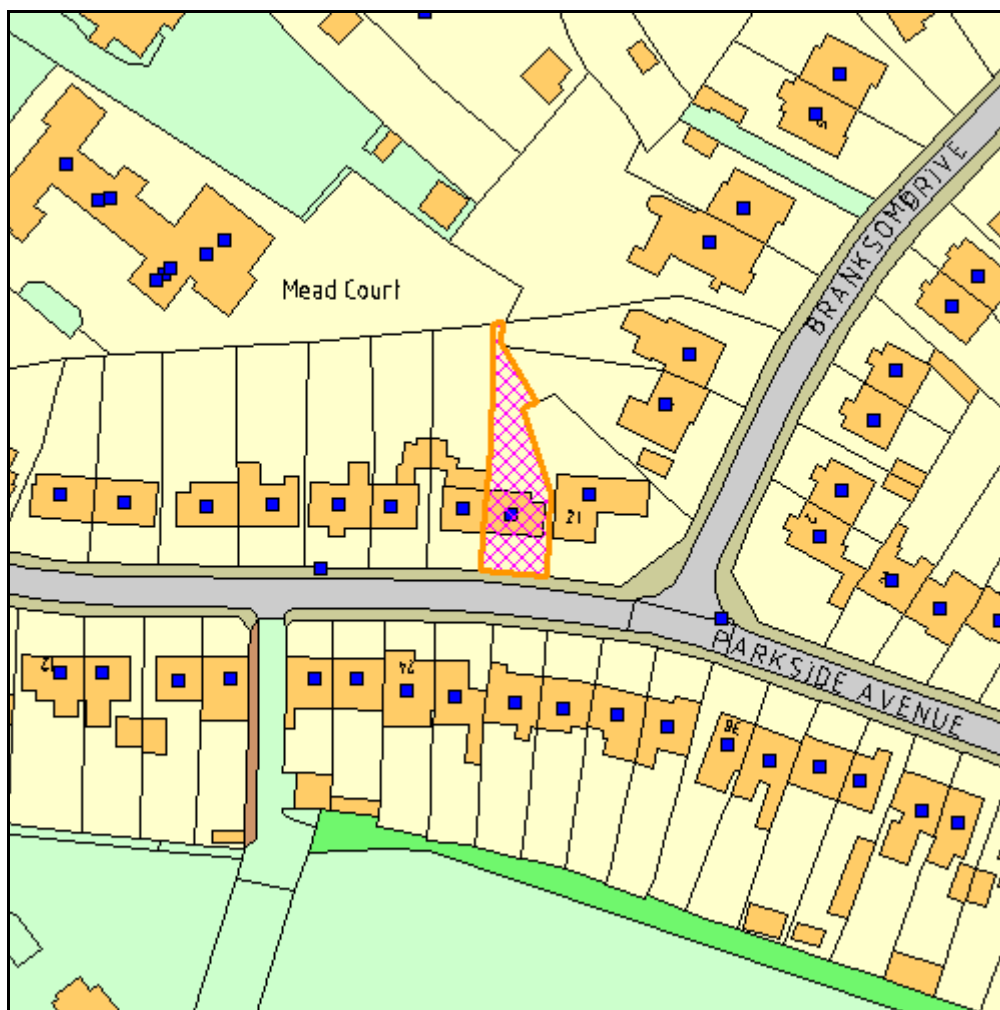
Reason

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

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 49/22 -9th December 2022

App No.: P22/05489/HH	Applicant: Mr And Mrs J And I Hughes
Site: 19 Parkside Avenue Winterbourne South Gloucestershire BS36 1LU	Date Reg: 21st September 2022
Proposal: Erection of bicycle and bin store.	Parish: Winterbourne Parish Council
Map Ref: 365082 180848	Ward: Winterbourne
Application Category: Householder	Target Date: 10th November 2022



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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of a representation from Winterbourne Parish Council objecting to the proposal, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a bicycle and bin store.
- 1.2 The application site is a 4no. bedroom semi-detached dwelling, located at 19 Parkside Avenue, and is set within the area of Winterbourne.
- 1.3 Throughout the course of the application process, plans have been amended to show a reduction in the proposed size of the structure and the removal of the existing 2m front boundary fence, in replacement for a hedgerow boundary treatment. This assessment has therefore been made on the basis of these revised plans.

