

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: 10/22

Date to Members: 11/03/2022

Member's Deadline: 17/03/2022 (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 - 11 March 2022

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/24114/F	Approve with Conditions	The Coach House 67 London Road Warmley South Gloucestershire BS30 5JH	Parkwall And Warmley	Siston Parish Council
2	P21/02475/F	Approve with Conditions	King George V Playing Field And Pavilion Sutherland Avenue Downend South Gloucestershire BS16 6QW	Frenchay And Downend	Downend And Bromley Heath Parish Council
3	P21/05331/O	Approve with Conditions	Land To The Rear Of South Face Cowship Lane Cromhall South Gloucestershire GL12 8AY	Charfield	Cromhall Parish Council
4	P21/06761/F	Refusal	Peacehaven France Lane Hawkesbury Upton South Gloucestershire GL9 1AJ	Chipping Sodbury And Cotswold Edge	Hawkesbury Parish Council
5	P21/07489/F	Approve with Conditions	Land Off Patch Elm Lane Rangeworthy South Gloucestershire BS37 7LT	Frampton Cotterell	Rangeworthy Parish Council
6	P22/00301/F	Approve with Conditions	16 Bullens Close Bradley Stoke South Gloucestershire BS32 0DF	Bradley Stoke North	Bradley Stoke Town Council

CIRCULATED SCHEDULE NO. 10/22 - 11th March 2022

App No.:	P20/24114/F	Applicant:	Roland Tanner
Site:	The Coach House 67 London Road Warmley South Gloucestershire BS30 5JH	Date Reg:	3rd January 2021
Proposal:	Conversion of garage to 1 no. dwelling. Erection of single storey side extension to main dwelling to form additional living accommodation.	Parish:	Siston Parish Council
Map Ref:	367568 173317	Ward:	Parkwall And Warmley
Application Category:	Minor	Target Date:	17th February 2021



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 100023410, 2008. **N.T.S.** **P20/24114/F**

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of an objection from Siston Parish Council contrary to the officer recommendation within the report.

1. THE PROPOSAL

- 1.1 This application is for the conversion of an existing garage to a dwelling, and for the erection of a single storey side extension to the main dwelling to form additional living accommodation.
- 1.2 The site is within the Bristol/Bath Green Belt and outside of, but adjacent to, the settlement boundary.
- 1.3 The proposal has been revised since the original submission, removing the extension to the garage building and reducing the extension to the main house from two storey to single storey. Additional information has also been received in relation to ecology, trees, sunlight and the history of the site.

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
CS9 Managing Environment and Heritage
- South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017
- | | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP2 | Landscape |
| PSP3 | Trees and Woodland |
| PSP7 | Development in the Green Belt |
| PSP8 | Residential Development |
| PSP11 | Transport |
| PSP16 | Parking Standards |
| PSP19 | Wider Biodiversity |
| PSP20 | Flood risk |
| PSP38 | Development within Existing Residential Curtilages |
| PSP40 | Residential Development in the Countryside |
| PSP43 | Private Amenity Standards |

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPS (Adopted) 2013
Residential Amenity TAN (Endorsed) 2016

3. CONSULTATION RESPONSES

- 3.1 Siston Parish Council – “*Siston Parish Council objects to this development due to it being within the green belt. Changing use of the Garage into a dwelling would be an inappropriate form of development in the green belt. It is felt that this is over development of this site.*”
- 3.2 Conservation – No impact upon heritage assets.
- 3.3 Tree Officer – No objection subject to conditions relating to protective fencing and fires.
- 3.4 Ecology – No objection subject to conditions relating to mitigation, lighting design strategy and enhancements.
- 3.5 Highway Structures – No comment.
- 3.6 Drainage – No objection
- 3.7 Coal Authority – No objection subject to informative relating to coal mining
- 3.8 Landscape – No objection subject to landscaping plan
- 3.8 Transport – No objection

Local Residents

- 3.9 No comments received.

4. RELEVANT PLANNING HISTORY

- 4.1 K4525 - CONVERSION OF EXISTING COACH HOUSE TO DWELLINGHOUSE, ERECTION OF DETACHED GARAGE. CONSTRUCTION OF VEHICUALR ACCESS TO HIGHWAY (Previous ID: K4525) – Refused 02.07.1984
- 4.2 K4525/2 - CHANGE OF USE FROM 11 FLATS TO A SINGLE DWELLING & CONVERSION OF EXISTING COACH HOUSE TO DWELLING WITH 12 CAR GARAGE. (Previous ID: K4525/2) – Refused 19.08.1985 – Allowed on appeal 08.08.88

4. ANALYSIS OF PROPOSAL

Principle of development

- 4.1 The proposal is sited within the Green Belt, where the fundamental aim is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. As per para 134 of the NPPF, the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;*
 - b) to prevent neighbouring towns merging into one another;*
 - c) to assist in safeguarding the countryside from encroachment;*
 - d) to preserve the setting and special character of historic towns; and*
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 4.2 Whilst development in the Green Belt is strictly controlled, the NPPF provides a number of exceptions where development in the Green Belt may not be inappropriate. Paragraphs 145 and 146 of the NPPF lists the exceptions, for which the most relevant exception being “(d) the re-use of buildings provided that the buildings are of permanent and substantial construction”, provided the proposal preserves its openness and does not conflict with the purposes of including land within it, and “(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”.
- 4.3 The building is also outside of any Settlement Boundary, and as such Policy PSP40 applies. The garage building proposed for conversion is of brick construction and does not appear to require any structural works to facilitate a conversion. The proposal is not part of a working farm nor rural business. The existing building is neither redundant nor disused. The proposal therefore complies with PSP40.
- 4.4 Consideration must also be given to whether the proposal preserves the openness of the Green Belt. It must be considered that the introduction of an additional dwelling brings with it additional domestic paraphernalia, i.e cars, outside furniture, washing lines etc. It is noted that the existing area is already utilised as a garden. It is unlikely the proposal would impact upon the openness of the Green Belt over and above the existing situation.
- 4.5 A key consideration is whether the proposed extension is considered to be proportionate when compared to the original building. Additions must be considered cumulatively. One point of consideration for this application is what is considered to be the original building, and whether the existing garage building is an addition to that building.
- 4.6 The Coach House gained permission to be used as a dwelling on appeal under ref: K4525/2. Although the building would have originally been in ancillary use to the nearby Ashlands, the location of the building means that it can be seen as a building in its own right.
- 4.7 The garage building is located in close proximity to the Coach House, and could potentially be seen as an “extension”. However, the appeal decision for application K4525/2 clarifies that the garage was constructed for the ancillary use of Ashlands. It is therefore considered that in this circumstance, the garage

is not an extension to the Coach House, and does not need to be included in any cumulative addition calculations.

4.8 PSP7 states the following:

Additions and alterations to buildings in the Green Belt will be acceptable provided they do not result in disproportionate additions over and above the size of the original building. As a general guide, an addition resulting in a volume increase up to 30% of the original building would be likely to be proportionate.

Additions that exceed 30% volume increase will be carefully assessed, with particular regard to whether the proposal would appear out of scale and proportion to the existing building. The larger a building becomes in excess of 30% over and above its original size, the less likely it is that the new extension(s) will be considered proportionate.

Additions resulting in a volume increase of 50% or more of the original building would most likely be considered a disproportionate addition and be refused as inappropriate development.

4.9 The original Coach House building measures around 349m³, and has had no additions since it was constructed. The proposed single storey extension measures around 75m³, a 21% increase. As well as the percentage calculation, the proposal is also visually proportionate to the building. The proposal complies with PSP7.

4.10 Overall, the proposal is considered to be acceptable in principle.

Design and visual amenity

4.11 The subdivision of existing residential sites will be considered acceptable, providing they do not harm the character and amenity of the area, amongst other material considerations.

4.12 The Household Design Guide suggests that extensions should remain visually subservient to the host building in terms of scale. The proposed extension is single storey, and the ridgeline sits below the eaves of the existing dwelling. The proposal has been hipped in order to respect the characteristics of the existing dwelling. The materials will match the existing dwelling, and incorporate natural stone quoins. The extension is considered to be acceptable in terms of design and visual amenity.

4.13 The proposed alterations to the garage are minimal, involving the replacement of existing garage door openings with patio doors, new patio doors in the west elevation, and a new door in the north elevation. The alterations to the garage are considered to be acceptable in terms of design and visual amenity.

- 4.14 The site is difficult to split into two units due to the proximity of the buildings to each other, and the existing protected trees and pond in the rear garden which are proposed for retention. The proposals are not however considered to be harmful, and do not constitute overdevelopment.
- 4.15 The request from the landscape officer for a planting plan is noted, however in this case the limited visibility of the site, combined with the small-scale nature of new development it is considered that a landscaping plan is not required.

Residential amenity

- 4.16 The proximity of the buildings causes some concerns with residential amenity, particularly in regard to the south elevation of the Coach House and the north elevation of the garage building. To avoid the windows of the Coach House overlooking the new dwelling, the ground floor window on the south elevation is to be blocked up, and a 1.8m high wall is to be constructed on the eastern elevation to create a courtyard area.
- 4.17 Whilst these alterations do solve the issue of overlooking, they potentially cause harm to the future occupiers of the Coach House due to limiting light to the sitting room of the property. The applicant has responded to these concerns by removing the proposal to also block up a window on the western elevation, and by submitting a sun tracking plan, showing that the boundary wall will not significantly block natural light to the wall. This plan is accepted.
- 4.18 Windows are sited within the upper floor of the Coach House, however due to their location they will not directly overlook the garage building or outside areas.
- 4.19 Policy PSP43 sets out that a three bedroom dwelling will be expected to provide at least 60m² of outside amenity space. With each dwelling being provided with around 300m² usable outside space, the proposal complies with PSP43.

Transportation and highways

- 4.19 The site is located within a largely built-up area, hence this development broadly complies with the locational requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places. Therefore, there is no objection in principal to this development.
- 4.20 In order to conform to the Councils minimum domestic parking guidelines, which relate the number of spaces required to the number of bedrooms present in a dwelling, it will be necessary to provide 2 spaces for both properties. As it appears that, in addition to double garages, both properties are provided with two spaces and there remains sufficient for vehicles to turn round before leaving the site. Hence, this development fully conforms to the Councils minimum domestic car parking requirements, as set out in the Residential Parking Standards SPD adopted in December 2013.
- 4.21 The existing access arrangements will be retained for the development. There is no highways or transportation objection to the scheme.

Arboriculture

- 4.22 The proposal has the potential to impact upon off-site protected trees during construction. A tree protection plan and tree protection details have been submitted, which have been accepted by the Council's Tree Officer.

Ecology

- 4.23 A Preliminary Ecological Appraisal and Great Crested Newt Survey (CTM Wildlife, September 2021) has been submitted. The site is not covered by any designated sites. Habitats on site include low-cut scrub regeneration, garden shrubs and a pond.
- 4.24 The garage was assessed as having negligible potential for roosting bats and the area of the extension on the coach house was assessed as being of negligible potential. Droppings were found within the pump shed and it is understood that the shed will be retained, if plans should change to include the pump shed, this is to be subject to bat surveys in line with the BCT guidelines. The tree assessment did not identify trees that could support roosting bats, however the pond and habitats on and surrounding the site provide suitable foraging habitat for bats.
- 4.25 An eDNA survey as undertaken on the adjacent pond and it was returned as negative, assuming that GCN are currently absent from the waterbody.
- 4.26 There is suitable habitat for birds and appropriate mitigation has been recommended.
- 4.27 The habitats could provide some shelter and foraging habitat for reptiles, however it is unlikely to support large populations, some mitigation has been provided.
- 4.28 No evidence of badgers was recorded, however they may use the site to commute through.
- 4.29 The site provide suitable habitat for hedgehogs and consideration is required during development.
- 4.30 The habitats on site may support a quality assemblage of invertebrates, due to the pond and surrounding features, however the works are unlikely to impact on this habitat.
- 4.31 No further surveys are required and there are no objections. There is no objection subject to conditions relating to mitigation measures being followed and details of enhancement of the pump shed and hedgehog holes within the fences.
- 4.32 A lighting design strategy has also been requested by the Council's ecologist, however there is limited new development on site and the condition is not considered to be commensurate with the scheme.

Coal mining

- 4.33 The Coal Authority records indicate that the application site lies in an area of likely historic unrecorded coal workings at shallow depth. The Coal Authority considers that as the proposals are of a domestic scale and a Coal Mining Risk Report would not be proportionate to the scale and nature of the development. An informative is however required for any approval granted.

