

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: 45/22

Date to Members: 11/11/2022

Member's Deadline: 17/11/2022 (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

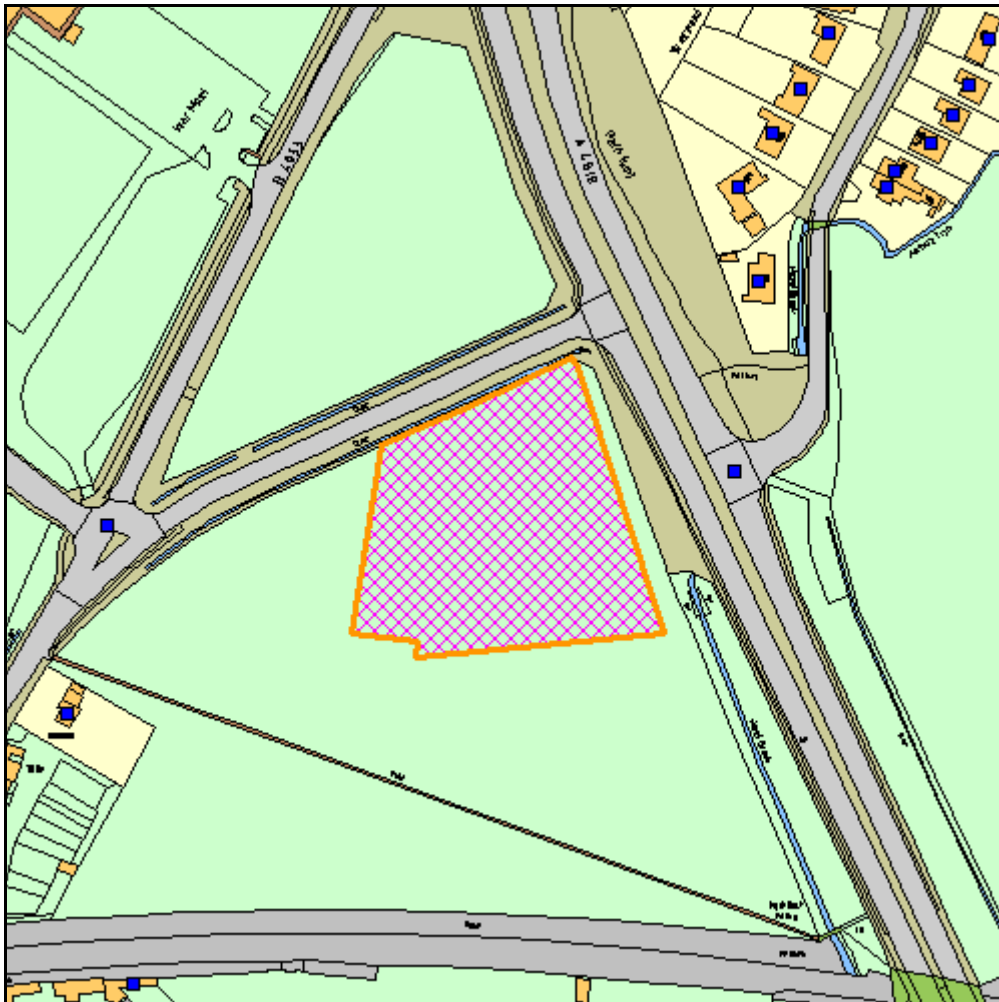
CIRCULATED SCHEDULE 11 November 2022

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/05036/RM	Approve with Conditions	Parcel C Land At Cribbs Causeway Almondsbury Bristol South Gloucestershire BS10 7TE	Charlton And Cribbs	Almondsbury Parish Council
2	P21/06188/F	Approve with Conditions	Land Adjacent To Tern Inn 1 Heron Way Chipping Sodbury South Gloucestershire BS37 6XW	Dodington	Dodington Parish Council
3	P22/01595/F	Approve with Conditions	Land At And Adjacent To 29 Dragon Road Winterbourne South Gloucestershire BS36 1BQ	Winterbourne	Winterbourne Parish Council
4	P22/05160/HH	Approve with Conditions	25 Ravenscourt Road Patchway South Gloucestershire BS34 6PL	Charlton And Cribbs	Patchway Town Council
5	P22/05163/F	Approve with Conditions	19 Craven Close Barrs Court South Gloucestershire BS30 7BX	Longwell Green	Oldland Parish Council
6	P22/05250/HH	Approve with Conditions	39 Adelante Close Stoke Gifford South Gloucestershire BS34 8RT	Stoke Gifford	Stoke Gifford Parish Council
7	P22/05312/F	Approve with Conditions	2 Southsea Road Patchway South Gloucestershire BS34 5DR	Charlton And Cribbs	Patchway Town Council

CIRCULATED SCHEDULE NO. 45/22 -11th November 2022

App No.:	P21/05036/RM	Applicant:	Cribbs Triangle Ltd And Lidl Great Britian Ltd
Site:	Parcel C Land At Cribbs Causeway Almondsbury Bristol South Gloucestershire BS10 7TE	Date Reg:	4th August 2021
Proposal:	Development of a local centre foodstore (Reserved matters application relating to Parcel C to be read in conjunction with Outline permission PT14/0565/O. Mixed use development of 44 hectares of land comprising: up to 1,000 new dwellings (Use Class C3); an 86-bed Extra Care Home (Use Class C2); a mixed use local centre including a food store up to 1,422sqm net internal sales area (Use Classes A1, A2, A3, A4, A5, B1, D1, D2); a 2-form entry primary school; community facilities including a satellite GP surgery, dentist and community centre; associated public open space and sporting facilities; green infrastructure integrated with foot and cycle paths; together with supporting infrastructure and facilities including three new vehicular accesses. Outline application including access, with all other matters reserved	Parish:	Almondsbury Parish Council
Map Ref:	356636 179949	Ward:	Charlton And Cribbs
Application Category:	Major	Target Date:	1st November 2021