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

South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017
PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space Standards
- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Householder Design Guide SPD (Adopted) March 2021

3. RELEVANT PLANNING HISTORY

- 3.1 **P22/05253/HH (Approved – 28 September 2022)**

Erection of two storey and single storey rear extension to form additional living accommodation

3.2 **P22/00703/PNH (Prior Approval Not Required – 10 March 2022)**

Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4.0 metres, for which the maximum height would be 3.5 metres, and for which the height of the eaves would be 2.35 metres

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

The comments of the Parish Council are Objection. It would appear the application goes beyond the building line. The Parish Council notes that the previous application for this property has been approved in the last week and presumes that the proposed building in the front garden would prevent use of the garage for its primary purpose. It would also appear likely to reduce the view of passing traffic with reference to parked cars on the frontage. This also being directly opposite white lineage on the highway (presumably where the reported problems with manoeuvring occur). Should this application be approved dropping of the kerb will be required. The Parish Council therefore objects on grounds of highway safety in a tight-packed residential area.

4.2 Sustainable Transport

We have no comments about this application which seeks to erect a cycle and bin store in front garden of 19 Parkside Avenue, Winterbourne.

4.3 Residents

1no. letter of objection has been received, as summarised:

- *Not happy with proposed front extension*
- *Not pleasant to view high fences and containers*
- *Highway safety concerns*
- *Parking concerns for visitors to neighbouring properties*
- *On-street congestion*
- *Damage to neighbouring and visiting vehicles*

1no. letter has also been received neither supporting nor objecting to the proposal, as summarised:

- *Comments similar to that of previously approved permission on the site*
- *Consideration of days and times of works to be carried out*
- *Impact to traffic, pedestrians and access*
- *Noise intrusion concerns*
- *Highway safety/congestion concerns to be mitigated*

Officer comments: These comments and concerns have been noted and will be addressed in turn throughout this report.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

- 5.2 The proposal is relatively simple in what it seeks to achieve. It is proposed to erect a bicycle and bin storage area within the front garden of the application property. The revised plans show that the structure would measure 1.5m in width, 4.2m in depth and would be finished with a flat roof measuring 1.5m in height. The structure would also be finished in timber cladding.
- 5.3 Boundary treatment
There is an existing close boarded fence to part of the front boundary of the property which currently mitigates the impact of a temporary storage container on site. This container is currently being used to support construction work at the property, which has been previously approved, as set out within the planning history of this report. The amended plans show that the temporary container is to be removed following completion of the extensions at the dwelling, and that the 2m fence is to also be removed.
- 5.4 In replacement, the revised plans show that a hedgerow is proposed to part of the front boundary line of the dwelling. The fence would therefore be replaced with a laurel hedge to match the existing boundary treatment of the neighbouring property.
- 5.5 Design & Visual Amenity
Policy CS1 of the Core Strategy and policy PSP1 and 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.
- 5.6 In terms of design, the erection of a structure within the front garden of the property is likely to be highly visible, thus having an impact on the appearance of the property and street scene when viewed from the public realm. Whilst there is likely to be an impact, in this instance this impact is not found to be harmful or incongruous due to the overall size, form and scale of the proposed bin and cycle storage.

- 5.7 The design of the storage is also typical of what a bin and cycle storage may look like. The timber boarding finish is not found to be visually dominant, instructive, or jarring within the context of the street scene. The size and scale of the storage is appropriate and relative to its purpose for storing bins and cycles. The storage itself would also sit behind the proposed laurel hedge which is to be planted along part of the found boundary, as shown on the revised plans.
- 5.8 Furthermore, comments and concerns are noted from neighbours regarding design and visual amenity. Permission is not sought for an extension to the front of the property as part of this application. This application therefore solely relates to the construction of the bin and cycle store within the curtilage of the existing dwelling. Similarly, the concerns regarding the fencing and temporary storage container are acknowledged however, this is to be removed and the bin and cycle store erected in its place.
- 5.9 For these reasons, the proposal is found to be in accordance with the relevant policies within the development plan and the accompanying guidance within the Householder Design SPD.
- 5.10 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Similarly, policy PSP43 reinstates the requirement for the provision of sufficient private amenity space standards and that private and communal external amenity space should be; functional, safe, accessible, of sufficient size and should take into account the context of the development and, including the character of the surrounding area.
- 5.11 The property itself sits within a residential area of Winterbourne and is within close proximity to its neighbours. Impact of the proposal has therefore been assessed with regards to the amenity of neighbouring occupiers. Concerns raised from neighbours relating to amenity will also be addressed within this section of the report.
- 5.12 Given the size and scale of the proposed structure, it is unlikely that its siting within the front garden of the property would cause any significant or harmful impact to the amenity of the immediately surrounding neighbours. In particular, there is a laurel hedge separating the boundary between the application property and the neighbour at No. 21, which sits perpendicular to the application site on the corner of Parkside Avenue and Branksome Drive. The resultant impact is that visibility of the proposed storage is reduced, thus resulting in minimal harm to amenity of an overbearing or dominating nature.
- 5.13 Comments regarding noise intrusion and disturbance have also been taken into account during this assessment. Given the small-scale nature of the works subject to this application, it would be unjust to attach a condition to any grant of permission which restricts construction hours. On that basis, the proposal is found to be compliant with PSP8 and PSP43 of the development plan.