Consideration of likely impact on Equalities

- 4.34 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.

5. CONCLUSION

- 5.1 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.

6. 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 window on the south elevation of the Coach House shall be blocked up and the brick wall shall be constructed, as shown on Proposed Plans and Elevations (009D) prior to the occupation of the dwelling in the garage building.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (PSP) (adopted November 2017); and the National Planning Policy Framework.

3. No development shall commence on site until the trees on the site which are protected by a Tree Preservation Order have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): Trees in Relation to Design, Demolition and Construction -Recommendations. The fencing shall be erected in accordance with the approved Tree Plan S20/803/008 rev A. After it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas.

Reason

To ensure that trees and vegetation to be retained are not adversely affected by the development proposals in accordance with PSP3 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (PSP) (adopted November 2017); and the National Planning Policy Framework.

4. No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows on site or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land. No machinery shall be stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

Reason

To ensure that trees and vegetation to be retained are not adversely affected by the development proposals in accordance with PSP3 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (PSP) (adopted November 2017); and the National Planning Policy Framework.

5. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal and Great Crested Newt Survey (CTM Wildlife, September 2021).

Reason

To protect against harm to protected species in accordance with PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (PSP) (adopted November 2017).

6. Prior to occupation of a plan detailing the enhancement to the pump shed is to be submitted to and agreed in writing with the Local Planning Authority. If any new fencing is to be installed detailed of hedgehog holes are also to be detailed on the plan. The enhancements shall be installed prior to occupation.

Reason

To provide ecological enhancements in accordance with PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (PSP) (adopted November 2017).

7. The proposed development hereby approved shall be carried out in accordance with the following plans:

17 Dec 2020

LOCATION PLAN

17 Dec 2020	S20/803/004		EXISTING PLANS AND ELEVATIONS
17 Dec 2020	S20/803/004		EXISTING PLANS AND ELEVATIONS (GARAGE)
17 Dec 2020	S20/803/006		EXISTING BLOCK PLAN
11 Jan 2022	S20/803/005	C	GARAGE PROPOSED PLANS AND ELEVATIONS
11 Jan 2022	S20/803/007	C	BLOCK PLAN
24 Jan 2022	S20/803/009	D	PROPOSED PLANS AND ELEVATIONS

Reason

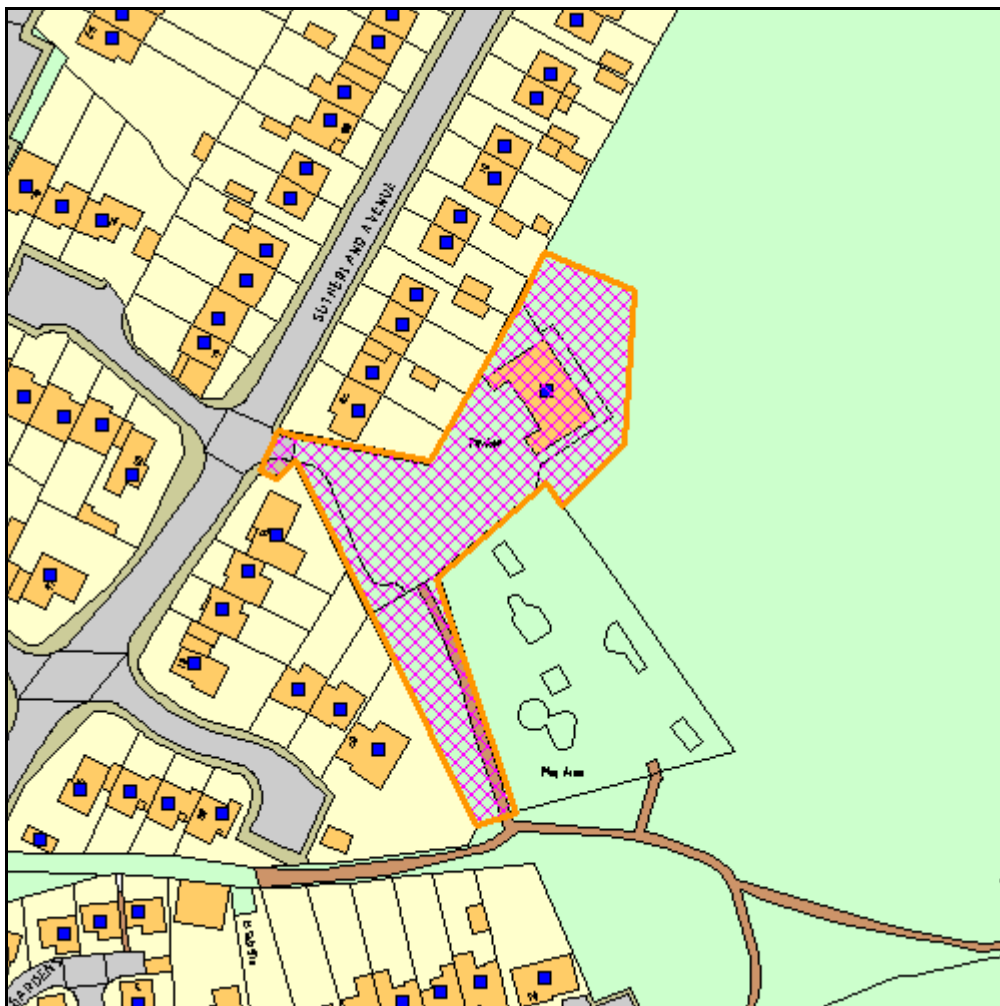
To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 10/22 - 11th March 2022

App No.:	P21/02475/F	Applicant:	Downend & Bromley Heath Parish Council
Site:	King George V Playing Field And Pavilion Sutherland Avenue Downend South Gloucestershire BS16 6QW	Date Reg:	12th April 2021
Proposal:	Demolition of existing pavilion and erection of 1 no. sports pavilion and community facility (Class F2) with associated works.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365398 177222	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	2nd June 2021



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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received from 11no. local residents which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of an existing pavilion and erection of a replacement sports pavilion and community facility (Class F2) with associated works.
- 1.2 The application site relates to King George V playing fields, Sutherland Avenue, Downend. The proposed pavilion would be located in a similar position to the existing building, in the south-west corner of the playing fields.
- 1.3 The proposed pavilion would be single storey and made up internally of:
 - 4 changing rooms (with associated showers and WC)
 - Officials changing room
 - Male Toilets
 - Female Toilets
 - Accessible Toilet/Shower
 - Office 1 (2 persons)
 - Office 2 (2 persons)
 - Meeting space
 - Kitchen
 - Club House/Function Room with Bar
- 1.4 During the course of the application the red line boundary was amended to include an additional parking area and a Proposed Landscape Plan submitted. Subsequently, an appropriate re-consultation was carried out. Further information was also requested in the form of a noise impact assessment, with specific interest in the proposed air conditioning units.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

- CS9 Managing the Environment and Heritage
- CS23 Community Infrastructure and Cultural Activity
- CS24 Green Infrastructure, Sport and Recreation
- CS29 Communities of the East Fringe of Bristol Urban Area.

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP5	Undesignated Open Spaces
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP44	Open Space, Sport and Recreation

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

- 4.1 Downend & Bromley Heath Parish Council
No objection.
- 4.2 Sustainable Transport
No objection, subject to conditions.
- 4.3 Landscape Officer
No objection, recommended condition.
- 4.4 Lead Local Flood Authority
No objection.
- 4.5 Police Community Safety
No objection.
- 4.6 Public Open Space
No comment.
- 4.7 Sport England
No objection.
- 4.8 Community Infrastructure
No comment

4.9 Environmental Protection

No objection

Other Representations

4.10 Local Residents

Objection comments received from 11 no. local residents, summarised as follows;

Design

- Walkway between the pavilion and residents gardens should show intended security gates/fencing.
- Residents tried in vain to engage with the Parish Council regarding screening.
- Size of the building is not needed, should be on the same footprint.
- Development is overbearing and dominant.
- Query where new storage containers will be located

Residential Amenity

- Loss of sunlight from proposed trees.
- Much larger structure, close to resident's properties.
- Noise pollution- Externally fitted consumer units on elevations adjacent to back gardens.
- Noise from parties and late night gatherings within the bar area.
- Toilets positioned adjacent to residents back gardens.

Parking/Highways

- Will increase 'human traffic' to the site, become very busy location.
- Car park inadequate for the size of the building- unsafe.
- Sutherland Avenue will be overflow car park.
- Extension of car park unsafe- next to entrance of children's park.
- Object to two electric vehicle charging bays and electric scooter park, doubt many players will arrive by these means.
- Scooter park will attract further unsociable behaviour.
- U-turn on entering gate to access EV charging will cross block paving path to play area. As will scooters and cyclists.

Other

- Security implications- several blind spots around the building. Easier to gain access to nearby properties.
- Crime and Anti-social behaviour takes place around the pavilion.
- Bar/function room unnecessary, plenty of local pubs within walking distance.
- Adverse effect on value of homes.
- Not notified of application.
- Times for sale of alcohol should be restricted.
- Will create litter and potential hidden glass on fields.
- Air pollution from increased car parking.

Support comments received from 11no. local residents, summarised as follows;

- Pavilion in need of attention- not fit for purpose.

- Plans are long overdue.
- Old and tired building that has had little work done to it for years prior to being handed over to the Parish Council.
- Does not meet standards required for a sports venue today.
- Will install new sense of life for the playing fields.
- For players and local community to enjoy.
- Will provide an attractive resource for the local community.
- New pavilion gives a chance to build greater connections between adult and youth football teams.
- Will be fully accessible to the public and all sports teams.
- Football and cricket clubs, as well as a number of community based organisations, use the pavilion.
- Would provide proper changing and meeting facilities.
- Will encourage more young children and adults to take part in sport.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS23 and CS24 of the Core Strategy are supportive of the provision and enhancement of outdoor sporting and recreational facilities. Furthermore, Policy PSP44 of the Policies, Sites and Places Plan is supportive of the protection and provision of sporting facilities. The application is proposing to replace an existing sports pavilion with a new sport and recreation facility with associated work. This is considered to represent an enhancement of the existing facilities and is therefore broadly compliant with the aims of these policies.

5.2 The application site forms an undesignated open space within an urban area, as identified in policy PSP5 of the Policies, Sites and Places Plan. Development proposals on undesignated open space will be acceptable if it does not affect the quality, character, biodiversity, sustainable water management, recreation opportunities, heritage value, amenity or distinctiveness of the locality.

5.3 The proposal is for the replacement of an existing sports pavilion which is used in conjunction with the formal sports pitches at King George V playing fields. It is therefore not considered to represent an inappropriate form of development on the undesignated open space and, as such, is deemed to be acceptable in principle. That said, the proposed development must be assessed against further material planning considerations in order to identify any potential harm. Any harm identified will be weighed against the benefits of the development.

5.4 Design and Visual Amenity

The existing building is a simplistic, flat roofed design on a broadly rectangular footprint and sited in the southwest corner of the playing fields. The building itself is in a poor condition; the submitted building survey report (HFW Chartered Building Surveyors) states that *'whilst the building is structurally stable, is in a very dilapidated condition and in need of repairs, refurbishment and updating'*.

5.5 The proposed replacement building would be sited in a similar position, though increasing the footprint and shape from the existing. The new building would be

'L' shaped, with a flat roof and re-positioned to sit approximately 3m from the western boundary; this allows the main access doors to the changing rooms and function room to face away from the nearest residential properties and onto the open playing fields. Some concern has been raised by local residents in regards to the size of the building being unnecessary and dominant, however it is thought the proposed size of the building is appropriate for its intended use; the increased footprint is deemed acceptable in order for suitable upgrades to be made to benefit the wider community. The single storey, flat roof design mitigates any potentially dominant visual impact within the landscape and the proposed building is therefore considered to sit comfortably within the context of the playing fields. Although a small portion of the playing fields would be lost to the new building, the development is for ancillary facilities to support the continued use of the playing fields and would not impact on the quality or quantity of the formal sports pitches.