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

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

A representation has been made by the parish council, which is contrary to the findings of this report. Furthermore, the application has been subject to local representations contrary to the findings of this report; with three or more contrary representations made. Therefore, under the current scheme of delegation, the application is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 This is a reserved matters submission for the development of a local centre food store at the Triangle Site, Cribbs Causeway, Almondsbury, submitted under outline planning permission reference PT14/0565/O for a mixed use development of 44 hectares of land comprising: up to 1,000 new dwellings (use class c3); an 86-bed extra care home (use class c2); a mixed use local centre including a food store up to 1,422sqm net internal sales area (use classes a1, a2, a3, a4, a5, b1, d1, d2); a 2-form entry primary school; community facilities including a satellite GP surgery, dentist and community centre; associated public open space and sporting facilities; green infrastructure integrated with foot and cycle paths; together with supporting infrastructure and facilities including three new vehicular accesses. Access was agreed at outline stage. Outline permission was granted on 26th January 2021 with associated Site-Specific Legal Agreement.
- 1.2 This reserved matters covers a portion of the 'Triangle Site', forming part of the Haw Wood development granted outline consent under application PT14/0565/O. The application covers a central area within the site, which sits adjacent to the A4018 to the east.
- 1.3 The Haw Wood site (as named in the Council's Development Plan) is allocated as a mixed-use development within the South Gloucestershire Local Plan: Core Strategy (December 2013). Policy CS26 of the Core Strategy relates to the Cribbs/Patchway New Neighbourhood (CPNN), with the Haw Wood site forming part of the wider neighbourhood. The Cribbs/Patchway New Neighbourhood Development Framework SPD (Adopted) 2014 builds on CS26 and sets out the overall infrastructure requirements of the Cribbs/Patchway New Neighbourhood, together with high level design principles that planning applications should adhere to. The development of the site is also subject to compliance with a wider Framework legal Agreement which covers the whole of CPNN, as well as a Site-Specific s106 legal Agreement associated with the outline permission.
- 1.4 In terms of broader context, the wider Haw Wood site lies between the M5 motorway and the A4018 (Cribbs Causeway). Prior to any works at the site, it

contained mainly open pasture land, rugby pitches, a small number of dwellings and other small structures. The site consists of two adjoining elements:

- The Main Site bounded by Haw Wood and Clifton Rugby Club pitches to the south-west, M5 to the north-west, existing residential properties and hotel to the north-east, and the A4018 to the south-east. Most of the dwellings are to be provided in this element of the site along with the majority of public open space and a primary school.
- The Triangle Site, which lies between the A4018 (Wyck Beck Road) to the east and Station Road (B4055) to the west. The Avonmouth railway line lies immediately adjacent to the southern boundary of the Triangle. In this smaller part of the site, it is proposed that as well as some residential development, a retail element will be provided.

1.5 In terms of the Triangle Site, this previously comprised undeveloped grassland with perimeter hedgerows, small trees and scrub. The site is bounded on its southern edge by the Avonmouth railway line. A section of the B4055 cuts through the site, providing a connection between the B4055 (Station Road) which abuts the western boundary of the site, and the A4018 which abuts the site to the east. However following the granting of planning permission for the undertaking of various enabling and initial infrastructure works at the site in December 2017 (application ref. PT17/2562/F), enabling works have commenced at the site with the appearance of the site now altered as a consequence.

1.6 The reserved matters relate to the construction of a local centre food store, together with associated parking and landscaping. Reserved matters consent for the construction of 130no. residential units on the Triangle Site was granted on 30th September 2022.

1.7 Over the course of the reserved matters, various amendments to the scheme have been secured. As a result, one further full round of consultation was carried out, following the original consultation. Additional, more focused consultations were also carried out with relevant officers subsequently in the application process. Summaries of the responses received during consultations are set out in section 4 of this report, with full copies of comments available on the Council website. A summary of the revisions agreed over the course of the application is provided below:

- Amendments to design and appearance of proposed building.
- Changes to materials proposed in elevational treatment.
- Improvements to site landscaping.
- Changes to parking layout.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2021
National Planning Policy Guidance (2014)

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
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS24	Green Infrastructure, Sport and Recreation Standards
CS25	Communities of the North Fringe of Bristol Urban Area
CS26	Cribbs/Patchway New Neighbourhood

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Managing the Environment and Heritage
PSP19	Wider Biodiversity
PSP20	Flood Risk
PSP21	Environmental Pollution and Impacts
PSP43	Private Amenity Space Standards
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Cribbs/Patchway New Neighbourhood Development Framework SPD (Adopted) 2014

Waste Collection: Guidance for new developments SPD (Adopted) March 2020.

Revised Landscape Character Assessment SPD (Adopted 2014)

Renewables SPD (Adopted 2014)

CIL Charging Schedule and the CIL and S106 SPD (Adopted March 2021)

Green Infrastructure SPD (Adopted 2021)

Sustainable Drainage Systems (SUDS) SPD (Adopted 2021)

Trees and Development Sites SPD (Adopted 2021)

3. RELEVANT PLANNING HISTORY

3.1 **PT14/0565/O**

Mixed use development of 44 hectares of land comprising: up to 1,000 new dwellings (Use Class C3); an 86-bed Extra Care Home (Use Class C2): a mixed use local centre including a food store up to 1,422sqm net internal sales area (Use Classes A1, A2, A3, A4, A5, B1, D1, D2); a 2-form entry primary school; community facilities including a satellite GP surgery, dentist and community centre; associated public open space and sporting facilities; green infrastructure integrated with foot and cycle paths; together with supporting infrastructure and facilities including three new vehicular accesses. Outline application including access, with all other matters reserved.

Approved & s106 Signed: 26.01.2021

3.2 **PT17/2562/F**

Creation of new highway, drainage and associated infrastructure. Full application to facilitate development of outline application PT14/0565/O (Mixed use development of 51.49 hectares of land comprising: up to 1,000 new dwellings (Use Class C3); a 36-bed Extra Care Home (Use Class C2): a mixed use local centre including a food store up to 2000 sq.m. gross floor area (Use Classes A1, A2, A3, A4, A5, B1, D1, D2); a 2-form entry primary school; community facilities including a satellite GP surgery, dentist and community centre; associated public open space and sporting facilities; green infrastructure integrated with foot and cycle paths; together with supporting infrastructure and facilities including three new vehicular accesses. Outline application including access, with all other matters reserved).

Approved: 18.12.2017

3.3 **PT18/5195/F**

Creation of new highway, drainage and associated infrastructure to facilitate development of outline application PT14/0565/O.

Status: Pending Decision

3.4 **P21/04349/RM**

Erection of 256 dwellings with appearance, layout, scale and landscaping to be approved. Approval of reserved matters to be read in conjunction with outline permission PT14/0565/O.

Approved: 22.04.2022

3.5 **P21/04748/RM**

Erection of 244 no. dwellings with appearance, landscaping, layout and scale be determined with associated works (Approval of Reserved Matters to be read in conjunction with outline permission PT14/0565/O).

Approved: 21.10.2022

3.6 **P21/07073/RM**

Provision of site wide landscaping and laying out of public open space including play areas and allotments, erection of 1no. building to form rugby club changing rooms with appearance, landscaping, layout and scale be determined and associated works (Approval of Reserved Matters to be read in conjunction with outline permission PT14/0565/O).

Status: Pending Decision

3.7 **P22/01200/RM**

Erection of 130 no. dwellings with appearance, landscaping, layout and scale be determined with associated works. (Approval of Reserved Matters to be read in conjunction with outline permission PT14/0565/O).