5.14 Parking Standards

PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand. Policy PSP11 of the development plans also outlines that appropriate, safe, accessible, convenient and attractive access should be provided for all mode trips arising to and from a particular site.

5.15 The proposal does not seek to alter the existing parking arrangements, nor is it proposed to change the number of bedrooms at the property as part of this application. The sole consideration as part of this application is whether the proposed bin and cycle store would be compliant with policies PSP11 and PSP16 of the development plan.

5.16 In this instance, the provision of constructing a bin and cycle storage area is found to have a positive impact on promoting sustainable modes of transport as well as safety. This view is supported by the fact that the proposal would offer occupants of the property somewhere safe and secure to store bicycles, as well as remove waste bins from the front garden of the dwelling, allowing for greater ease of parking and manoeuvrability. This is also particularly important given that the property is undergoing works, approved under planning permission P22/05253/HH, which sees the existing attached garage converted into additional living accommodation.

5.17 Due consideration has also been given to the comments received from neighbours and Winterbourne Parish Council with regards to parking and highway safety. It should be noted that the dropping of the kerb has already been carried out by the Council's StreetCare team. As such, the property is able to offer 3no. off-street parking spaces to the front of the dwelling on an existing paved area. Additionally, whilst the concerns are acknowledged regarding highway and pedestrian safety, the proposed structure is relatively minimal and small scale in nature and therefore not likely to give rise to any additional traffic generation, parking demand or increased risk to safety. This view is shared with the transport officer.

5.18 As such, it is reasonably demonstrated that the property is able to offer 3no. off-street parking spaces and that the proposal would not result in parking loss nor an unacceptable impact to highway or pedestrian safety. The development is therefore compliant with PSP11 and PSP16 of the development plan.

5.19 Consideration of likely impact on Equalities

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

could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 It is recommended that permission is **APPROVED**.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the following plans:

Received by the Local Authority on 15 September 2022:

Site Location Plan (Drawing No. 1951/01)

Existing Floor Plans (Drawing No. 1951/03)

Existing Elevations (Drawing No. 1951/04)

Existing Site Layout Plan (Drawing No. 1951/ST/20)

Planning Support Statement (Drawing No. 1951)

Received by the Local Authority on 28 November 2022:

Proposed Site Layout Plan (Drawing No. 1951/ST/21 - Revision B)

Proposed Floor Plan and Elevations (Drawing No. 1951/ST/22 - Revision C)

Reason

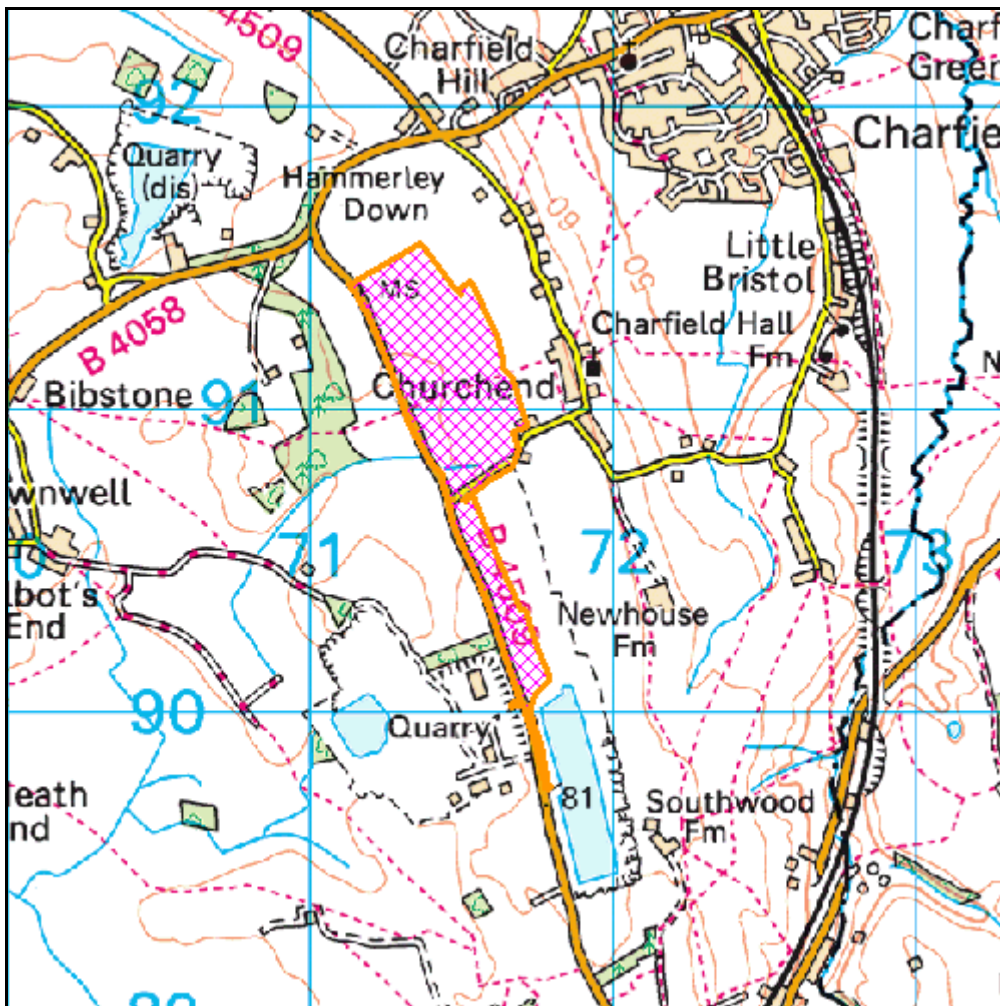
To define the terms and extent of the permission.