- 5.6 The overall design/form is fairly typical for buildings of this nature, though it is noted that some visual interest has been sought with the use of an olive green finish for the main body of the building and timber cladding panels to help break up the elevations. The fascia, windows and doors would consist of an anthracite finish which appropriately ties in with the more contemporary appearance being presented.
- 5.7 Some concern has been raised in regards to potential crime and anti-social behaviour around the building, particularly in the passage between the new pavilion and the western boundary. To address this, the submitted landscape plan indicates this area would be secured by galvanised palisade fencing and lockable pedestrian access gates. The Police Crime Prevention Design Officer is satisfied the proposed siting of the new building appropriately complies with crime prevention design principles, and would therefore not increase the risk of criminal activity or anti-social behaviour.
- 5.8 Environmental and Residential Amenity Impact
Policy PSP21 of the Policies, Sites and Places Plan seeks to avoid unacceptable levels of pollution adversely impacting the users of the site and surrounding area. In this instance, the potential source of pollution is noise; any adverse impacts will be expected to provide an appropriate scheme of mitigation.
- 5.9 **Noise Impact**
A number of objections received from local residents are in relation to the increase in noise levels from the proposed six air conditioning consumer units on the north-west elevation and also the potential late night use of the function room/bar.
- 5.10 In regards to the air conditioning units, a noise impact assessment was submitted which assessed the noise impact on the nearest 'noise sensitive receptors' (NSRs), which in this case are the residential properties on Sutherland Road. The National Planning Practice Guidance (NPPG) summarises the noise exposure hierarchy, the three observed effect levels are identified below:

- **Significant observed adverse effect level:** *this is the level of noise exposure above which significant adverse effects on health and quality of life occur.*
- **Lowest observed adverse effect level:** *this is the level of noise exposure above which adverse effects on health and quality of life can be detected.*
- **No observed effect level:** *this is the level of noise exposure below which no effect at all on health or quality of life can be detected.*

- 5.11 It is proposed that the units would only be operational during daytime hours, between 07:00 and 23:00. From the measurements taken, the technical noise assessment (carried out by Inacosutic, Feb 2022) demonstrates that the proposed AC units will give rise to noise impacts that would be within the range of 'No Observed Adverse Effect Level' (NOAEL) of the NPPG England Guidance. As such, the noise impact of the air conditioning units should not be considered a valid reason for refusal.
- 5.12 In regards to noise from the bar/function room, some clarification on its intended use was provided by the applicants in response to the understandable concerns from local residents. They state, *'the Parish Council has no intension of hiring this facility for late night parties or events given the proximity to local properties. The sale of alcohol will be limited to short and defined periods during/after sporting events or infrequent meetings...The Parish Council are willing to voluntarily agree to a planning condition being placed on the facility to provide some comfort in this respect.'*
- 5.13 Given the nature of the facility, the function room/bar is unlikely to be in constant use during the proposed opening times. That said, to ensure that no unacceptable noise impacts to local residents occur outside of what is considered to be reasonable hours, a condition will be attached to any decision, ensuring the use of the function room/bar is appropriately restricted.
- 5.14 It is understood the facility would only be used during daytime periods (7:00am-11:00pm) Monday to Sunday. The main purpose of the function room is to provide an ancillary use to both sporting and community uses and the majority of these uses would not involve the sale of alcohol. It would also provide a suitable meeting place for spectators on days when sports events are taking place and is likely to focus on the sale of soft drinks (tea, coffee) during this time. The sale of alcohol is subject to a separate licencing process which cannot be controlled through the planning system. However, it is considered reasonable to include a condition to restrict the playing of live or amplified music after 22:00 Monday- Saturday and 21:00 on a Sunday/Bank Holiday. Given the potential for the function room to be used for social events at evenings and the proximity to neighbouring properties, this condition is deemed necessary and reasonable to adequately mitigate any potentially unacceptable noise impacts. However, any complaints local residents have in regards to this or any objectionable noise should be reported to the Council's Environmental Protection Team in order for direct action to be taken.
- 5.15 Some concern has also been received in regards to an overbearing and loss of light impact from the proposed building and tree planting. The proposed

planting on the boundaries (discussed further in paragraph 5.16) would appropriately screen the development and car park from the neighbouring properties. This also aids the separation of the changing rooms/toilets from the neighbours. The detailed planting scheme is to be agreed by condition, however it can be said that the proposed planting on the north-west and south-west boundaries would be wholly appropriate and would not result in any unacceptable loss of light impact, nor would it be overbearing. The building is approximately 3m from the boundary with the properties fronting Sutherland Avenue, it is single storey in height (approximately 4.5m at its tallest point). It is acknowledged the site is at a higher gradient than the neighbouring properties, however given the scale of the building and distance from the boundary, it would not result in any unacceptably harmful impact on the residential amenity of any of the neighbouring occupiers.

5.16 Landscape

A Landscape Plan and Landscape Softworks plan have been submitted in support of the proposal. The proposed hard landscape finishes and site furniture are all acceptable. The softworks plan indicates that 6 new trees are to be planted around the north and east of the pavilion; this is welcomed, however where the proposed trees lie close to new drainage routes and soakway, tree pits will be required to include a root barrier. The proposed native hedgerow planting is generally acceptable, however on the northwest boundary it is very narrow and should be 1.2m to be effective. Given the proposed access ramp in proposed in this location, limiting space, a more suitable solution would be to provide evergreen climber planting trained up cables/trellis along this boundary. This should be kept to a minimum height of 2m to successfully act as screening. There is also scope for the planting bed adjacent to the southern corner of the proposed pavilion to be more generous in width. The above details can be agreed by condition, in addition a tree protection plan will be required to ensure the future health of the existing trees.

5.17 Transportation

A number of objections have been received in relation to the proposed parking area being inadequate for the size of the building, as well as concerns over the safety for users of the children's play park and the inclusion of EV charging and Scooter parking.

5.18 The proposed parking area would include 14 spaces in the main parking area, including 2 disabled parking bays, and an additional 7 parking bays in an overflow car parking area which is accessed off the main car park. There are also 10 Sheffield cycle stands proposed and a small scooter parking area to appropriately promote alternative methods of transport than by car.

5.19 The Council do not have adopted parking standards for buildings of this nature, however the Council's sustainable transport officer has noted that whilst the building would have a larger footprint than the existing, it is unlikely to generate any significant increase in traffic movement to justify the refusal of the application on traffic grounds or road safety. The existing vehicle and pedestrian access would not be altered and the proposed overflow car park is already in use as such, with an existing vehicle access gate in place, off the main car park. There is adequate space for manoeuvrability within the car park.

and the proposed formal marking of parking bays is considered an improvement to the existing arrangements. Therefore, given the site is located within a sustainable location with good footpath and public transport links, the provision of 21 vehicles spaces is considered to be adequate in this instance.

5.20 Some concern was raised over the safety of pedestrians using the pathway from the main access to the play area; however the access arrangements, and relationship between the car park and play area, is not being altered. Furthermore, considering the very low speeds of vehicles using this area, there is not considered to be any severe highway safety issues that would warrant a refusal. The same can be said of the pathway running parallel with the proposed overflow parking area. The inclusion of EV charging points and scooter parking are welcome additions that promote more sustainable forms of transport; there is no evidence to suggest this would lead to an increase in unsociable behaviour.

5.21 Subject to conditions in relation to the proposed EV charging and Cycle parking, there are no objections in regards to transport or highway safety.

5.22 Drainage

A drainage strategy has been submitted in support of the proposal. The Lead Local Flood Authority have raised no objections in regards to the proposed surface water drainage, nor method of foul water drainage.

5.23 Other Matters

The impact on the value of nearby properties is not a material planning consideration.

5.24 Any increase in traffic to the site would be negligible and the environmental impact from vehicles is not considered to be so severe as to warrant a refusal reason.

5.25 The consultation was carried out by the Council in line with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the adopted Statement of Community Involvement (SCI).

5.26 An location of new storage containers is subject of a separate planning application, reference P22/00394/F, which is pending decision.

5.27 Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. Prior to commencement of the relevant phase of works (excluding demolition), details of the following items shall be submitted to and approved in writing by the Council. The work shall be carried out strictly in accordance with the details approved:

- 1) Olive Green Cladding
- 2) Windows/doors
- 3) Galvanised security gates/fencing
- 4) Refuse bin store

Reason

To ensure a satisfactory standard of external appearance to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

3. Prior to the commencement of any landscaping works a tree protection plan is to be submitted and agreed in writing by the Council, in accordance with BS5837:2012 standards. The development shall be carried out in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the existing trees, and to accord with Policies PSP2

and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017

4. Notwithstanding the Landscape Plan (drawing no. 329_LP_01) and Landscape Plan (Softworks) (Drawing no. 2329_LP_02) hereby approved, prior to first use of the pavilion hereby approved full details of both hard and soft landscaping works shall be submitted and approved in writing by the Council and these works shall be carried out as approved. These details shall include an updated planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting; including tree pit detail. Hard landscape work shall include details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required.

The agreed hard landscaping works shall be implemented prior to the first use of the pavilion hereby approved.

The agreed soft landscaping works shall be implemented in the first season following completion of construction works.

Reason

To protect the character and appearance of the area, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and, the National Planning Policy Framework.

5. The proposed planting along the north-west and south-west site boundaries shall be kept to a minimum height of 2 metres, and thereafter retained as such.

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; Policy PSP8 of the South Gloucestershire Local plan: Policies, Sites and Places Plan; and the National Planning Policy Framework.

6. There shall be no use of the pavilion hereby approved outside the hours of 7:00am to 11:00pm.

Reason

To avoid causing unacceptable disturbance to neighbouring residents, in the interest of residential amenity, to accord with Policies PSP8 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

7. There shall be no playing of live or amplified music within the pavilion hereby approved outside of the following times:

Monday-Saturday: 6:00pm - 10:00pm

Sundays and Bank Holidays: 6:00pm to 9pm

Reason

To avoid causing unacceptable disturbance to neighbouring residents, in the interest of residential amenity, to accord with Policies PSP8 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

8. Prior to the first use of the pavilion hereby approved, the approved car parking spaces shall be marked in accordance with the approved plans and subsequently maintained thereafter.

Reason

To ensure the satisfactory provision of parking facilities and in the interests of highway safety to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework

9. Prior to the first use of the pavilion hereby approved, undercover cycle parking shall be provided on site in accordance with details to be submitted and approved in writing by the Council. The approved cycle parking shall be implemented in accordance with the approved plan.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

10. Prior to first use of the pavilion hereby approved, 2no. 7Kw 32 Amp electric vehicle charging point shall be provided in accordance with the approved plans.

Reason

To promote sustainable travel and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017

11. The development shall be implemented in accordance with the following documents:

Received by the Council on 7th April 2021;

EXISTING BUILDING SURVEY
EXISTING GROUND FLOOR PLAN
BLOCK PLAN
BUILDING ZONE STRATEGY
ELEVATIONS-OLIVE GREEN - ANTHRACITE
ELEVATIONS-SHUTTERS
PROPOSED GA FLOOR PLAN

Received by the Council on 21st June 2021;

LANDSCAPE PLAN

LANDSCAPE PLAN (SOFTWORKS)

Received by the Council on 30th July 2021;

SITE LOCATION PLAN

Reason

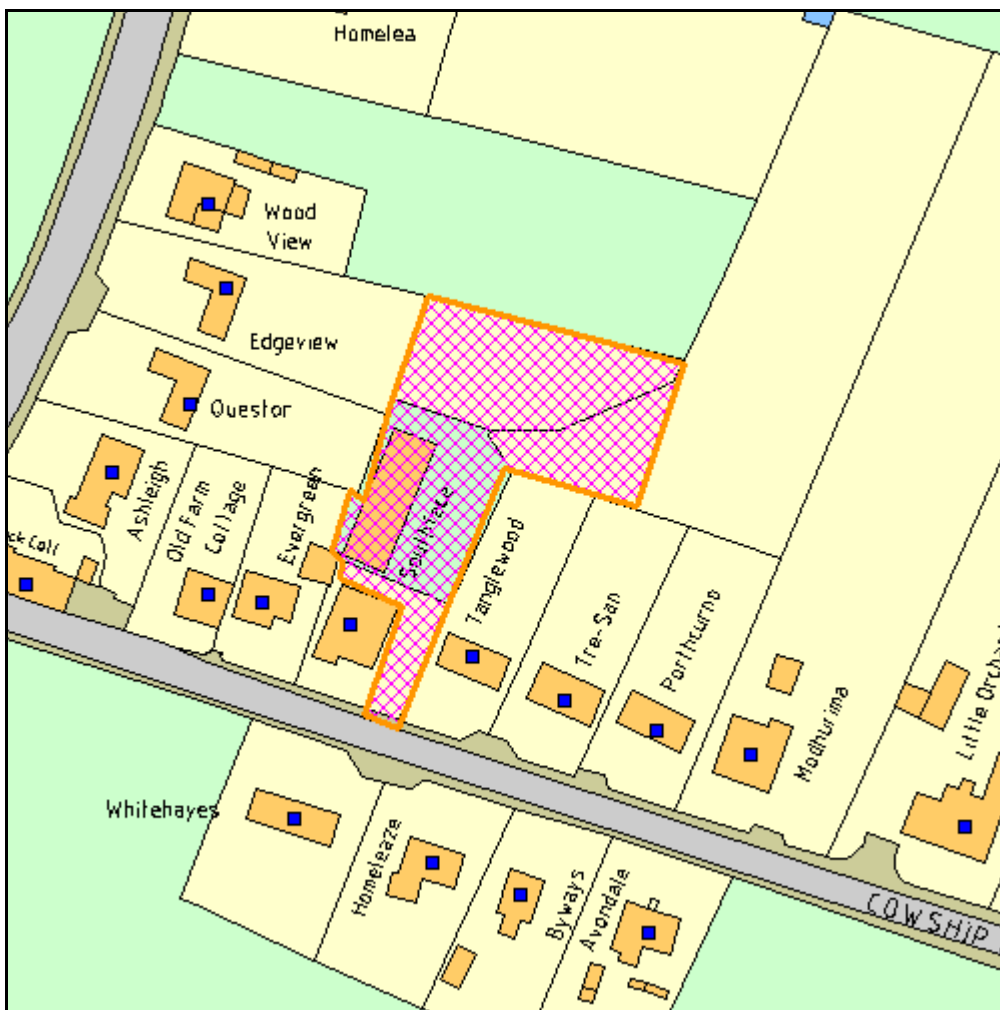
To define the terms and extent of the permission.