Approved: 30.09.2022

3.8 **P21/06495/F – Woodlands (adjacent site to south-west)**

Demolition of existing dwelling. Erection of 3no. detached dwellings with landscaping and associated works.

Approved: 10.08.2022

4. **CONSULTATION RESPONSES**

4.1 **Almondsbury Parish Council**

Objection – None of public open space officer's issues have been dealt with. NPPF requirements have not been met and therefore application should be refused. There has been no consideration given to crime prevention. The revised plans have not met any of previous concerns raised.

4.2 **Internal Consultees**

Archaeology Officer

Archaeological work has taken place in this location and is progressing towards publication. No further work is necessary.

Community Infrastructure

Supermarket site lies opposite to community centre site. Will impact on setting. Plans show secondary access to Lidl and servicing bay adjacent to pedestrian/cycle route. Also, wall shown in orange but no details of how high and no planting. Risk of conflict between Lidl service access and key ped/cycle route through site. May also result in HGV's close to play area. Concerned layout of supermarket will adversely impact play area and community centre. Where will dentist and GP satellite be provided?

Conservation Officer

No comment

Ecology Officer

Some queries/comments remain outstanding, but may be possible to resolve through LEMP associated with outline. Also recommend that ecological enhancements plan be conditioned, or agreed through site-wide POS RM.

Education

No comment

Environment and Climate Change Team

Improvements made from original submission. However queries remain regarding heating and cooling of building, PV maintenance, EV charging, overheating and BREEAM Standard.

Economic Development

No comment

Highway Structures

No comment

Housing Enabling

No comment

Landscape Officer

Initial concerns raised regarding notable lack of landscaping. However following a number of revisions to scheme and improvements made to site landscaping, the final planting scheme is considered to be acceptable and therefore no objection.

Lead Local Flood Authority

No objection subject to design drawings for the cellular storage tank and a management and maintenance plan for the surface drainage system being agreed by condition.

Planning Policy

No comment

Property Services

No comment

Public Art Officer

No objection subject to condition requiring public art plan for a site-specific scheme of Public Art to be submitted in accordance with Design Code for Triangle Site.

Public Open Space

Initial concerns raised regarding interface between proposed service road and adjacent children's play area. However note that play area has since been relocated through separate reserved matters application, and therefore subject to condition requiring details of boundary fence to be provided, no objection.

Public Health

No comment

Sustainable Transport

No objection to proposed access or parking arrangements, however some minor comments raised in relation to alignment of cycleway to side/rear of store, provision of electric vehicle charging points and cycle parking arrangements.

Tree Officer

Defer to landscape colleagues on issues regarding trees.

Urban Design Officer

Initial concerns raised regarding lack of trees, overall design and architectural approach, proposed materials and positioning of building within site. However following extensive negotiations and various improvements made through the submission of a number of sets of revised plans, no objection subject to final minor points of clarification.

4.3 External Consultees

Avon Fire and Rescue

No comment

Avon Wildlife Trust

No comment

Bristol City Council

No comment

Crime Prevention Officer

No objection - Although the DAS as submitted does not include any information as to demonstrate that the applicant has considered sufficiently the ASB, crime and safety implications of the design; having viewed the other information as submitted I find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

National Highways

No objection

Network Rail

No objection in principle - Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact:

IWNL

No comment

NHS

No comment

4.4 Other Representations

Local Residents

A total of 8 representations were received over the course of the application, comprising 6 letters of objection and 2 letters of support. Full copies of comments are available to view on the Council website. A summary of the main points raised within objection comments is set out below:

- Concerns regarding potential increase in traffic and impacts on local communities.
- Increased traffic will also lead to increased pollution.
- Concerns regarding increased flood risk through removal of trees.
- Concerns regarding impacts on local wildlife.
- Feel there are already a sufficient number of retailers within 2 mile radius of site.
- Those living within 3 miles of development should be consulted on plans.

A summary of the main points raised within support comments is set out below:

- Having small supermarket in this location will benefit local area and people in the new housing being built.
- Agree there is scope for more trees to be planted.
- Do not agree with concerns being raised regarding traffic in immediate surrounding area.
- Having supermarket in this location will result in less traffic accessing supermarkets at Cribbs/Patchway.
- Flood mitigation appears to be in place.
- Encourage any additional pedestrian/cycle links into site.

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 This application seeks consent only for those matters that were reserved by reason of conditions 1 and 2 of outline planning permission PT14/0565/O; specifically matters relating to appearance, landscaping, layout and scale. The principle of the development is acceptable by virtue of outline application PT14/0565/O previously approved.
- 5.2 Through the submission of the reserved matters, the applicant has also submitted site-specific information relating to several other conditions attached to the outline consent. These matters are covered in a later section of the report.
- 5.3 In terms of the outline approval, conditions 9 and 10 relate to retail. Condition 9 restricts the total retail floorspace to be used for the sale of comparison goods

and products to a maximum of 15%. Condition 10 restricts the retail unit from being subdivided into smaller units. The reserved matters details are considered to comply with these conditions.

Design

- 5.4 The Parameter Plans approved at outline stage provide the structural design framework for the Design Code. The Parameter Plans comprise the Land-use Plan, Density Plan, Building Heights Plan and Green Infrastructure Plan.
- 5.5 The location of the proposed food store as presented through this reserved matters is consistent with the Land-use Plan, which shows the Triangle Site as providing a mix of retail, residential, community uses together with the rail station. As the proposals do not relate to residential units, the Density Plan is not of relevance.
- 5.6 The proposals are also consistent with the Building Heights Plan, which allows for residential, retail and commercial buildings of up to four storeys across the site. The building proposed would not exceed four storeys in height. There are also no significant conflicts with the Green Infrastructure Plan.
- 5.7 The proposals have also been reviewed against the Masterplan approved at outline stage. It is noted that whilst there is some deviation from the high-level Masterplan, the general layout and extent of built form is broadly consistent with that shown on the outline Masterplan. The main deviation is in relation to building use, with the outline Masterplan indicatively showing 5 mixed-use buildings to be located centrally within the Triangle Site. However following discussions with the applicant and through the agreement of the Design Code for the Triangle Site, the number of mixed-use buildings was reduced on the grounds of market conditions; which instead supported a single large retail unit, together with community facility and residential units. As such, this approach is reflected in the Masterplan and Regulatory Plan agreed within the Design Code.
- 5.8 Overall, whilst there is some deviation from the outline Masterplan, in terms of general layout, scale, density and mix of uses, the proposals are considered to accord with the Parameter Plans and Masterplan/Regulatory Plan contained within the Design Code. In terms of the general layout and mix of uses proposed, there are also no conflicts between the reserved matters details and the outline consent, or the Site-Specific Section 106 Agreement for Haw Wood; neither of which define the type of mixed-use development to be provided at the Triangle Site, beyond the provision of a retail unit and community centre.
- 5.9 The Design Code for the Triangle Site (which is separate to the Design Code for the main Haw Wood site), was approved on 6th May 2022 under application DOC21/00208. In terms of key design principles, the Design Code outlines that in the future, the community centre and retail store will provide key placemaking elements of the site.
- 5.10 In terms of more detailed principles relating to the retail site, the Code stipulates that the layout and design of the food store will be necessarily

governed by the operating and commercial requirements for a medium-sized food store including prominence from the adjoining highway network, adequate customer parking provision, pedestrian/cycle accessibility and cycle parking provision, and appropriate servicing arrangements.