Case Officer: Lucie Rozsos

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 49/22 -9th December 2022

App No.:	P22/05803/RVC	Applicant:	Breedon Trading Ltd And Tortworth Estate Company
Site:	Wickwar Quarry The Downs Wickwar South Gloucestershire GL12 8LF	Date Reg:	4th October 2022
Proposal:	Variation of condition 8 attached to planning permission P20/16114/MW (Extraction of limestone with progressive restoration to lake), in order to allow, for a temporary period of two months, excavated materials to leave the site using the route illustrated by drawing no. W12- 230922-SRJ only.	Parish:	Cromhall Parish Council
Map Ref:	371550 189832	Ward:	Charfield
Application Category:	Major	Target Date:	2nd January 2023



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P22/05803/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.

INTRODUCTION

The application appears on the Circulated Schedule, as a result of comments received, from the Parish Council, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks variation of condition approval for the variation of condition no. 8 attached to planning permission P20/16114/MW, in order to allow, for a temporary period of two months, excavated materials to leave the site using the route illustrated by drawing no. W12-230922-SRJ only.

P20/16114/MW was for the extraction of limestone with progressive restoration to lake.

Condition 8 of that permission states:

‘No excavated materials shall leave the site except by the approved tunnel and via the existing conveyor beneath the B4509’.

- 1.2 The original application site covers 35.6 hectares of land comprising agricultural land, a small section of Churchend Lane, a portion of the currently operational quarry including the primary crusher and the conveyor tunnel under the Downs Road. The proposals incorporated a tunnel being constructed under Churchend Lane to link the proposed extension area to the existing working quarry. Blasted limestone will be carried back to the existing primary crusher by dumper through the Churchend Lane tunnel and the current quarry. Having passed through the primary crusher the limestone will be carried under the Downs Road and through the existing conveyor tunnel, at which point it will pass into the existing secondary processing plant.
- 1.3 To the south the site is bordered by Churchend Lane, beyond which is the existing quarry extension area. To the east the site boundary consists of mature hedgerow, beyond which lie trees planted by the applicants. The closest residential properties are located within the hamlet of Churchend, the nearest property of which lies to the east approximately 170 metres from the application boundary and 255 metres from the proposed extraction boundary. To the north and west the boundaries of the site consist of hedgerow, and beyond this to the west the site is bounded by the Downs Road (B4509).

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Managing the Environment and Heritage
CS10 Minerals

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
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP23 Mineral Working and Restoration
PSP24 Mineral Safeguarding Areas

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0573/F – Extension of existing limestone quarry through progressive extraction in a northwards direction, and associated planting and landscaping. Approved 15th January 2010 (S106 Agreement).
- 3.2 PK14/0913/MW - Extraction of limestone. Approved 5th June 2015.
- 3.3 P20/16114/MW was for the extraction of limestone with progressive restoration to lake. Approved 21.10.2021
- 3.4 There are numerous other historic consents for quarrying and consents for quarrying associated activity on other parts of the quarry complex.

4. CONSULTATION RESPONSES

- 4.1 Wickwar Parish Council
Objects to the use of the road on safety grounds. Downs Road is a fast road and lorries crossing the road will be fully laden and slow. Additionally using the road instead of a tunnel will lead to the road becoming dirty and wet and subsequently slippery, again a safety risk.