Case Officer: James Reynolds

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 10/22 - 11th March 2022

App No.:	P21/05331/O	Applicant:	Mr And Mrs Kershaw
Site:	Land To The Rear Of South Face Cowship Lane Cromhall South Gloucestershire GL12 8AY	Date Reg:	5th August 2021
Proposal:	Demolition of existing barns and erection of 1 no. dwelling (Outline) with access to be determined, all other matters reserved.	Parish:	Cromhall Parish Council
Map Ref:	369697 189147	Ward:	Charfield
Application Category:	Minor	Target Date:	28th September 2021



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 100023410, 2008. **N.T.S.** **P21/05331/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 APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council and 3no objections from local residents, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 Outline planning permission is sought for the demolition of the existing barns and the erection of 1 no. dwelling, with access to be determined. All other matters are reserved.
- 1.2 The application site relates to an area of land located to the rear of the Southface which is occupied by an existing agricultural building which has standing permission (Ref. P21/06691/PNGR) for the conversion into 2no residential dwellings.
- 1.3 The site is located within the open countryside, but is not within the Bristol/Bath Green Belt. A number of trees covered by Tree Protection Orders (TPOs) surround the site. A revised red line plan has been submitted since the point of application which reduces the proposed curtilage of the development.
- 1.4 In addition, a demolition plan has now been submitted, in order to confirm that the proposed new dwelling is instead of the previously approved barn conversion to two dwellings.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape

PSP3 Trees and Landscape
PSP8 Residential Amenity
PSP11 Development Related Transport Impact Management
PSP16 Parking Standards
PSP20 Drainage
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD (adopted)
Waste Collection: Guidance for New Developments (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P21/06691/PNGR. Permission Granted, 20/12/2021
Proposal: *Prior notification for the change of use from agricultural (Class Q) to 2 no. dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1985 as amended and associated works.*
- 3.2 PT18/4970/O. Permission Refused, 31/1/2019
Proposal: *Erection of 2 No. detached dwellings (Outline) with access determined, all other matters reserved.*
- 3.3 PT18/4075/PNGR. Permission Refused, 29/10/2018
Proposal: *Prior notification of a change of use from Agricultural Building to 2 no. residential dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).*
- 3.4 PT18/5038/PNGR. Permission Granted, 21/12/2018
Proposal: *Prior notification of a change of use from Agricultural Building to 2 no. residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (resubmission of PT18/4075/PNGR).*
- 3.5 *The host dwelling*
PT18/4215/F. Permission Granted, 6/12/2018
Proposal: *Erection of first floor extension and alterations to roof line to form two storey dwelling with associated works.*

4. CONSULTATION RESPONSES

- 4.1 Wickwar Parish Council – Objection.
“The proposed development is within the open countryside and rural area of the district and may not be an appropriate place for new development - CS5 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013 and PSP40 of the Policies Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework.
- “The inherent character of this area shows the current street scene is predominantly one of linear development. The proposal changes this pattern. As identified by officers in a previous application for outline permission for 2 no*

dwellings, this development would still "result in backland form of development to the north of the built form along Cowship Lane" which if approved "would encroach into the countryside and would be out of keeping with the pattern of development along Cowship Lane and be contrary of policy CS1 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework."

"There appears a shared driveway which was previously identified as being only 2 metres from principal side windows of South Face which would be detrimental to their residential amenity plus increasing vehicular movements will result in the intensification of the existing access onto Cowship Lane.

"The location is approximately 2km away from the nearest amenities such as the post office and shop in Cromhall - around a 25-minute walk. Whilst the nearest bus stop is some 2-minute walk away on the Bristol Road, services into Yate, and Wotton-under-Edge in Gloucestershire are extremely limited and this property would be car-dependent for accessing employment, health, educational and recreational facilities contrary of policy CS8 of the South Gloucestershire Core Strategy (Adopted) December 2013, policy PSP11 of the Policies Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework."

- 4.2 Environmental Protection – No objection, informatives recommended
- 4.3 Landscape Officer – No objection, conditions recommended.
- 4.4 Sustainable Transport – No objection, conditions recommended.
- 4.5 Lead Local Flood Authority – Details of SuDS required.
- 4.6 Tree Officer – Tree Protection Plan and Arboricultural Method Statement required.
- 4.7 Ecology Officer – No objections, conditions recommended.

Other Representations

4.8 Local Residents

The council have issued 2 rounds of consultation, the second being owing to an amended red-line plan. The first consultation received 3no objection comments and one support comment (not inclusive of multiple comments from individual neighbours), with the second round receiving 2no objection comments. Key points are summarised below:

Objection

- Not an appropriate place for development and is contrary to policy;
- Out of character;
- No prospect of the Prior Notification being implemented and is outside the site area – is not a valid fall-back position;
- Replacement dwelling should be in same location as existing barns;

- The application site is not part of the garden for the 'South Face' and is on agricultural land and fields/paddock;
- Council have a 5year land supply, thus departure is not required;
- The removal of the barns is not sufficient to outweigh policies;
- Harm to private amenity and be overbearing;
- Existing barns much lower in scale;
- New house would be entirely in shade, putting pressure on tree removal;
- Insufficient ecology assessment;
- Newts have been seen within 100m of the site;
- The application fails to fully consider impact on endangered species and ecology;
- No biodiversity net gain;
- Topographical survey of site entrance required;
- Vehicle tracking required;
- No visibility splay shown;
- Ordinance survey information antiquate;
- Would increase vehicle conflict
- Garden area is excessive;
- Encroach on the countryside;
- Harm to residential amenity;
- Increased vehicle movements;
- Car dependent;
- Highly visible from neighbouring properties;
- It would require tall fencing, which would be out of character;
- Better for existing barns to be converted;
- Any replacement should remain on the barns footprint;
- No justification for not pursuing Class Q approval; and
- Ground conditions not suitable percolation and soakaways.

Support

- Removal of dilapidated building and its overbearing position;
- Enhancements to existing building not sustainable;
- Will offer garden environment at the boundaries for northern neighbours;
- Objections quoting Local Plans were not upheld on the previous applications;
- No attempt to put repeater housing on the site;
- Lack of aspirational individually self-built houses generally; and
- With this application there is a chance to draw upon sensible and creative design solutions which could add a level of quality to Cowship Lane and the wider village.

5. ANALYSIS OF PROPOSAL

5.1 Spatial Strategy

Policy CS5 of the Core Strategy establishes the spatial strategy for development in the district. Under this policy, new development is directed to the existing urban areas, market towns, and defined rural settlements. Residential development outside of these locations is strictly controlled. Furthermore, policy CS34 of the Core Strategy seeks to protect the character of the rural areas, with residential development outside of a defined settlement generally resisted.

- 5.2 Given that the LPA are able to demonstrate a sufficient housing land supply in the district, there is limited justification for approving residential developments in inappropriate locations (with appropriate locations defined by the spatial strategy).
- 5.3 Whilst the majority of applications for new residential development outside of the settlement boundaries should be resisted in accordance with the Council's spatial strategy, the Local Planning Authority do consider that it may be suitable, in a few circumstances, to recommend approval of dwellings outside of the settlement boundary. This will only apply where the site lies close to the edge of the defined settlement boundary and has a direct relationship with it. Essentially, it should read as a natural extension to the settlement boundary. This should only apply to small developments of 1-2 dwellings. In the case of this application, it is not an extension to the settlement boundary, but other issues have been considered as set out below in order to ascertain whether this in itself would harm the Council's spatial strategy.
- 5.4 Residential Development in the Countryside
Policy PSP40 of the Policies, Sites and Places Plan makes allowances for new development within the countryside. Section 3 of this policy is most relevant, as this allows for the replacement of a single dwelling, where it is of a similar size and scale to the existing dwelling, within the same curtilage, and of design in keeping with the locality, and minimises visual intrusion into the countryside.
- 5.5 The application site sits with a cluster of properties of properties which front Cowship Lane and Bristol Road in a linear formation. The site proposed for development comprises of an allotment type area, which comprises a number of small poly tunnels/green houses, elements of ornamental planting, stone pathways, a dried out pond, and a meadow – for which a number of mature trees scatter the site and its boundary. Whilst the site is known to have a historical agricultural attachment, no evidence of crofting or small scale farming was observed. A small number of chickens (probably no more than around 5) were seen roaming free within the site, however officers do not consider this amounts to agricultural use. A set of goal posts and some seating was also seen within the paddock area. The existing barns were seen to be used for ancillary residential storage, for which artificial grass had been laid outside. Opposite exists a static caravan. No details of this have been provided, however it appears to share a close physical relationship with the host property.
- 5.6 In the officer's opinion, it can be considered beyond reasonable doubt that the agricultural use associated with the site has ceased and is now in the use of amenity land. The residing matter is whether or not the development site is considered to be curtilage, and if the extant prior approval for the proposed barn conversions can be used as a material consideration.
- 5.7 The definition of 'curtilage' is frequently challenged in the courts, with the officers finding the most recent meaning in the decision of *Burford v Secretary of State for Communities and Local Government & Anor [2017] EWHC 1493*. When investigating curtilage, there are three important factors to consider: the physical layout, past and present ownership and the use or function of land, past and present. The Burford case involved an area of land which was

adjacent to the host building, which had a lawful development certificate confirming it could be used for purposes incidental to the enjoyment of the dwelling. However, this land was physically separated from the dwelling by hedges and fences. The High Court ruling confirmed that the identification of the extent of curtilage is a matter of planning judgement. The judge in this instances sided with the inspector, for which the case illustrated that whilst the function of land is relevant to the question of curtilage, it is not determinative. Furthermore, even if the land had been used for domestic purposes for more than 10 years, it does not mean it is residential curtilage.

- 5.8 In regards to the commentary above, officers note that the allotment area has been used for purposes ancillary to the enjoyment of the dwelling house, with aerial imagery this has been the case for a number of years. Nonetheless, this is not determinative. Concerning the physical layout, the existing barns immediately back on to the host dwelling, with only a few meters separating the buildings. Nonetheless, this area is separated-off with a low level fence and gate, beyond which, another low level fence separates the allotment area and provides a barrier most likely to contain the chickens. As such, the allotment area is physically separated by a degree of boundary treatment (all be it minimal) and a reasonable separation distance from the rear elevation of the host dwelling by around 27m. The development area is therefore considered not to fall within the residential curtilage, weight is therefore afforded against the proposed development.
- 5.9 It is acknowledged that the existing barns on site have an extant Class Q Prior Approval Permission, as such development of these barns could be undertaken without the need of express planning permission. This forms fall-back position because approval has been granted, rather than it being a theoretical scenario.
- 5.10 The indicative location for the proposed dwelling would be just beyond the footprint associated within the Class Q permission. However, the submitted redline plan for the current application includes the existing barns and proposes their demolition, with the proposed indicative location of the new dwelling and the existing barns sharing a close physical relationship. Considering that both parcels of land would be impacted by either development, and that the existing barn falls within the red line boundary of the current application, merit is afforded to the fall-back position.
- 5.11 Consideration to the fall-back position should be inclusive of the planning balance, the key material considerations addressed in policy PSP40, such as scale, design, amenity, and impact on the surrounding area should be assessed.
- 5.12 The existing fall-back position provides the opportunity for 2no. additional dwellings on the site, forming a 2bed and 1bed property. Each would be afforded with 2no parking spaces and an area of amenity to the front and. an area of associated amenity land to the north which would overlap the proposed/ indicative footprint of the current application. Nonetheless, the existing barns appear somewhat out of character when compared to the residential nature of the plot and the surrounding area. The physical appearance of the barns and poor architectural quality is seen to harm the visual appearance of the

immediate area. As such, the demolition and removal of these barns would be of benefit. Their removal would also result in a net-reduction of dwellings which aligns with the spatial objective of limiting growth outside of settlement boundaries. Localised benefits for the host dwelling would include an improved outlook, and quantity and quality of external residential amenity space.