- 5.11 However the Code moves on to state that the proposed retail unit will incorporate high quality and distinct architecture complimentary to the rest of the site, that the building will provide an active frontage with scope for public art, that materials and detailing to be of high quality and that care is to be taken in framing any advertising, and that the gateway frontage will be purposefully set back from the site entrance in order to retain sufficient visibility for the food store from the B4055. As such, whilst the functional and operating requirements of the store are a factor in its design, the Design Code sets clear principles requiring a well-considered and high-quality design, given the prominent location of the building within its context.
- 5.12 As originally presented, a number of significant issues were raised by the urban design officer in relation to the proposed design. The proposed grey and white cladding was considered a dated and generic approach, with the overall design considered to be poorly conceived and lacking imagination. It was highlighted by officers that a crisper, more modern approach was required for the landmark building. It was also highlighted that materials, details and glazing required fundamental reconsideration, as to create a store of real high quality, longevity and uniqueness. Issues regarding a lack of public art and trees across the site were also raised. As originally submitted, the proposals were considered to be contrary to both national and local design policies, as well as the Design Code principles set out above.
- 5.13 Following extensive negotiations, and through the submission of several sets of revised plans, wholesale changes to the overall design and appearance of the store have been made, with substantial improvements secured. Higher quality materials such as timber cladding and brickwork to match adjacent residential units are now proposed; and replace the tired and outdated grey cladding originally proposed. Higher levels of glazing have also been introduced to create a more modern appearance. Extra height has also been added at the most prominent elevations of the building, as viewed by passing traffic. Through amendments made to the scheme, the overall design has been elevated to the quality required by the Design Code, and that requested by officers. Whilst the materials indicated on plans are acceptable in principle, final details will be agreed by condition.
- 5.14 The only minor outstanding points raised by the urban design officer relate to the specification of final materials, the indication of signage on the building, and the omission of projecting brick billboard surrounds from elevational drawings. On the matter of materials, final details will be agreed by condition. On the matter of signage, officers are satisfied that the design of signage can be adequately agreed through a separate application for advertisement consent. With regards to the brick surrounds, these have now been added to the elevational drawings.

- 5.15 One additional point raised by the urban design officer during the application related to a strip of land between the proposed food store and the A4018 to the east. This area is not included within the application site boundary, and the future management of this land was queried, as to avoid it becoming overgrown and compromising the appearance and setting of the food store. The applicant has advised that this land will be managed by the operators of the food store, and its future management and maintenance will be secured through Management and Maintenance Scheme, as required under the s106 for the wider development.
- 5.16 Following the amendments made by the applicant which have accounted for the vast majority of officer recommendations made, the reserved matters details are considered to accord with the Code in relation to design. Furthermore, no issues in relation to crime prevention have been raised by the crime prevention design advisor. In respect of public art, the final public art strategy for the site will be agreed by condition.
- 5.17 Through several rounds of positive engagement with the applicant, various issues have been addressed and improvements to the scheme secured. Overall, the final proposals are considered to comply with the outline permission, the approved Design Code, and the Council's main design policies CS1 and PSP1. The proposals are therefore considered to be acceptable in design terms.

Transportation

- 5.18 In terms of vehicular access into and out of the site from the existing highway network, a through-road connecting the A4018 to a new roundabout at the junction between the site and the B4055 has previously been approved through infrastructure consent PT17/2562/F. The through-road and roundabout are largely constructed.
- 5.19 As part of the reserved matters, two access point into the food store are proposed. The first is located at the northern end of the site, and would provide the entrance and exit point for customers. No concerns with this access arrangement have been raised by highways officers over the course of the application, and the arrangement is considered to accord with the Design Code, and is acceptable. A second access point is proposed to the south of the site. This would provide an access point for delivery/service vehicles, and would not be used by customers. This access point is also considered to be acceptable and in accordance with the Code, and it is acknowledged that the adjacent road infrastructure has already been approved, and is therefore not a matter for consideration through this reserved matters.
- 5.20 The proposed parking arrangements have been reviewed by highway officers, with no concerns raised. In terms of electric vehicle charging provision, the applicant is proposing 2no. rapid electric vehicle charging points, with a passive infrastructure provided for 20% of remaining spaces, which would then allow for charging points to be introduced as demand increases. In reviewing the proposals, the highways officer highlighted that this provision seemed light in

relation to emerging local policy on renewable energy and the declared climate emergency in the district.

- 5.21 However the applicant has outlined that rapid charging points fully charge vehicles in approximately 30 minutes, compared to approximately 6 hours taken by the fast chargers referred to in emerging policy. The applicant has outlined that the proposed active provision is matched to anticipated short term demand, and the proposed passive infrastructure will be brought online as and when demand grows over time.
- 5.22 Overall, whilst there would be a benefit to securing additional active EV chargers, the provision of rapid chargers as opposed to fast chargers is noted. Given the current policy position which does not set a specific standard for EV charging, this is not considered to sustain a reason for objection, and it is also noted that the passive infrastructure will allow for increased provision as demand increases. The proposed cycle parking/storage facilities are considered to be acceptable.
- 5.23 On the basis of the assessment set out above and subject to conditions securing parking facilities and requiring the final details of EV charging points to be agreed, there are no significant concerns with the proposals from a transportation perspective.

Landscaping and Trees

- 5.24 In terms of the existing site, it is acknowledged that this formerly comprised undeveloped grassland with boundary vegetation. However, the context of the site has since changed following earthworks and highway works undertaken pursuant to the outline consent and subsequent infrastructure consent at the site. As such, whilst it is acknowledged that the character of the landscape has already been altered significantly and would be further altered by the development of a food store, the principle of re-developing the site including the approved earthworks strategy has already been established. As such, the scope of the landscape assessment for this reserved matters is limited to the reserved detail alone.
- 5.25 In terms of landscaping within the designated retail site, the approved Design Code states that appropriate screening of service yard 'back of house' activities to adjacent cycle/pedestrian route will be provided, including robust landscaping.
- 5.26 Upon original submission, significant concerns were raised by the landscape officer regarding the distinct lack of planting proposed across the development site. The original planting plan did not include any trees, with only hornbeam hedge and shrub planting proposed. Concerns were also raised regarding the southern boundary of the site and surfacing. On the basis of the proposals being largely devoid of landscaping, the original submission was considered to be contrary to both local and national policy, as well as the Design Code.
- 5.27 A number of sets of revised plans were subsequently submitted. Within the first set of revised plans, only a small number of trees continued to be proposed.