- 4.2 Other Consultees

Sustainable Transportation
No objections

Public Rights of Way
No objections

Conservation Officer
No comments

Historic England

No advice

Tree Officer

No objections

Landscape

No landscape comments

Ecology

No objections

The Coal Authority

No comments

National Grid

No assets affected in this area

Other Representations

4.3 Local Residents

No comments received

5. PRINCIPLE OF DEVELOPMENT

5.1 Principle of Development

Government policy on planning for minerals is set out in the National Planning Policy Framework (NPPF), with further detail provided through National Planning Practice Guidance (NPPG). National planning policy highlights the importance of ensuring that there is a supply of minerals sufficient to provide for the country's needs.

5.2 To this end, the NPPF states that, when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. It also requires minerals planning authorities (MPAs) to plan for a steady and adequate supply of industrial minerals by maintaining a landbank for at least ten years for crushed rock

5.3 Policy CS10 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 seeks to ensure a satisfactory and ongoing provision of supply of minerals from the South Gloucestershire area. It also sets out that, in order to maintain supply, resource requirements would be addressed through the Policies, Sites and Places Plan.

5.4 The principle of the site for quarrying has been established through existing consents. The issues for consideration are therefore any impacts associated with the proposed temporary variation which are considered to mainly relate to local amenity and transportation in this instance.

5.5 Local Amenity

The site is a working quarry with existing consents for ongoing extraction and works. The principle of the site itself is established. The issue for consideration in this respect therefore is whether the proposed temporary variation of the condition referred to would be considered to have an adverse impact on the amenities of the area, in particular the nearest residential properties. It must be acknowledged that permission for working of the current site exists.

Recognising that the temporary development has the capacity to increase noise levels the applicants' have commissioned a noise report relating to the passage of quarry dumpers crossing over Churchend Lane at existing ground level. Focussing on a crossing point closer to potentially noise sensitive properties the report concludes that increases in noise for the duration of the temporary development would not exceed 1- 2dB above the noise predicted to result from the operation of the quarry as currently permitted. This temporary increase would not be noticeable from the potentially sensitive properties. Further, noise levels would remain comfortably under the 52 dB(A) limit for daytime quarry operations established by condition no. 11 of the existing planning permission.

5.6 Transportation

The site has approval for the ongoing extraction of limestone. The requirement (through condition 8 of the existing consent) is to transport extracted material from the quarry face through a tunnel below Churchend Lane, and along through the existing quarry to a conveyor that transports it under the B to the main processing site.

5.7 In order to construct the approved tunnel a road closure Order is necessary. This has been obtained and in place for some time, awaiting formal commencement. An S278 agreement for the alterations to the public highway is currently being progressed A Streetworks permit is required as well but this is awaiting a date for the commencement of the works as the S278 is not yet complete. Due to delays on the completion of the Section 278 Agreement, the applicants state that Wickwar Quarry is likely to run out of permitted reserves within the current quarry before the tunnel linking the permitted extension to the wider quarry complex is complete. Clearly this is a circumstance that the applicants wish to avoid if possible and so it is proposed that excavated materials be transported from the quarry extension to the existing quarry at ground level over Churchend Lane for a temporary period of no more than two months. What is essentially being proposed therefore is the allowance for crossing from the new site to the old site over Churchend Lane in the interim/temporary period. The route proposed would mirror that of the proposed tunnel, so would only be available until the applicants/operators are in a position to commence its construction below, but it is considered that this may be sufficient to avoid a quarry outage. In order for the above proposal to be undertaken safely it Churchend Lane would be temporarily closed to traffic. The Applicants' already benefit from a valid road closure order (South Gloucestershire Council (Churchend Lane, Charfield) (Temporary Prohibition of Use by Vehicles, Foot Passengers, Pedal Cycles and Equestrians) Order 2021 and the lane would be temporarily closed under this legislation. It is not anticipated that the proposed development will lead to the lane being closed for significantly longer than required for the construction of the tunnel itself.

5.8 Whilst the Parish's concerns above, are noted, it is not proposed that any aggregate transporting vehicles will enter the Downs Road, they would just cross over Churchend Lane, which would be closed in accordance with the temporary closure Order already in place. As such no mud or debris would be dragged onto the Downs Road as a result of what's proposed.

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 proposals are considered acceptable in principle for the temporary period proposed. On this basis and given the nature and short duration of the proposed variation and the existing highways requirements relating to the use of the road, the variation is considered acceptable, existing conditions of the original consent should be re-iterated except where varied by this consent, previously discharged or no longer relevant. The variation would be valid, through condition, for the two month period proposed, and no additional agreements are considered to be required on this basis.