- 5.13 The proposed development would be largely screened in views from Cowship Lane, as per the existing barns which are proposed for demolition. Whilst plans are only indicative at this stage, the relocation of a lesser built volume further north on the plot, would not result in a harmful effect on the character of the countryside, above and beyond that of the impact of the existing barns. Under a pragmatic view, the proposed dwelling, when taken together with the barns to be demolished, would result in the slight relocation of built form. This would have a negligible impact when taking into consideration the wider character area. Whilst there would be a change of views from some neighbouring properties and from an aerial perspective, the development site would still retain a link to the built up areas of the development pattern and be enclosed amongst neighbouring residential amenity land. Taking a balanced judgement, the proposed development is considered acceptable provided its scale lesser than the existing development, that the design is of high quality with special regard given so to reduce the impact of built volume in the countryside. With the submission of a well development landscaping scheme, the development would conserve the existing character. These matters would be considered at Reserved Matters stage.

Residential Amenity

- 5.14 Policy PSP8 of the PSP Plan (November 2017) sets out that development proposals will be acceptable provided they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from; loss of privacy, and overlooking; overbearing and dominant impact; or loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.15 It is acknowledged that all matters are reserved at this stage and therefore it is not possible to make a full assessment of the potential impact of the development on the residential amenity of the neighbours. However, from the indicative information provided, there would likely be a change in private views of the proposed building from some surrounding properties. Nonetheless, these dwellings are located a sufficient distance away from the indicative site so the development would unlikely have an overbearing impact and would retain sufficient levels of outlook. Should the development be maintained to a reasonable scale and incorporate appropriate landscaping, boundary treatments and window design, sufficient levels of privacy would likely be retained. Furthermore, should the development have an appropriate scale and location relative to the neighbouring properties, which is entirely achievable, the development would unlikely result in loss of light or overshadowing. Levels of external private amenity space would be improved for the host dwelling, and compliance would be met for the proposed dwelling. Nonetheless, this commentary relates to the indicative information provided, and would be assessed in full should a reserved matters application be submitted.

Landscaping and Trees

- 5.16 It is considered the proposal is unlikely to impact on any trees as the site itself does not contain any trees of any significance, and those along the boundary could be retained. Nonetheless, this will be fully assessed through the submission of arboricultural details at reserved matters stage. Appropriate planting and boundary treatments should also be indicated within a landscaping scheme at reserved matters stage.

Ecology

- 5.17 A Preliminary Ecological Appraisal has been submitted in support of this application.
- 5.18 Montbretia (listed on Schedule 9 of the Wildlife & Countryside Act 1981, as amended) and winter heliotrope were recorded on site, mitigation has been recommended regarding removal.
- 5.19 The hedgerows, trees and grassland provide foraging habitat for bats. The buildings onsite were assessed for their bat roosting potential and were found to be of negligible potential. A black poplar in the north east corner of the site recorded potential bat roosting features, however this will be retained. Sensitive lighting and enhancements have been recommended and this is welcomed.
- 5.20 There are some potential habitat for great crested newts however there are no waterbodies on site and out of the three ponds within 500m of the site two were found to be dry and one separated by housing and a road. Mitigation for common amphibians is recommended and this will form part of an ecological mitigation and enhancement scheme.
- 5.21 The hedgerows are of suitable habitat for dormice, these will be retained.
- 5.22 The habitat on site is suitable for nesting and foraging birds, no evidence or potential opportunity for nesting was noted within the building, some mitigation has been recommended, if removal is to occur in bird nesting season (general March to August inclusive) though this should be avoided, a check is to be undertaken by a suitably qualified ecologist immediately prior to works commencing which includes site clearance.
- 5.23 No evidence of badgers was noted on or surrounding the site, however it is considered likely that badgers will use the site for foraging and passing through. Hedgehogs have not been detailed within the report, however there are suitable habitats on site. Mitigation proposed for badgers will also apply to hedgehogs, also any fencing to be installed is to be installed with a hedgehog hole (13cm x 13cm) to allow hedgehogs continuous use.
- 5.24 In conclusion, no further surveys are required and additional information has been recommended in the form of a LEMP and a CEMP. Subject to the recommended conditions, no objections are raised.

Transport

- 5.25 In terms of accessibility the site is outside of a settlement boundary and somewhat distant from local facilities. However, there is a reasonable rural bus

service with bus stops accessed along a walkable route some 150m away on Wotton Road. The village of Cromhall is about 1.7Km to the north where there is a post office and a public house. The local primary school in Cromhall is about 1.9km away. There is a footpath all the way to Cromhall although it is narrow in places.

- 5.26 Considering the proposal is for a single dwelling and includes the demolition of a barn which could be converted to two dwellings, the number of additional vehicle trips on the highway network would be negligible. As such, officers consider that the proposal is not inconsistent with the accessibility criteria in Policy PSP11.
- 5.27 Visibility to the left when exiting is a bit restricted, however given the nature of Cowship Lane and the other residential access nearby which are similar it can be considered suitable for the proposal.
- 5.28 It is considered that the site is capable of providing sufficient off-street parking for both the existing and proposed dwelling, for which details can be submitted at reserved matters stage.

Drainage

- 5.29 No detail regarding the method of sustainable drainage systems for surface waste disposal have been provided, however these can be submitted at reserved matters stage.

5.30 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.

5.31 Other Matters and Planning Balance

2no appeals have been submitted by a neighbouring objector relating to the Class Q fall-back position. Having reviewed both appeal cases (APP/H0520/W/17/3172836 and APP/B3410/W/18/3194247), the sites were located within fairly isolated locations, away from any form of built-up or neighbouring development which compares to that of the application site. It is acknowledged that officers are required to assess each planning application on its own merits, taking into account national and local planning policy as well as other material considerations. In this instance, the appeal sites referenced have

a materially different setting to that of the application site, and thus weight is not afforded to the associated outcomes from the Planning Inspectorate.

It is considered that this outline planning application would be in conflict with the development plan. Namely Policies CS5 and CS34. The tilted balance does not automatically apply as the Council can demonstrate a 5YHLS. In assessing the most important Policies for the determination of the application in this case, it is considered that the development plan as a whole is not out of date. As such, when assessing the proposal under para. 11(d) of the NPPF the tilted balance does not apply. Officers have had regard to the proposed demolition of the barns that have permission to convert to two dwellings, hence the reduction in the number of potential vehicle trips, and all the specific circumstances of the application discussed above. On this basis the proposal is acceptable.

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Reason

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

3. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, scale and appearance of any buildings to be erected landscaping of the site, and drainage shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

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

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

Reason

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

5. As part of the reserved matters outlined in Condition 1 details of the off street parking facilities for both the new dwelling and existing dwelling, including covered and secure cycle parking spaces and a provision of electric vehicle charging facilities are to be submitted to the Local Planning Authority for approval. The development shall proceed in accordance with the agreed details which are to be provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

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

6. As part of the reserved matters, required by Condition 1, the landscaping details submitted shall include details of the following: a Tree Protection Plan and Arboricultural Method Statement, a detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed new/replacement tree and structure planting (to be implemented in the first season following completion of construction works), and details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required. All documents must be in accordance with BS:5837:2012 and prepared by a suitable qualified person. Development must proceed in strict accordance with the approved details prior to first occupation of the development hereby approved.

Reason

To ensure a satisfactory standard of external appearance, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

7. As part of the reserved matters, required by Condition 1, method of Sustainable Drainage Systems (SuDS) for surface waste disposal must be submitted to the council for approval. Development must proceed in strict accordance with the approved details.

Reason

To ensure adequate forms of drainage are achieved within the development and to comply with policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

8. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Ecologic, June 2021).

Reason

To ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

9. Prior to first occupation of the dwelling hereby approved, the existing barns hatched red on Drawing 0.02 received by the Council on 7th March 2022 must be fully demolished, with the land cleared and restored to its natural condition.

Reason

To prevent remedial action and to ensure the character of the area is retained. To comply with policies CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and policies PSP, PSP2 and PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

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

Reason

To ensure a satisfactory standard of external appearance and private amenity space, to accord with Policies CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2 and PSP43 of the Policies, Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

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

Received by the council on 4th February 2022: Site Location Plan (Revised).

Received by the council on 3rd August 2021: Proposed Access (Rev A).

Received by the council on 7th March 2022: Dwg 0.02: Extent of Demolition

Reason

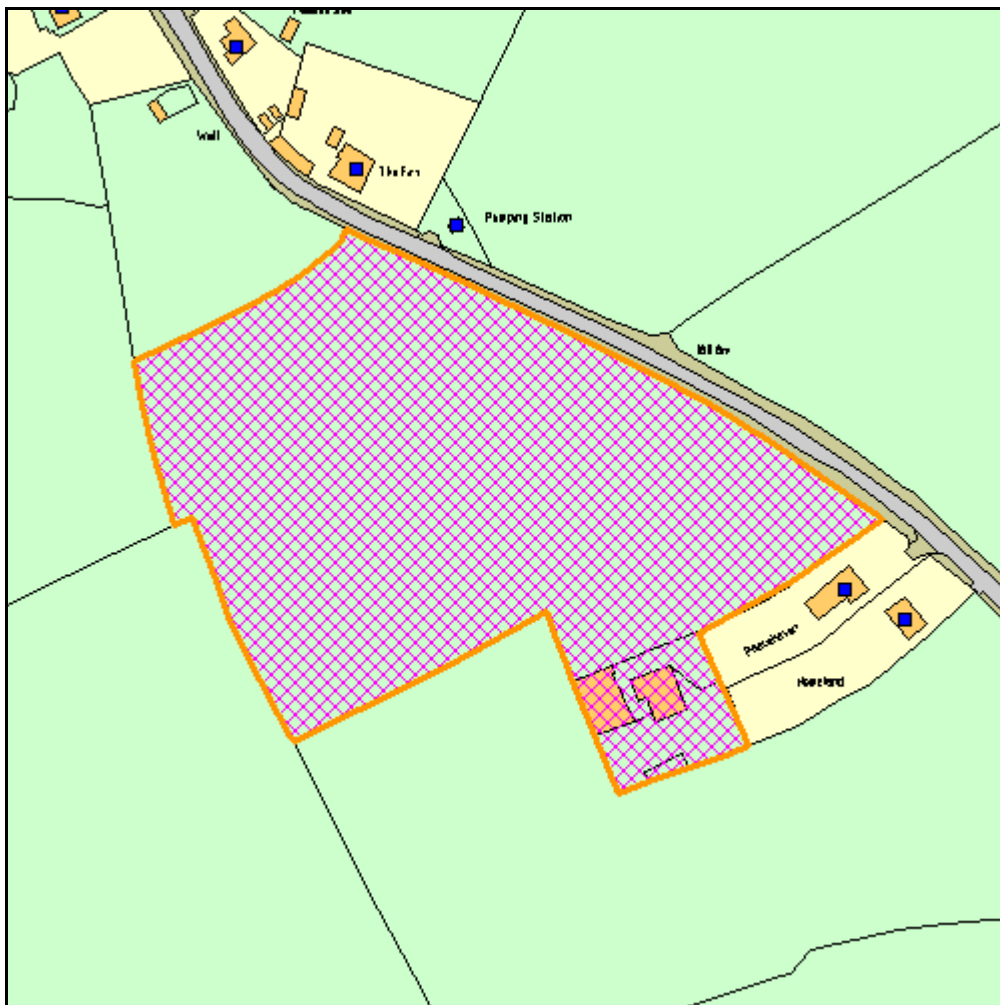
To define the terms and extent of the permission.