The applicant advised that this was due to the location of an attenuation tank beneath the car park approved through the infrastructure consent, which limited planting opportunities. As such, officers concerns and objections remained.

- 5.28 However following further discussions and negotiations, a much-improved planting plan was submitted in October 2022, with a total of 18 trees proposed across the development parcel. The latest planting plan has been reviewed by the landscape officer, and is considered acceptable. As such, the final landscaping proposals are considered to accord with both local and national policy, as well as the requirements of the Design Code. Conditions will be recommended for any decision relating to the implementation and replacement of landscaping, as well as the final details of the southern boundary adjacent to the footpath/cycleway being agreed. Subject to these conditions, the final submission is considered acceptable from a landscaping and arboricultural perspective.

Public Open Space

- 5.29 There is no public open space proposed under this reserved matters proposal. However, upon original submission, the public open space officer did raise concern regarding the location of the proposed service/delivery road to serve the food store, and the potential impact on a nearby play area to be located in an adjacent residential parcel.
- 5.30 However, the play area was relocated as part of the reserved matters for the adjacent residential parcel, and as such the relationship between the service road and play area is no longer an issue. The POS officer has highlighted that the service road will continue to run alongside a pedestrian/cycle route, and that the boundary treatment is therefore of importance and should be specified. This detail will be agreed by condition. Subject to the agreement of these details, the application is acceptable in respect of public open space.

Residential Amenity

- 5.31 Given that this reserved matters application does not propose any residential units and relates only to a food store, there is no consideration to be made of the standard of living to be provided for future occupants of the development.
- 5.32 Therefore the main consideration is the potential impact of the proposals on the amenity of existing surrounding residents, and future residents of surrounding, consented development. In terms of existing residential properties, there are no existing properties situated within 21 metres of the application site. As such, it is not considered that the erection of a food store with associated parking facilities and landscaping would have any significant impact on the amenity of existing residents. Hours of construction would be controlled by condition attached to the outline consent. Furthermore, any impacts arising from the occupation of the food store in terms of increased footfall or traffic have already been considered at outline stage, with no additional specific issues identified as part of this reserved matters.

Historic and Natural Environment

- 5.33 In terms of any heritage impact, the application does not contain, nor is it located within the vicinity of any designated or non-designated heritage assets such as listed buildings or conservation areas. As such, it is not considered that the proposals would have any impact in this respect; above and beyond any impact identified at outline stage. The archaeology officer has also reviewed the proposals, and is satisfied that any matters of archaeological interest have been adequately considered through the discharge of outline conditions and the associated infrastructure consent. As such it is not considered that the reserved matters proposals would have any significant impact from a heritage perspective.
- 5.34 In terms of biodiversity, a number of queries have been raised over the course of the application by the ecology officer, regarding the preparatory works that have been carried out at the site since the granting of both outline and infrastructure consent. However, officers note that the vast majority of preparatory works have already been agreed through the previous consents, and that further clarification can be provided through the Landscape and Ecological Management Plan associated with the outline approval, which is currently being considered by the LPA. The ecology officer has also recommended that an ecological enhancements plan be submitted, and a condition will be attached to any consent, requiring a plan to be submitted and agreed following determination. Subject to agreement of these details, the reserved matters are considered acceptable from an ecological perspective.
- 5.35 In respect of drainage, no major concerns regarding the proposed drainage strategy or general flood risk were raised by drainage engineers upon original submission. However further details relating to the design drawings for the proposed cellular storage tank, and a Management and Maintenance Plan for surface water drainage, were requested. The applicant however outlined that they would be unable to provide these details prior to them being confirmed by the contractor, and that this would generally take place following the granting of reserved matters consent. It was therefore queried by the applicant whether the details could be agreed by condition.
- 5.36 This approach was discussed with drainage engineers, and whilst it is not normal for these details to be agreed post-consent, given the nature of the scheme, drainage offers were willing to accept this approach in this instance. As such, the details will be requested by condition, and the applicant will be required to submit and agree the details with the LPA prior to commencing work on the development.
- 5.37 No issues relating to contamination, or any other matters relevant to environmental protection were raised by specialist officers over the course of the reserved matters application. Overall, officers are satisfied that such matters were sufficiently considered and dealt with at outline stage, and there are no concerns in this regard.

Sustainability

- 5.38 The approved Design Code contains an 'Energy Efficiency and Sustainability' section. This confirms that information to be provided at reserved matters stage will demonstrate how the development proposals address climate change mitigation and adaptation, proportionate to the scale and nature of development proposed. It also states that detailed development proposals for the Triangle Site should not only be planned to meet prevailing planning policy requirements and Building Regulations, but also anticipate and commit to standards likely to be introduced locally in the near future.
- 5.39 A Sustainable Energy Statement has been submitted in support of the application (a requirement of condition 12 of the outline approval). The Statement has been reviewed by the sustainability officer.
- 5.40 Within their consultation response, the sustainability officer has raised a number of queries. In relation to the provision of PV panels, the overall provision is considered acceptable. However the final detail, including the final angle of the panels, will be agreed by condition.
- 5.41 On the matter of EV charging, the comments made by the environmental policy officer regarding the proposed EV infrastructure are noted, however as discussed within the transport section of this report, the provision is considered to comply with current policy requirements, and is therefore acceptable.
- 5.42 The comments made regarding refrigerant cooling and heating have been considered, however it is considered that this detail falls outside of the scope of this reserved matters. On the matter of overheating, it is noted that further assurance that the scheme will not be liable to overheating over the lifetime of the development through dynamic thermal modelling has been requested. The applicant has not undertaken modelling, but has clarified that the vast majority of the store is proposed to be heated and cooled using a combination of all-air systems and VRF installations. Mechanical ventilation is proposed to the majority of the building via MVHR systems. Whilst it would be preferable for modelling to be undertaken, this is not a requirement of either local or national policy at this time, and as such the failure of the applicant to provide this can only be afforded limited weight. In respect of this development and the detailed construction of the building in relation to sustainability and renewable energy, the building regulations process is considered the primary mechanism for ensuring that an acceptable standard of construction is achieved.
- 5.43 Whilst some matters raised through consultation have not been fully resolved, subject to the conditions set out above, the proposals are considered to accord with the Design Code and requirements of Policy PSP6.