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

7. RECOMMENDATION

7.1 That planning permission is granted, subject to the conditions recommended

CONDITIONS

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

Reason

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

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

Application form, Supporting Statement (including Appendices), and plan references BM11792/8001A, 8001B, 8002A, 8002B, 8003A, 8003B, 8004, 8005, 8006 and 8007., 1908-C045-WWR -001, 002, 003, 004, 005 and 006, WCK005A, 011, 012 and 013 and

3839-SK-191216, received by the Council on the 9th September 2020 and drawing nos. 1908_C045_WWR_006_A and 007, Arboricultural Survey Dated March 2021 and the Outline GCN Mitigation Strategy and Addendum dated 14th and 25th January 2021 and

Written Scheme of Investigation for a Programme of Archaeological Work (Cotswold Archaeology July 2021)
Groundwater Monitoring Scheme (Hafren Water Sept 2021)
Pollution Prevention Scheme
Approved by the Council on the 29th March 2022

Reason

To define the terms and extent of the permission.

3. Operations for the stripping of soils and removal of overburden shall not be carried out except between the following times:(a)08.00 to 17.30 Mondays to Fridays;(b)08.00 to 13.00 Saturdays;(c) and at no other times

Reason

In the interests of local amenity and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

4. Drilling operations, when located on the rockhead within the extension area, shall only occur between the following times:(a) 08.00 to 17.30, Monday to Friday(b) 08.00 to 13.00 Saturday;(c) and at no other times

Reason

In the interests of local amenity and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

5. Notwithstanding the provisions of conditions 3 and 4 (above), no extraction operations authorised by this permission shall take place:(a) other than between 07.00 and 19.00 hours Monday to Friday,(b) 07.00 and 13.00 on Saturdays (c) there shall be no operations on the site at any other times or on Sundays or Bank Holidays.

Reason

In the interests of local amenity and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

6. The annual extraction rate of stone quarried from the site shall not exceed 1.2 million tonnes. A record of annual production levels shall be made available to the Local Planning Authority upon written request.

Reason

In order to limit and monitor production levels at the site and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

7. The sole point of access to and egress from the quarry shall be from the existing access on the east side of the B4509.

Reason

In the interests of highway safety and in accordance with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

8. No excavated materials shall leave the site except by the approved tunnel and via the existing conveyor beneath the B4509 with the exception of a period not exceeding two months commencing one week after notification being submitted to the Minerals Planning Authority in writing to allow during this two month temporary period excavated materials to be permitted to leave the site using the route illustrated by approved drawing no. W12-230922-SRJ only.

Reason

In the interests of highway safety and in accordance with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

9. Dust suppression addressing all aspects of the quarry operation shall be in accordance with the approved 'Dust Management Plan', contained within the Supporting Statement.

Reason

In the interests of local amenity and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

10. All blasting at the site shall adhere to the following limits (a) compliance with a peak particle velocity of 6mm/second in 95% of all blasts, measured over a period of 6 months, (b) no individual blast over a peak particle velocity of 10mm/second as measured at or adjacent to the nearest residential property, (c) air overpressure caused by blasting to a maximum limit of 120dB at the nearest residential property. Blast monitoring, to include times and frequency of blasting operations and a system of warning in respect of the surrounding area and, a monitoring regime for each blast and monitoring of blasts in relation to St. James Church shall be undertaken in accordance with the Vibration Management Plan, contained within the Supporting Statement. Details of all blasting shall be made available to the Local Planning Authority upon written request.

Reason

In the interests of local amenity and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

11. Noise monitoring addressing all aspects of the quarry operation shall be in accordance with the Noise Management Plan, contained within the Supportin Statement. The specified noise limits shall be as follows:(i) 52 dB(A) during daytime hours (0700-1900)(ii) 62 dB (A) for temporary day time operations. For avoidance of doubt temporary operations include soil stripping, overburden removal bund formation and removal and final restoration. Temporary operations shall not exceed a total of eight weeks in any twelve month period for work close to any individual noise sensitive properties. Such details shall be implemented at all times.

Reason

To safeguard the amenity of the area and of local residents and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

12. The development hereby approved shall be implemented in accordance and in conjunction with the approved detailed scheme of groundwater monitoring. At regular

intervals of not less than 6 years or as required, the data for the site (as per the scheme of monitoring) shall be collated and presented with a clear documentary evidence of the works undertaken and the impacts associated with those works.

Reason

In the interests of the local water environment and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

13. The development hereby approved shall be implemented in accordance with the scheme for prevention of pollution during the construction phases.

Reason

In the interests of the local water environment and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

14. All topsoil resultant from the initial stripping of the site and overburden shall be retained in situ and used in any peripheral screen bunding. Upon completion of the excavation operations any surplus topsoil shall be utilised in the final restoration scheme

Reason

In order to enable a high standard of restoration and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

15. Except during the initial preparations, stripping and landscaping of the site, any stockpiles of quarry waste, or quarry material shall not exceed the level of the surrounding quarried land.

Reason

In the interests of visual amenity and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

16. Upon completion of excavation operations hereby permitted the quarry faces shall be surveyed in order to establish and record any geological interest that may have been exposed by the quarry.