Case Officer: Thomas Smith

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 10/22 - 11th March 2022

App No.:	P21/06761/F	Applicant:	Mr Carl Whiting
Site:	Peacehaven France Lane Hawkesbury Upton South Gloucestershire GL9 1AJ	Date Reg:	25th October 2021
Proposal:	Demolition of existing workshop and barn. Erection of 1no. detached dwellinghouse and erection of 1no. agricultural barn with associated works including construction of new access and driveway.	Parish:	Hawkesbury Parish Council
Map Ref:	378781 186153	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Minor	Target Date:	14th December 2021



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 100023410, 2008. **N.T.S.** **P21/06761/F**

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received from 12no. local residents which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of an existing workshop and barn, the erection of a detached dwellinghouse and the erection of an agricultural barn with associated works including construction of new access and driveway.
- 1.2 The application site relates to an agricultural smallholding which is located at the rear/side of the residential dwellings known as 'Peacehaven' and 'Homeland', France Lane, Hawkesbury Upton. The site is located outside of any defined settlement, in the open countryside, and is within the Cotswold National Landscape (AONB).
- 1.3 A previous application, reference P21/00352/F, was withdrawn in July 2021. This application sought the erection of a rural workers dwelling and agricultural barn, however an independent assessor stated that the functional and financial tests for a rural workers dwelling were not satisfied. A full time employee was not required for the size/scale of this operation and as such the proposal did not satisfy a clearly established and existing functional need to live at the place of work full time. The business did not demonstrate that it is financially viable and has a clear prospect of remaining so. For these reasons the scheme was contrary to both local and national policy and following this the application was withdrawn by the applicants.
- 1.4 This application is not explicitly seeking permission for a rural workers dwelling, however it is noted that a 'rural enterprise dwelling appraisal' has been submitted in support of this application. The submitted details indicate that scale of operation has not increased since the previous application and still no financial details have been included. The independent assessor made it clear that the details of the previous scheme were not sufficient to qualify for a new dwelling in the countryside which must pass rigorous tests. Therefore, there appears to be no reason for this assessment to change.
- 1.5 In any case, within the submitted planning statement/covering letter (Stokes Morgan, October 2021), it states '*Policy PSP40 limits dwellings in the open countryside to rural exception sites, replacement dwellings, rural workers dwellings, and the conversion or re-use of existing buildings for residential purposes. **None of these criteria apply to the current proposal, although final one is of relevance, as will be discussed...***' As such, it is recognised that the application is no longer putting forward a case for a rural workers dwelling and will therefore be assessed appropriately as a residential dwelling in the countryside.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS11 Distribution of Economic Development Land
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP22 Unstable Land
PSP29 Agricultural Development
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 P21/00352/F
Demolition of existing barns. Erection of 1 no. rural workers dwelling with access and 1 no. agricultural barn with associated works.

Withdrawn: 06/07/2021

- 3.2 P88/3008

Erection of single storey side extension to provide garage and en-suite shower room. Erection of single storey rear extension to provide enlarged lounge and utility room.

Approved: 06/12/1988

- 3.3 P86/1329
Erection of single storey rear extension.

Approved: 09/04/1986

4. CONSULTATION RESPONSES

- 4.1 Hawkesbury Parish Council
Support- no reason given.
- 4.2 Sustainable Transport
No objection, subject to conditions.
- 4.3 Lead Local Flood Authority
No objection.
- 4.4 Tree Officer
No objection in principle, conditions suggested.
- 4.5 Landscape Officer
No objection, subject to condition.
- 4.6 Environmental Protection
No objection in principle.

Other Representations

- 4.7 Local Residents
Support comments received from 12 no. local residents, summarised as follows;
- Updating the existing barn will contribute positively to the AONB,
 - Dwelling will compliment and be in keeping with others nearby.
 - Design is sympathetic to the local architecture.
 - Will enhance the dilapidated state of the current buildings.
 - We need to support local farmers.
 - Will add much needed modernized improvement to the dwelling.
 - Will provide much needed residential accommodation and improve the visual impact of the area.
 - Family have been strong contributors to the village life.
 - The location will not disrupt normal village life.
 - Will enhance the village and community as a whole.
 - Will extend life of an old barn.
 - Opportunity to support another growing rural agricultural business.

- Important to have the dwelling alongside the barn for animal welfare and running of business.
- Includes several eco-friendly measures.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development **Location of Development**

Policy CS5 of the South Gloucestershire Core Strategy outlines the locations at which development is considered to be appropriate; new development is directed towards the existing urban areas and defined rural settlements. The application site is located within the open countryside, outside of any defined settlement boundary, where new development will be strictly limited.

5.2 Policy PSP40 of the Policies, Sites and Places Plan allows only for the following specific forms of residential development in the open countryside;

- *Rural housing exception initiatives*
- *Rural workers dwellings*
- *The replacement of a single existing dwelling, where it is of similar size and scale to the existing dwelling, within the same curtilage, and of design in keeping with the locality, and minimises visual intrusion in the countryside.*
- *The conversion and re-use of existing buildings for residential purposes.*

5.3 The proposed dwelling consists of a new 1.5 storey, 3-bed property located on the footprint of an existing workshop and storage barn. In accordance with policy CS5, new development in the countryside should be strictly controlled and the demolition of an existing barn/workshop and erection of a new dwelling in this location does not comply with any of the allowed specific forms of development outlined above. As such, there is an in-principle objection to the proposed dwellinghouse.

5.4 Whilst the majority of applications for new residential development outside of the settlement boundaries should be resisted in accordance with the Council's spatial strategy, the Local Planning Authority do consider that it may be suitable, in a few circumstances, to recommend approval of dwellings outside of the settlement boundary. This will only apply where the site lies close to the edge of the defined settlement boundary and has a direct relationship with it. Essentially, it should read as a natural extension to the settlement boundary. This should only apply to small developments of 1-2 dwellings.

5.5 Whilst it is accepted that there are reasonable road links to the local services in Hawkesbury Upton, the settlement boundary is a significant distance from the site. There is clear separation of approximately 717m along France Lane, which has no discernible footpath. It cannot therefore be reasonably considered a natural extension to the settlement. As such, the development should be resisted.

5.6 The applicant's case suggests a fallback position of conversion of the two existing structures on site under Class Q permitted development rights and also in line with Policy PSP40 of the PSP Plan. However, this application is not

seeking permission for the conversion of an existing barn and these type of applications come with their own criteria and relevant assessments. For example, the existing barns must be considered capable of conversion and from the submitted photographs this could be disputed as they appear to be in a state of disrepair with significant works required in order for them to become habitable. Furthermore, no supporting information has been provided which adequately shows that the existing buildings are capable of conversion and therefore an informed decision cannot be made. Moreover, there is no existing planning permission for the conversion of the existing buildings therefore it is not a true fallback position.

- 5.7 In regards to the proposed barn, policy PSP29 supports new agricultural development outside of defined settlements provided that there are no existing suitable underused buildings, reasonably available and; the proposal is reasonably necessary for the purposes of the use and is clearly designed for that purpose. The proposal would consolidate the existing workshop/storage barn and livestock barn, which are in a state of disrepair, into one building; the new barn would have a footprint comparable to the existing buildings and a design typical of an agricultural barn. Given the demolition of the existing buildings, it is considered reasonably necessary for the proposed agricultural use. However, given the demolition of the barns form part of the proposal the principle is assessed as a whole; the acceptability of the principle of the new barn does not outweigh the in-principle objection for the proposed dwelling outlined above.
- 5.8 It therefore follows that there is an in-principle objection to the proposed development as it does not accord with the requirements of policies CS5 of the Core Strategy or PSP40 of the Policies, Sites and Places Plan. As such, the application should be refused.
- 5.9 Design and Visual Amenity
The proposed barn is considered acceptable in terms of its size, scale and form. The design is typical of this type of building, with a simple dual pitched roof design with large openings; the use of concrete with timber cladding above and corrugated metal roof is entirely appropriate within the rural context.
- 5.10 The proposed dwelling sits on the rear boundary with a large gravel area to the front/side for parking; no formal garden area is provided. It is acknowledged there is local support in regards to the appearance of the building, the design of the building is generally acceptable with the main bulk resulting in an attractive Cotswold stone cottage with pitched roof dormers. However, a large single storey element would project from the principal elevation which appears as a disproportionate later addition. The single storey element and lack of any private amenity space adds up to a proposed layout that does not represent high quality site planning and is therefore deemed contrary to policy CS1 of the Core Strategy.
- 5.11 Landscape
The site lies within the open countryside, in the Cotswold National Landscape (AONB). No detailed hard or soft landscaping scheme has been provided. However, the revised block plan indicates that there is to be native hedging

planted alongside the northern edge of the proposed new driveway, it is suggested that native tree species should also be included here in order to aid the screening of the proposed development within the landscape. There is also opportunity to replace site conifers with native tree species which would be less incongruous within the landscape and help to soften the appearance of the proposed development from public view. Should the application have been found acceptable, a landscape mitigation strategy and tree protection plan would have been sought to reduce the visual impact on the AONB.

5.12 Residential Amenity

Given the scale of development combined with the distance from the nearest residential properties, the proposed dwelling and barn would not result in any adverse residential amenity impact to the neighbouring occupiers.

5.13 Policy PSP43 of the PSP Plan states that private amenity space should be of a sufficient size, safe and of a functional shape to meet the needs of the likely number of occupiers; a 3 bedroom dwelling should meet or exceed 60m². It is acknowledged within the submitted documents that no formal garden space would be provided, however the grassed area adjacent, used for pigs and chickens, measures 860m². This is not considered an acceptable substitute for private amenity space; being shared with pigs and chickens, it would not be a pleasant space for the occupiers to enjoy, nor would it be suitable for children to play in or to hang washing. These are minimum requirements for a space to be useable. As such, the proposal is contrary to policy PSP43 of the PSP plan.

5.14 Transport

The application would provide a large parking area to the front of the dwelling, capable of accommodating 2 vehicles as per the requirements of policy PSP16 of the PSP Plan. There would be sufficient manoeuvrability for vehicles to enter and exit the site in forward gear. The proposed new access and access track would run parallel to the northern site boundary of Peacehaven and would be provided with sufficient visibility; this is considered to be an improvement on the existing access. As such, no objections are raised in terms of transport, subject to the implementation of an electric vehicle charging point.

5.15 Environmental Issues

The previous uses of the land may have given rise to contamination. Should the application have been found acceptable the applicant would be advised to seek independent advice from a suitably qualified contaminated land professional to ensure the site is safe for residential occupancy.

5.16 No concerns are raised in terms of flood and water management.

5.17 The proposed use of renewable energy technology is welcomed, however the benefits of this would not outweigh the identified harm above.

5.18 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.

5.19 Other Matters

It is acknowledged that there is local support due to the family being strong contributors to the village, however this is not a reason to depart from the adopted spatial strategy.

5.20 Planning Balance

It is acknowledged that, if permitted, the addition of one dwelling would have a modest socio-economic benefit. However, the site is deemed to be unsuitable for development as it would conflict with the LPA's spatial strategy and would be an inappropriate form of development in the open countryside, where development is strictly controlled. This is given significant weight against the scheme. Furthermore, the proposed lack of amenity space is deemed to be unacceptable, resulting in poor site planning and harm to the living conditions of future occupants.

5.21 These factors are considered to outweigh any benefit of the proposal and it therefore follows that planning permission should be refused

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 be **REFUSED**.

REASONS FOR REFUSAL

1. The application site is outside of any defined settlement and therefore in the open countryside. Defined settlements establish locations which the local planning authority consider suitable, in the spatial strategy, for sustainable development. Furthermore, the proposed dwellinghouse does not represent any of the limited forms of residential development acceptable in the open countryside, nor does it constitute a natural

extension of the settlement boundary. The proposal is therefore not a sustainable form of development and conflicts with Policies 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.