Relevant Outline Conditions

- 5.44 Through the details submitted in support of this reserved matters, the applicant is also seeking to discharge a number of conditions attached to the outline consent (PT14/0565/O). This relates to conditions 8 (Compliance Statement), 12 (Sustainable Energy Statement), 13 (Hard & Soft Landscaping), 15 (5 Year

Landscape Maintenance & Management Plan), 17 (Existing Trees), 18 (Veteran Tree Survey), 25 (Ecological Features Plan), 32 (Drainage Strategy), and 40 (Construction Compound and Wheelwashing).

- 5.45 In terms of conditions 8 and 12, both Compliance and Sustainable Energy Statements have been submitted in support of the application. In respect of conditions 13, 15, 17, 18 and 40, details and responses in relation to these conditions have been submitted in support of the application. The details have been reviewed by landscape, public open space, tree and highway officers, with no significant concerns raised. However, in respect of conditions 25 and 32, final details of the ecological enhancement strategy and drainage strategy will be agreed by condition attached to this reserved matters decision. The conditions listed in paragraph 5.44 above are therefore discharged insofar as they relate to this reserved matters red edge site only.

Equality Act 2010

- 5.46 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.
- 5.47 With regards to the above this planning application is considered to have a neutral impact on equality.

Other Matters

- 5.48 Some matters raised through consultation responses have not been addressed in the main body of this report. These matters are considered below.
- 5.49 The concerns raised by the parish council in relation to the public open space officer's comments and crime prevention comments have been considered. It is noted that through the relocation of the proposed play area within the adjacent development parcel, the primary concerns of the public open space officer have been resolved. In terms of crime prevention comments, it is noted that no objections to the scheme were raised by the crime prevention design advisor.
- 5.50 The comments raised by the community infrastructure officer regarding the potential impacts of the development on the setting of the community centre site have been considered. The relationship between the food store site and community centre site have already been considered through the outline consent, as well as the agreement of the Design Code for the Triangle Site. Furthermore, as required under the site-wide s106, a Masterplan for the Triangle Site has been approved, which demonstrates the relationship and

compatibility between the different uses at the site. This has been reviewed and accepted by the community infrastructure officer.

- 5.51 The comments made by Network Rail regarding asset protection have been considered. An informative note will be attached to any decision, reminding the applicant of the need to discuss this matter with Network Rail.
- 5.52 In terms of concerns raised regarding air pollution caused by the development and additional traffic associated with the proposals, the wider impacts of the development in this regard have already been considered at outline stage through Environmental Impact Assessment. In respect of the concerns raised regarding drainage and flood risk, the drainage proposals have been reviewed and are considered acceptable, subject to agreement of final details. Similarly, impacts on local wildlife have been considered and managed through the outline and infrastructure consents and the discharge of conditions attached to those consents. A further condition is recommended for this consent to ensure that adequate ecological mitigation and enhancement is provided as part of the scheme.
- 5.53 The comments suggesting that a food store in the area is not necessary have been noted. Given the increase in the local population in the future due to surrounding development, it is considered that the proposed food store will provide a valuable retail facility to local residents. Furthermore, the applicant has confirmed that market conditions support the provision of a food store in this location, with a retail unit at this location also agreed through the outline permission. It is also noted that no objections to the proposal have been raised by economic development or planning policy officers. The comments made regarding consultation are noted, and consultation has been carried out on the application in accordance with the Council's Statement of Community Involvement.

Conclusion

- 5.54 This reserved matters relates to an outline planning permission, and is acceptable in principle. Following considerable negotiations with the applicant, revisions and additional information have been received which have resulted in considerable improvements.
- 5.55 The benefits of the scheme are also acknowledged by officers; in that the granting of reserved matters approval will allow for the delivery of a food store to serve the existing population and future residents, with a high quality design achieved for the landmark building. Approximately 40 new jobs full/part-time jobs would also be created, providing additional local employment. Considerable weight is attached to this.
- 5.56 It has not been possible to reach an agreeable position on all points, and some minor outstanding queries regarding sustainability are considered to remain. However, given current policy position, only limited weight can be attached to any harm at this time. In terms of other outstanding matters, these can be appropriately agreed by condition.

5.57 Overall, it is considered that the modest harm arising from the residual issues identified in the main body of the report would be outweighed by the considerable benefits of the development. Therefore, the application is considered to be acceptable and in accordance with the outline approval and the policies cited in paragraphs 2.1, 2.2 and 2.3, subject to conditions. As such, taking all matters into account, this reserved matters is recommended for **approval**, subject to the conditions listed.

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

7. **RECOMMENDATION**

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

CONDITIONS

1. Plans

The development shall be implemented in accordance with the approved plans and documents, as set out within the following drawing list:

CRIBBS TRIANGLE LTD - PROPOSED FOODSTORE PLANNING APPLICATION DOCUMENTS LIST P21/05036/RM - Updated 04/11/2022

Reason

For the avoidance of doubt and to ensure that the scheme is implemented in full accordance with the plans submitted and assessed.

2. Materials - Agree Final Details

Prior to the construction of the food store building hereby approved above damp proof course level, final details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

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

(Adopted) November 2017, the National Planning Policy Framework and the Triangle Site - Land at Cribbs Causeway, Henbury, Bristol: Design Code, Rev 22, April 2022.

3. Brickwork - Sample Panel

Prior to the construction of the food store building hereby approved above damp proof course level, a representative sample panel of brickwork to be used in the finish of the building, shall be erected on-site and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with the approved panel(s), which shall be retained on site until completion of development, for consistency.

Reason

To ensure a satisfactory standard of external appearance, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, the National Planning Policy Framework and the Triangle Site - Land at Cribbs Causeway, Henbury, Bristol: Design Code, Rev 22, April 2022.

4. Public Art Scheme

Prior to the commencement of development above damp proof course level, a public art plan for a site-specific scheme of Public Art to support the unique character and identity of the site (including but not limited to artist brief, commissioning plan (including longlist of artists if appropriate), budget and timetable) to be implemented within the development site shall be submitted to the Local Planning Authority and approved in writing. Thereafter, outline and detailed designs shall be submitted to the Local Planning Authority in line with an appropriate timetable identified in the plan, and approved in writing. The Artwork shall be installed in accordance with the details and timescales so agreed. For the avoidance of doubt, the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note and in the agreed Design Code.

Reason

To protect and enhance the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policies CS1 and CS23 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and to deliver public art as identified in the Land North of Cribbs Causeway (Berwick Green) Design Code: February 2022.

5. Parking

The off-street parking facilities for all vehicles, including cycles, shall be provided in accordance with the approved Site Plan (dwg no.2113-P02 Rev N), with the full provision made available for use prior to the first occupation of the building, and thereafter retained for that purpose.