Reason

In the interests of identifying any features of geological interest and in accordance with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

17. Within 3 months from the date of this permission detailed plans and cross sections relating to the creation and landscaping of periphery landscape and environmental bunds and timescales for implementation shall be submitted to the Local Planning Authority for written approval. Such details shall thereafter be implemented and retained as approved.

Reason

In the interests of visual amenity and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

18. Within 5 years from the commencement of the development hereby approved, a detailed aftercare scheme shall be submitted to the Local Planning Authority for written approval. Such a scheme shall integrate with the wider restoration of the quarry as a whole, and shall illustrate the management of the restored site for a period of 5 years, commencing upon cessation of excavation operations and the completion of restoration.

Reason

In order to ensure that the restored site is managed in a suitable manner to ensure its long term regeneration and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

19. The development shall be carried out in accordance with the detail submitted within the AIA and AMS submitted by DB Landscape Consultancy dated March 2021.

Reason

In the interests of visual amenity and the protection of trees and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any amendment or re-enactment thereof), the site shall be used for the development described in the description and for no other purpose, and no buildings or structures or fixed plant or machinery shall be placed on site without the prior approval of the Local Planning Authority.

Reason

To maintain planning control of the site in the interests of the amenities of the locality and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

21. The development hereby permitted shall be implemented at all times and in all respects in accordance with the details of the approved programme of archaeological work.

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.

22. All development shall be subject to the mitigation strategy for great crested newts (European protected species), detailed in the applicant's updated Great Crested Newt Mitigation Strategy (dated 25th January 2021).

Reason

In the interests of ecology and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

23. All works shall be carried out in accordance with the Ecological Impact Assessment.

Reason

In the interests of ecology and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

24. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the LPA. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

25. No mud, dust or other debris shall be deposited on the highway. No vehicle shall leave the site unless its wheels and chassis are clean. Details of how mud, dust or other debris shall be prevented from being deposited onto the public highway shall be in accordance with details dated 15th February 2010, submitted pursuant to condition 10 of planning permission reference PT07/0573/F.

Reason

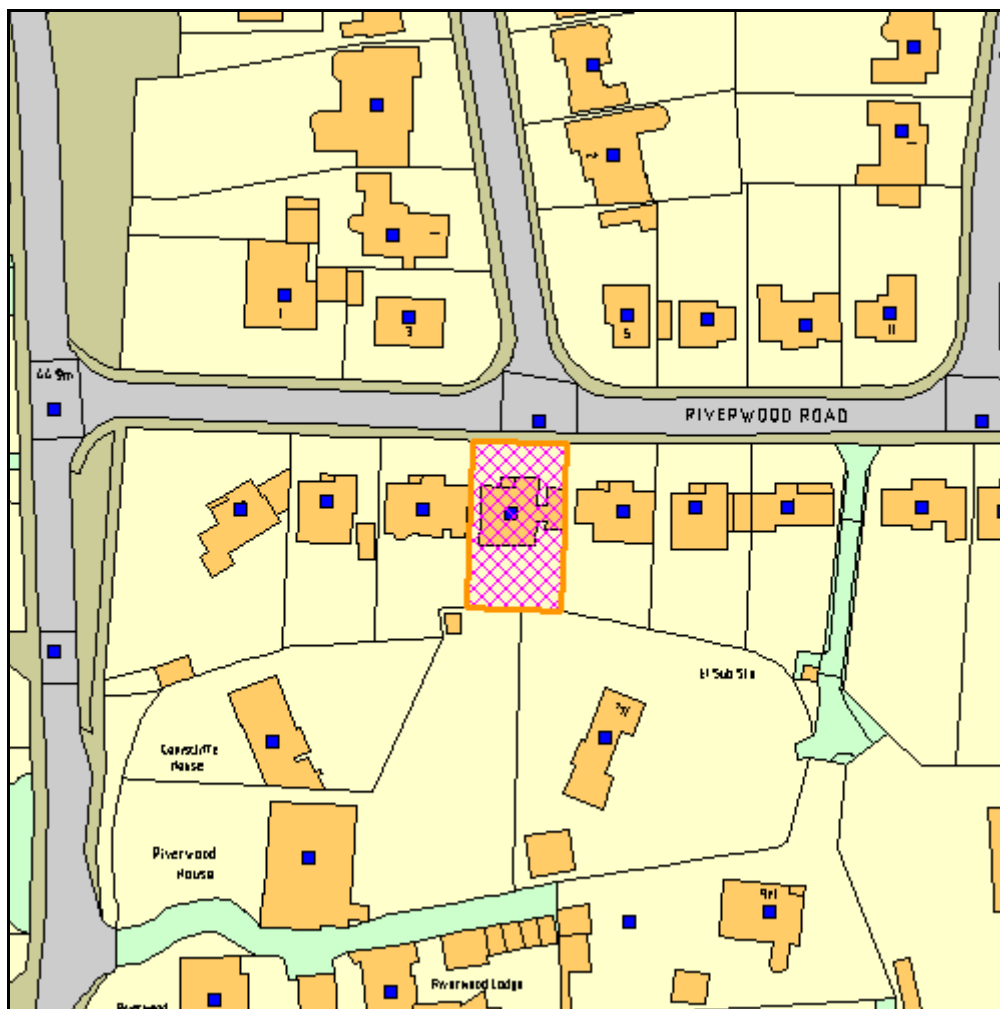
In the interests of local amenity and to accord with Policy PSP23 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