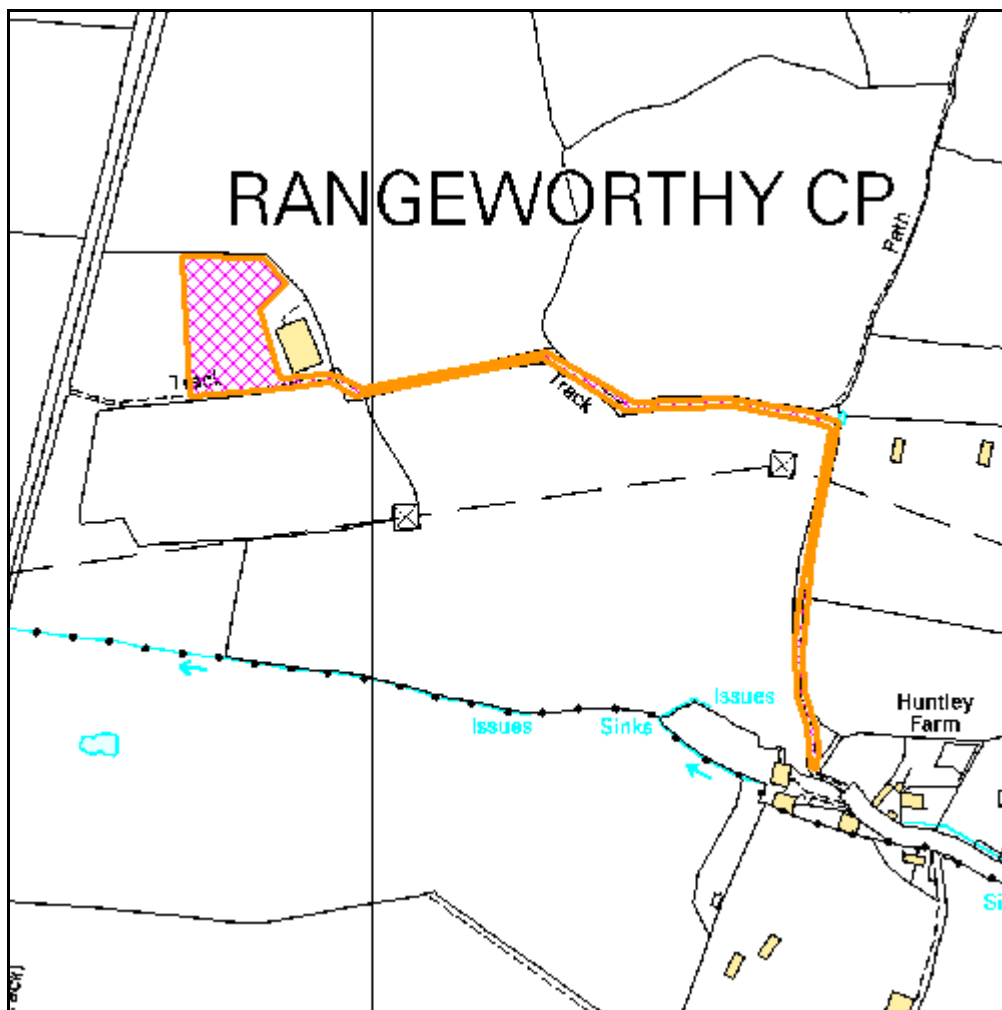
2. The proposed dwellinghouse, by virtue of the siting, form and layout, would lack sufficient and functional outdoor amenity space and would cause an adverse impact upon the living conditions for the intended future residents. It is considered that the proposed development fails to achieve the highest possible standards of design and site planning causing demonstrable harm to residential amenity. The proposal is therefore considered to be contrary to Policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP8 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017; and the provisions of the National Planning Policy Framework.

Case Officer: James Reynolds

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 10/22 - 11th March 2022

App No.:	P21/07489/F	Applicant:	Green Frog Ventures Ltd
Site:	Land Off Patch Elm Lane Rangeworthy South Gloucestershire BS37 7LT	Date Reg:	22nd November 2021
Proposal:	Installation of battery storage facility and ancillary Western Power Distribution 132kV electricity substation with associated access track to highway.	Parish:	Rangeworthy Parish Council
Map Ref:	368771 185337	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	14th January 2022



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 100023410, 2008. **N.T.S.** **P21/07489/F**

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

INTRODUCTION

This application appears on the Circulated Schedule as a result of a consultation responses received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the installation of a battery storage facility and ancillary Western Power Distribution 132kV electricity substation with associated access track to the highway. The facility would consist of battery units, welfare unit, workshop and storage unit and hardstanding, as shown on the submitted plans. The development is designed to provide a rapid response electricity supply when requested by the local networks or National Grid. This occurs when renewable energy does not coincide with consumers' demand for electricity, surplus renewable power can be stored in batteries for consumption later when renewable power generation falls off, often at sunset when electricity demand is rising. The project will therefore serve a role in the balancing of the electricity network.
- 1.2 The site is part of agricultural land used for silage; and is located approximately 1km to the west of Rangeworthy, and approximately 2km to the north of Iron Acton. The site is not subject to any ecological or landscape designations.
- 1.3 During the course of the application revised plans were submitted altering the proposed construction access route to the site and the necessary reconsultation has been carried out.

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

CS3 Renewable and Low Carbon Energy Provision

CS4a Presumption in Favour of Sustainable Development

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

PSP2 Landscape

PSP6 On Site Renewable and Low Carbon Energy

PSP19 Wider Biodiversity

PSP21 Environmental Pollution and Impacts

3. RELEVANT PLANNING HISTORY

3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Rangeworthy Parish Council

Rangeworthy Parish Council wishes to object to this application. The use of Patch Elm Lane as a means of access for the development of this storage facility is wholly inappropriate. Patch Elm Lane is a narrow country lane, with no passing places, that is already severely potholed with serious ongoing verge erosion. The size, strength and width of the lane would not be able to cope with heavy vehicles laden with aggregate, cranes and other construction equipment. There is a particularly sharp bend with a 5m drop on one side (into the old quarry) and the Parish Council is extremely concerned about the impact the weight of heavy vehicles and the vibration from those vehicles would have on the stability of this old quarry wall. Rangeworthy Parish Council would urge the applicant to investigate the possibility of accessing the proposed development site via Northmead Lane, which is a more direct and straighter route.

Also, consideration should be given to the possibility of off-loading aggregate directly from the Tytherington Quarry railway line which runs alongside the proposed storage facility.

No additional comments were received to the reconsultation regarding the revised access arrangements.

Iron Acton Parish Council

No comments received

Policy and Climate Change Team

We strongly support this application to install battery energy storage with a capacity of up to 35MW at Rangeworthy. The system will contribute directly to increasing the flexibility of the electricity distribution network, reducing curtailment from renewable generation and increasing the proportion of energy generated renewably.

Lead Local Flood Authority

No objections in principle, informatives recommended

Sustainable Transportation

The proposals raise no significant issues on a day to day basis as the travel demand would be very small.

As with this type of project, the main highways and transportation impact would be associated with its construction phase. There was no Construction Management Plan in support of the proposals and this would be a requirement to enable full consideration covering the following points:

As we are concerned about the use of Patch Elm Lane to reach this site, which is twisty, narrow and flanked by residential property, this plan must contain full

details of the regime to be implemented to allow access by large vehicles during the construction period. This must include a computer TRACK of all types of large vehicle which will be present during these works to demonstrate that access is possible, as well as measures to mitigate any impacts on the adjoining properties.

It must also include an examination of the turning movements at the junction with the B4058 Wotton Road.

This plan must also include details of the daily traffic generation, the proposed construction period, its hours of operation, the measures to be implemented to ensure that mud is not carried onto the adjoining public highway network, provision for on-site worker parking and any other information which will help us ensure road safety is maintained for all users and local residents.

Revised access plans and a Construction Management Plan were subsequently received and reconsulted. This is discussed in more detail in the relevant highways section below.

Landscape

No objection, conditions recommended

Public Rights of Way

The application may affect public footpath ORA3 which runs north from the end of Patch Elm Lane. We note the comments of the Transport team in particular relating to number, frequency and size of vehicle movements and we also have concerns as to damage caused to the surface of the PROW, notwithstanding that it is already used by farm vehicles. We would therefore want to see proposed figures and would expect any damage to the surface of the PROW to be repaired. Additionally, if permission is granted, the applicant needs to be aware that pedestrians have the right of way on the footpath so drivers need to be made aware of this and the safety of users must be taken into account at all times.

Revised access plans and a Construction Management Plan were subsequently received and reconsulted. This is discussed in more detail in the relevant highways section below.

Tree Officer

No objections in principle. Tree protection measures in accordance with BS:5837 would be required.

National Grid Asset Protection

There are no National Grid assets affected in this area.

Other Representations

4.2 Local Residents

9 responses raising objections to the proposals have been received, summarised as follows:

- Concern over the nature and capability of the proposed access route for construction traffic
- Concern over potential additional wall and road damage
- Highway safety concerns
- Alternative access should be considered e.g. Northmead Lane
- Acknowledge the benefits of the proposals but concerns over routing remain
- concerns that the proposals are part of a much bigger future scheme
- Insufficient details on the proposals and their capacities
- The proposals do not represent renewable energy
- Concerns over the safety of the site
- No additional comments were received to the reconsultation regarding the revised access.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The NPPF states that there is a presumption in favour of sustainable development and that proposed development that accords with up to date policy should be approved. Policy CS3 states that low carbon energy generation will be supported where they would not cause significant or demonstrable harm to residential amenity and weight will be given to providing a secure and reliable energy generation capacity. Although the proposed development does not constitute energy generation, the system will contribute directly to increasing the flexibility of the electricity distribution network, reducing curtailment from renewable generation and increasing the proportion of energy generated renewably. It will help to maximise the use of electricity generated renewably and the flexibility of the distribution network so may be considered as a low carbon energy installation.

5.2 Generation sites are primarily chosen for their access to the local electricity distribution network, which should be capable of accepting their import and export of power at an acceptable cost. The plant can then provide valuable support to local customers in times of stress on the local, and wider, electricity network. It is stated that the application site was chosen for its proximity to the 132kV network and the locality to the nearest pylon, which provides access to the local network without having to travel large distances or cross major infrastructure, keeping connection costs to an acceptable level, and minimizing transmission losses. It is considered by the applicants that management of the electricity networks is changing. Typically it would drawn off the National Grid from power stations. However, with these now closing down the local electricity networks are now managing their local grid. This involves having local solar, wind, hydro, battery storage, embedded generators as well as individual residential renewables. This way the local grid can switch to any of these energy sources to cover demand on their system.

5.3 It is stated that this location was chosen as there are limited connection points on to the local electricity networks. Many networks have very expensive reinforcements to enable connections to be made. An embedded generator only exports on to the electrical network, however a storage facility requires to import electricity from renewables and then export at times when there is stress on the system, normally when the sun is not out and the wind is not blowing.

This therefore makes the connection points very limited. This location was considered to be an area that allowed connection onto the system, avoided digging up highways to make a connection and the site was considered to be away from public view. The power industry and its sites is regulated by OFGEM as National Regulatory Authority. The electrical connection to the grid is regulated by the Distribution Network Operator.

5.4 Visual Amenity/Trees

The site lies some distance to the west of the end of Patch Elm Lane, close to the east side of the minerals railway, and will be accessed via an existing farm track. The proposed development area occupies the eastern part of the agricultural field adjoining the railway and wraps around an existing barn and associate concrete yard. Mature hedgerows adjoin the north and south site boundaries, and a number of mature trees overhang the access track from the lane. The compound will be enclosed by a 2.4m high timber hit and miss fence with CCTV security cameras on 2.4m high poles. The substation housing the switch metering rooms will be 3.0m in height, with other built structures within the compound of similar or lower height. There have been a number of applications for other battery storage and renewable energy schemes on the other (west) side of the minerals railway in the vicinity of the Iron Acton Substation, Larks Fam and Lower Larks Farm. Consideration may need to be given to any cumulative impact on the local landscape character in conjunction with these schemes.

5.5 The proposed development site is not overlooked by any nearby public viewpoints. The proposals are on the east side of the railway line. The proposed site plan indicates new tree/screen planting around the east, north and west site margins, but no detailed planting mitigation strategy plan has been submitted. A new planting and mitigation strategy will be required with any approval.

5.6 In terms of the connection itself, the proposed plan illustrates the route cable route leaving the site and then entering the field. The cable route is laid within the farmers field and is well away from existing hedges and vegetation. Once laid the land will be farmed as it is now and any land above it will not be affected. There are two hedge crossing points, at these locations we would use a boring machine and the cable will be passed through the hedges without disturbing the ground or root system of the vegetation above. The proposed cable route and method of installation are acceptable from a landscape perspective.

5.7 Looking at the vehicle tracking plans that have been submitted it would appear that there could be some conflict with the trees at the start of the access lane Therefore an Arboricultural report with AMS in accordance with BS:5837:2012 will be required expressing how the trees will be protected.