Reason

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

PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

6. Electric Vehicle Charging

Prior to the first occupation of the food store hereby approved, final details of the proposed Rapid Electric Vehicle (EV) charging points shall be submitted to the Local Planning Authority and approved in writing. The charging points shall then be installed prior to the first occupation of the building, and in accordance with agreed details and the provision shown on the approved Site Plan (dwg no.2113-P02 Rev N), and shall thereafter be retained as such.

Reason

To promote sustainable travel choices and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013, and Policies PSP6 and PSP11 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.

7. Landscape Implementation and Replacement

All planting, seeding or turfing comprised in the approved landscaping details shall be carried out no later than the first planting and seeding season following the first occupation of the food store, and any trees or plants (retained or planted) which die, are removed or become seriously damaged or diseased within a period of 5 years from the completion of the development shall be replaced in the next planting season with others of the same size and species unless an alternative is agreed in writing by the Local Planning Authority.

Reason

In the interests of the visual amenity of the scheme and site-wide biodiversity, in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and Policies PSP2 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

8. Boundary Treatments - Southern Boundary

Prior to the construction of the food store building hereby approved above damp proof course level, final details of proposed boundary treatments at the southern boundary of the site shall be submitted to the Local Planning Authority and approved in writing. The boundary treatments shall then be provided in accordance with agreed details, and prior to the first occupation of the food store.

Reason

To ensure a satisfactory standard of external appearance, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, the National Planning Policy Framework and the Triangle Site - Land at Cribbs Causeway, Henbury, Bristol: Design Code, Rev 22, April 2022.

9. Ecology - Ecological Enhancements

Prior to the occupation of the food store hereby approved, final details of any bird & bat boxes, bat tubes and other ecological enhancement features shall be submitted to the Local Planning Authority and approved in writing. The mitigation features shall then be installed in accordance with an agreed timeline, to be submitted as part of the final details; and shall thereafter be retained as such.

Reason

To protect the wildlife and the ecological interests of the site, 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) November 2017.

10. Drainage - Cellular Storage Tank

Prior to the commencement of development, full design drawings for the proposed cellular drainage storage tank shall be submitted to the Local Planning Authority and approved in writing. The development shall thereafter be carried out in accordance with the approved details.

Reason

To ensure that the drainage strategy for the site is adequate, to comply with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and National Planning Policy Framework.

These details are required to be agreed prior to the commencement of development, as they relate to the very first stages of construction work.

11. Drainage - Management and Maintenance Plan

Prior to the commencement of development, a Management and Maintenance Plan for the surface drainage system shall be submitted to the Local Planning Authority and approved in writing. The development shall thereafter be carried out in accordance with the plan.

Reason

To ensure that the drainage strategy for the site is adequate, to comply with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and National Planning Policy Framework.

These details are required to be agreed prior to the commencement of development, as they relate to the very first stages of construction work.

12. Sustainability - Energy Statement

The development hereby approved shall be carried out in accordance with the Sustainable Energy Statement (Energy Statement CT: Foodstore Cribbs Triangle -

P2317-B20-XX-ZZ-RP-ME-00001 by Box Twenty), and shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development, in full accordance with the Statement.

Reason

To ensure that the development incorporates measures which will minimise CO2 emissions, and can adapt to a changing climate, in accordance with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and Policy PSP6 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

13. Sustainability - Agree PV Strategy

Prior to the installation of any PV panels on the food store building hereby approved, details of the proposed PV system including location, dimensions, design/technical specification and angle, together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO2 emissions, shall be provided to the Local Planning Authority and approved in writing.

Reason

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

14. Sustainability - Implement PV Strategy

The approved PV system shall be implemented in accordance with the details agreed under Condition 13. Evidence demonstrating that the PV system has been installed including exact location, technical specification and projected annual energy yield (kWh/year) such as a copy of the MCS installer's certificate, as well as a calculation showing that the projected annual yield of the installed system is sufficient to reduce residual (regulated and unregulated) CO2 emissions by at least 20%, shall be provided to and approved by the Local Planning Authority in writing prior to the occupation of the food store building.

The projected annual yield and technical details of the installed system shall be provided by the Micro-generation Certification Scheme (MCS) approved installer. The impact of shading on the annual yield of the installed PV system (the Shading Factor) should be calculated by an MCS approved installer using the Standard Estimation Method presented in the MCS guidance.