Case Officer: Simon Ford

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 49/22 -9th December 2022

App No.:	P22/06008/HH	Applicant:	Mr David Cahill David Cahill Design Consultants Ltd
Site:	8 Riverwood Road Frenchay South Gloucestershire BS16 1NX	Date Reg:	19th October 2022
Proposal:	Erection of single storey side extension to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	364241 178079	Ward:	Frenchay And Downend
Application Category:	Householder	Target Date:	12th December 2022



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 100023410, 2008. N.T.S. P22/06008/HH

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

This application appears on the Circulated Schedule due an objection received from the Parish Council; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of single storey side extension to form additional living accommodation at 8 Riverwood Road, Frenchay.
- 1.2 The application site is a two-storey detached dwellinghouse located within the Frenchay settlement boundary. The Frenchay conservation area bounds the southern boundary of the site however the site is not subject to any planning designations.
- 1.3 During the application a revised plans has been submitted to show parking spaces and boundary treatments. As the revised plans clarified minor details and the proposal did not change, it is not considered necessary to re-consult.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPS (Adopted) 2013
Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2594/F - Erection of two storey and single storey rear extensions to form additional living accommodation.
Approve with conditions 04.10.2006.
- 3.2 PT05/2055/F - Change of use of part residential (dining room) to part-time podiatry practice.
Approve with conditions 26.09.2005.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection. There appears to be a lack of sufficient parking.
- 4.2 Sustainable Transport
Further details required.
- 4.3 Public comment
A letter objecting to the proposal has been received. The comments are summarised below:
- What is replacing the boundary wall and what height.
 - Boundary wall should be the same material.
 - Who is responsible for the maintenance of boundary wall.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of development
The application site is situated within a defined settlement boundary and is currently utilised as a C3 dwellinghouse.
- Policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 is relevant to this application. The policy indicates that residential extensions are acceptable in principle subject to considerations of visual amenity, residential amenity and highway safety. The proposal therefore accords with the principle of development subject to the following considerations.
- 5.2 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.3 The proposal demolishes the existing detached garage and erects a larger single storey side extension. The enlargement extends 3.8m from the side elevation, is 8.2m in length and features a dual-pitched roof which is a maximum height of 4.2m. The extension will be less than half the width of the host building and is set well back from the front elevation to ensure

subservience and compliance with the Householder Design Guide SPD. The proposal is sited 0.6m away from the boundary with No.8 and the existing garage walling is to be retained along the boundary. Materials are natural stone, recon stone, render and oak cladding to the walls, oak and aluminium windows/doors, plan roof tiles to match the existing, and black pvc u rainwater goods. Overall, the proposal is acceptable and is found to be in compliance with the above policies.

5.4 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed and has been found to not materially impact the residential amenity of adjoining occupiers and is in compliance with these policies.

5.5 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal removes the existing garage and creates additional living accommodation however the number of bedrooms in dwelling remains at 3. no. A site plan has been submitted to demonstrate 2.no parking spaces can be provided to the front driveway therefore the proposal complies with the above policy.

5.6 Private Amenity Space

Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. Adequate amenity space will be provided post development to comply with the above policy.

5.7 Other matters

The neighbouring objection comment predominantly relates to the resulting boundary treatment. As indicated above the existing garage walling is to remain at approx. 2m and 0.6m in height. Concerns about future maintenance of the wall is a civil matter between the parties and would be covered by the Party Wall Act.

5.8 Consideration of likely impact on Equalities

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

- 6.1 It is recommended that planning permission is **GRANTED**.

CONDITIONS

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

Reason

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

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

Existing ground floor plan (3534/1)

Proposed ground floor plan (3534/2)

Existing elevations (3534/3)

Location plan (3534/6)

(Above plans received 17/10/2022)

Proposed elevations (3534/4 Rev A)

Proposed site plan (3534/5 Rev A)

(Above plans received 06/12/2022)

Reason

To define the terms and extent of the permission.

Case Officer: Charlie Morris

Authorising Officer: David Stockdale