5.8 Local Amenity

The concerns raised are noted. The nearest residential property is over 500 metres away. It is considered that the nature and location of the scheme itself is acceptable in this instance, and the construction phase and associated vehicles movements are address in the relevant sections. The site is sufficiently

remote to avoid any significant or material local amenity impact. The proposals are therefore considered acceptable in terms of their assessment with local amenity criteria.

- 5.9 In terms of concern raised over batteries, the power industry and its sites is regulated by OFGEM as National Regulatory Authority. The electrical connection to the grid is regulated by the Distribution Network Operator.as stated above the nearest properties are over.
- 5.10 CCTV columns are illustrated with associated lighting within the WPD section of the compound. The site is to be unmanned during operation and operated remotely with only rare maintenance visits. Given the compound is unmanned there is no requirement for permanent lighting; the only lighting would be task lighting operated by the site engineer in low light. This avoids unnecessary light pollution.
- 5.11 Transportation
The comments and concerns above are noted. Much of the local concern raised and highlighted above relates to highways access. Concern in particular was regarding the use of Patch Elm Lane for construction traffic. Subsequent to the initial submission and further to the Highways comments above a Construction Management Plan was subsequently submitted, analysing these matters in detail. However, there were several queries relating to this document which were requested that the applicant address.
- 5.12 It is of particular note that use of Patch Elm Lane to reach this site during construction has now been abandoned in favour of a temporary haul route connecting to Northmead Lane. Hence, the request for detailed assessment of the former route is now redundant. Computer TRACK examination of the junction of Northmead Lane and the B4059 has been carried out and this is considered acceptable, and shows that large vehicles can successfully manoeuvre at the junction of Northmead Lane and the B4059. The Highways Officer is satisfied that the document addresses all the matters which had previously caused concern.
- 5.13 It is also noted that the Construction Management Plan makes a commitment to carrying out before and after condition survey of the adjoining public highway network. These should include photographs and cover an area to be agreed beforehand so as to fully enable the extent of any repairs to be assessed on completion of the construction work. To this end, it is recommended that a condition requiring the Construction Management Plan (including the conditions surveys) to be implemented in full during the construction of the proposals is placed on any permission granted for this development.
- 5.14 Given the revisions to the access, which are considered to address the above concerns, the anticipated number of vehicle movements generated by the proposal, and the location and nature of the site, it is not considered that there would be significant transportation issues or local highways impact.

5.15 Agricultural Land

Although the site is located within agricultural land, it is stated that it is primarily used for over wintering silage and is not used for local food supplies. Notwithstanding this a review of the agricultural classification of the land indicates that the land is 'good to moderate' (Grade 3). On this basis no best or most versatile agricultural land would be lost. The proposals would only occupy part of the field and the remainder of the field will also remain for its current agricultural use.

5.16 Ecology

The site is not subject to any ecological designations. Further to this, green infrastructure and biodiversity will be reinforced and extended by providing additional tree planting and hedge planting along the western boundary. All existing mature vegetation around the site will be untouched to protect the fauna and species.

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 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 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 as set out in the plans list below:

098-GF-DR-LP-101 Location Plan

098-GF-DR-EP-102 Existing Plan

098-GF-DR-PP-103 Proposed Plan

GCS0019 WPD 132kv Substation detail

098 Design and access Statement

STD-GF-DR-TX-102 Transformer

STD-GF-DR-WO-103 Welfare Office

STD-GF-DR-WS-104 Workshop
STD-GF-DR-SR-105 Switchroom-IDNO
STD-GF-DR-376B-115 Modular battery
STD-GF-DR-PCS-116 Power Conversion System and
STD-GF-DR-HMF-117 Hit and Miss Fence
- received by the Council on the 16th November 2021

Construction Management Plan
- received by the Council on the 13th January 2022

Reason

To define the terms and extent of the permission.

3. Prior to the commencement of the development hereby approved, details of tree protection measures, in accordance with BS:5837, shall be submitted to the Council for written approval and thereafter implemented.

Reason

In the interests of the protection of the trees and in accordance with CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and PSP2 of the South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan (Adopted) November 2017.

4. The development shall be implemented in accordance with the approved Construction Management Plan in full, including a before and after conditions surveys incorporating photographs at agreed locations.

Reason

In the interests of highways safety and local amenity and in accordance with CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

5. Any temporary compound, including any surplus materials or equipment, temporary access track constructed, Portakabin/temporary buildings, wheel washing facilities, signage or other plant associated with construction of the development shall be removed from the site no later than two months after the site first comes into operation.

Reason

In the interests of visual amenity and local amenity and in accordance with CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and PSP2 of the South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan (Adopted) November 2017.

6. Prior to the commencement of the development hereby approved a detailed planting plan shall be submitted for written approval and thereafter implemented in accordance with the approved details.

Reason

In the interests of visual amenity and landscape considerations and in accordance with CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December

2013 and PSP2 of the South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan (Adopted) November 2017.

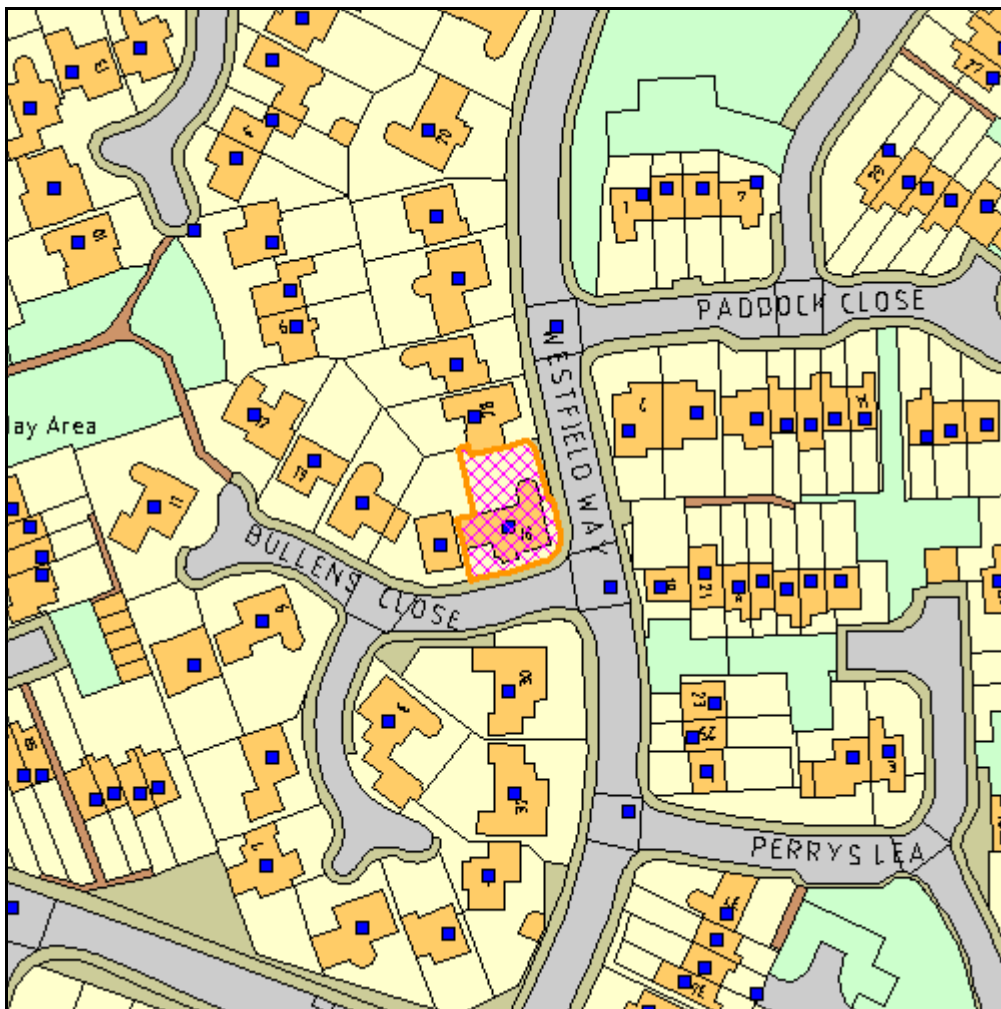
This is a pre-commencement condition to ensure visual amenity is incorporated with the scheme at an early stage.

Case Officer: Simon Ford

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 10/22 - 11th March 2022

App No.:	P22/00301/F	Applicant:	Mr Arshad Farooqui
Site:	16 Bullens Close Bradley Stoke South Gloucestershire BS32 0DF	Date Reg:	25th January 2022
Proposal:	Erection of a single storey rear extension and conversion of garage to form additional living accommodation.	Parish:	Bradley Stoke Town Council
Map Ref:	361901 182846	Ward:	Bradley Stoke North
Application Category:	Householder	Target Date:	21st March 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 REFERRAL TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey rear extension and the conversion of garage to form additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings. The existing conservatory will be demolished.
- 1.2 The application site can be found at 16 Bullens Close, is set within a reasonably sized corner plot, and is an existing detached property. It is located within the established residential area of Bradley Stoke.
- 1.3 As part of the assessment of this application, further information has been requested with respect the existing first floor which is to remain as is. Furthermore, the proposed design, scale and size of the single storey rear extension has evolved.

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

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standard SPD (Adopted) 2013
Household Design Guide SPD (Adopted 2021)

3. RELEVANT PLANNING HISTORY

3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council Council

1No letter of Objection –

- *Bradley Stoke Town Council objects to this planning application on grounds of out of character, overdevelopment of the site and out of keeping with the streetscene.*

4.2 Other Consultees

Sustainable Transport – Transportation DC
Comments made.

Other Representations

4.3 Local Residents

No Comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (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.

5.2 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. Therefore, the development is acceptable in principle, subject to the following detailed consideration.

5.3 Design and Visual Amenity

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

5.4 During the course of the application amended plans were received to reduce the size of the proposed extension. The single storey rear extension now has an overall width of 9.020 metres, and is to a maximum depth of 4.5 metres from the existing rear facade. It is proposed to have a flat roof, with 1No glass lantern and will extend to 2.6 metres in height to the eaves from ground level. The garage conversion will maintain the existing dimensions of the current

- garage and retain the existing roof. The only variations will be the removal and replacement of the existing vehicular doors for 2No new windows and 1No external door.
- 5.5 The reduced single storey rear extension and garage conversion respect the proportions and character of the existing dwelling. The proposal would not be detrimental to the character of the host dwelling or surrounding area and therefore it is of an acceptable standard of design. As such, the proposal is deemed to comply with policies CS1, PSP38 and the Household Design Guide (Adopted) 2021.
- 5.6 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.7 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. Given the siting and nature of the proposal, it would not appear have a material overbearing or overlooking impact, nor is it thought to substantially affect the existing levels of light afforded to the neighbouring occupiers and therefore the proposal is not considered to have a detrimental impact on the residential amenity of surrounding properties or the host dwelling and is therefore deemed to comply with policies PSP8 and PSP38.
- 5.8 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. Currently, there is a double garage and off street parking spaces and the submitted plans show that 2No off street parking spaces to the front of the house will be provided.
- 5.9 Comments have been received from sustainable transport officers requesting that further information be submitted in respect of the assessment of the existing/proposed vehicular parking requirements, and as such information has now been provided in the form of a first floor plan, which clearly indicates the existing number of bedrooms to the dwellinghouse. The application is now acceptable in sustainable transport terms.
- 5.10 Private Amenity Space
The dwelling benefits from a good amount of existing private amenity space to the property. PSP43 sets out standards which are based on the number of bedrooms at a property. In respect of the first floor information that has now been provided, which details the number of bedrooms to the host dwellinghouse and as PSP43 provides guidance that a provision of at least 70

square meters should be provided to a dwelling of this size, no concern is raised on the level of amenity space being proposed.

5.11 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Site Location Plan (Date received 19/01/22)

E1-0 Existing 3D Image (Date received 19/01/22)

E1-1 Existing Floor Plans (Date received 19/01/22)

E1-2 Existing Elevations (Date received 19/01/22)

E1-3 Existing Block Plan (Date received 19/01/22)
E1-2 Rev C Proposed Elevations (Date received 04/03/22)
P1-0 Rev C Proposed 3D (Date received 04/03/22)
P1-1 Rev C Proposed Floor Plans (Date received 04/03/22)
P1-3 Rev C Proposed Block Plan (Date received 04/03/22)
B1-1 Proposed Building Notes 1 (Date received 19/01/22)
B1-2 Proposed Building Notes 2 (Date received 19/01/22)

Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: Marie Bath