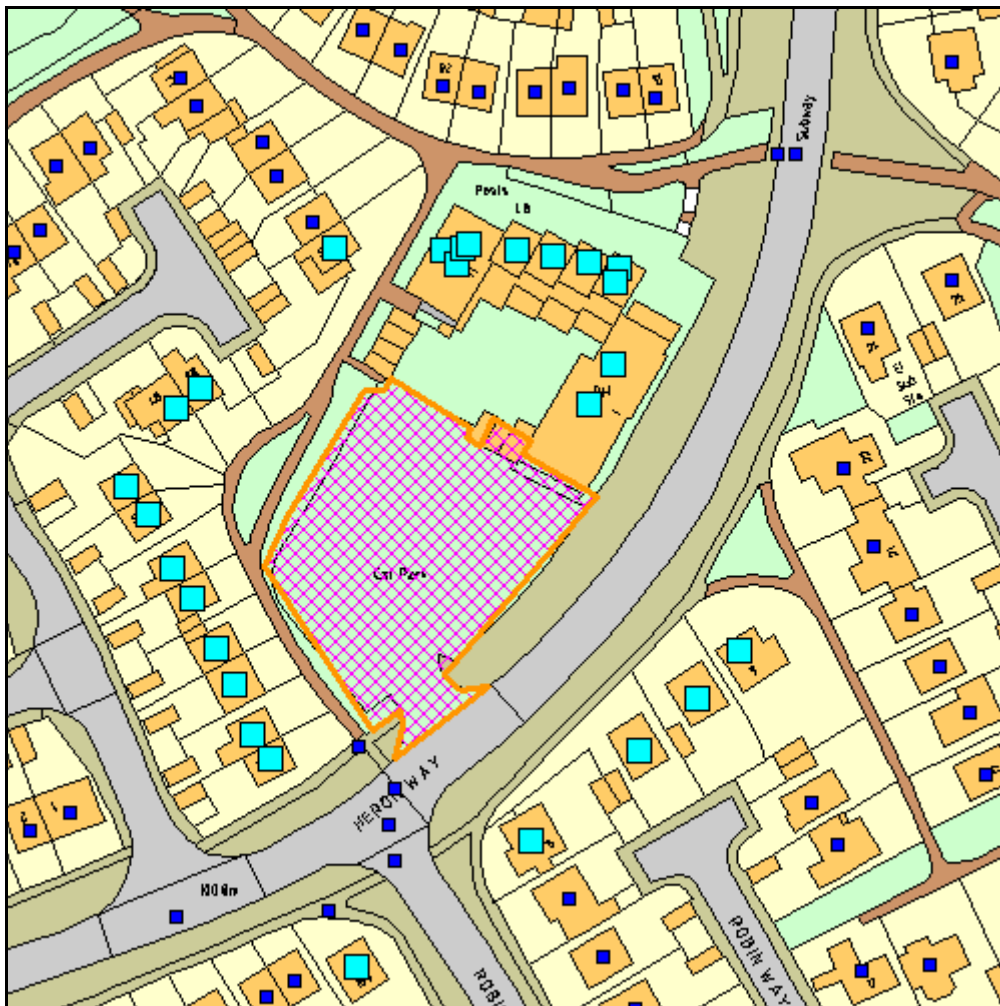
Reason

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

Case Officer: Patrick Jackson
Authorising Officer: Jonathan Ryan

CIRCULATED SCHEDULE NO. 45/22 -11th November 2022

App No.:	P21/06188/F	Applicant:	Green City Homes Ltd
Site:	Land Adjacent To Tern Inn 1 Heron Way Chipping Sodbury South Gloucestershire BS37 6XW	Date Reg:	23rd September 2021
Proposal:	Erection of a convenience store with 9 no. flats above, with associated access and parking	Parish:	Dodington Parish Council
Map Ref:	372101 181511	Ward:	Dodington
Application Category:	Minor	Target Date:	16th November 2021



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P21/06188/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.

Reasons for Referring to the Circulated Schedule

This application has been referred to the Circulated Schedule due to the number of objections received from local residents; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The proposal relates to part of the Heron Way Local Centre, which is located on Heron Way within the Raysfield Park Estate, Chipping Sodbury. The estate was developed in the late 1960's by Heron Homes and is affectionately known as 'The Birds Estate'; all roads within the estate being named after birds. The Local Centre originally comprised a row of 4no. shops with maisonettes above, a public house i.e. 'The Tern Inn', with managers accommodation above; a service yard to the rear of the shops and pub, and a car park accessed off Heron Way. The shops have more recently been the subject of changes of use and are now believed to comprise a hairdressers, a hot food takeaway, a judo training establishment and an office.
- 1.2 Planning application P20/23744/F related to the car park and public house. Permission was granted for 'Erection of a convenience store with 5no flats above, retention of existing public house, with associated access and parking'.
- 1.3 This current application is similar to that previously approved but now relates only to the car park. It is understood that the Tern Inn P.H. is now in separate ownership and has since successfully re-opened. As such it does not form part of this current application.
- 1.4 In this revised scheme, a convenience store is still proposed at ground floor level but it is now proposed to have 9no. flats above in a 3-storey building. The car parking layout would be revised accordingly. In total the flats comprise 2 x 2 bed and 7 x 1 bed. It is understood that the convenience store is to be occupied by Co-Op.
- 1.5 It is noted that the Tern Inn and the Car Park were previously designated as Assets Of Community Value (ACV's) but these designations lapsed in December 2021.
- 1.6 The application is supported by the following documents:
 - Arboricultural Report
 - Design & Access Statement incorporating Planning and Sustainable Energy Statement
 - Foul and Surface Water Drainage Statement
 - Plant Noise Impact Assessment
 - Retail Planning Statement
 - SUDS Maintenance and Management Plan

- Transport Statement
- Borehole Drainage Report
- Construction Method Statement (CEMP)
- Geo-Environmental Site Investigation Report

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework July 2021
The National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted 11th Dec. 2013

CS1 - High Quality Design

CS2 - Green Infrastructure

CS4A – Presumption in Favour of Sustainable Development

CS5 - Location of Development

CS6 - Infrastructure and Developer Contributions

CS8 - Improving Accessibility

CS9 - Managing the Environment and Heritage

CS13 - Non-Safeguarded Economic Development Sites

CS14 - Town Centres & Retail

CS15 - Distribution of Housing

CS16 - Housing Density

CS17 - Housing Diversity

CS18 - Affordable Housing

CS23 - Community Infrastructure and Cultural Activity

CS24 - Green Infrastructure, Sport and Recreation Standards

CS30 - Yate and Chipping Sodbury

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

PSP1 - Local Distinctiveness

PSP2 - Landscape

PSP3 - Trees and Woodland

PSP5 - Undesignated Open Spaces within Urban Areas and Settlements

PSP6 - Onsite Renewable & Low Carbon Energy

PSP8 - Residential Amenity

PSP11 - Development Related Transport Impact Management

PSP16 - Parking Standards

PSP17 - Heritage Assets and the Historic Environment

PSP19 - Wider Biodiversity

PSP20 - Flood Risk, Surface Water and Watercourses

PSP21 - Environmental Pollution and Impacts

PSP32 - Local Centres Parades and Facilities

PSP34 - Public Houses

PSP35 - Food and Drink Uses

PSP43 - Private Amenity Space Standards

Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) August 2007

Trees and Development Sites: Guidance for New Development SPD (adopted April 2021) Affordable Housing and Extra Care Housing SPD (Adopted) April 2021.

The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.

South Gloucestershire Council Residential Parking Standards (SPD) Adopted Dec. 2013.

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

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD – (Adopted) March 2021

Green Infrastructure: Guidance for New Development SPD (adopted April 2021)

Householder Design Guide SPD (Adopted) March 2021

South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014) Environment & Community Services Site lies within LCA 8: Yate Vale

- 2.4 In terms of local plan policy, it has recently been established via the 2020 annual Monitoring Revue (AMR) (March 2021 Addendum) that, using the Standard Method, South Gloucestershire Council can demonstrate that it currently has a 5.99 year housing land supply. As such the development plan policies are considered to be up to date and for the purposes of decision taking, sustainable development proposals that accord with an up-to-date development plan should be approved without delay (see NPPF para 11c).

3. RELEVANT PLANNING HISTORY

- 3.1 SG6970/Bap 2 - Erection of four shops with maisonettes over and public house.
Approved 2nd August 1966
- 3.2 N3384 - Provision of footpath (33 metres in length).
Approved 17 March 1977
- 3.3 N3384/1 - Provision of door opening from lounge to patio.
Approved 16 June 1977
- 3.4 P85/2156 - Erection of single-storey side extension to form family room in public house.
Approved 11 Sept 1985
- 3.5 P96/2200 - Construction of pitched roof over managers accommodation and mono pitched roof to perimeter of flat roof.
Approved 25 Sept 1996
- 3.6 PK16/5906/O - Demolition of public house and erection of 26no. dwellings (Class C3) and café (Class A3) (Outline) with access, scale and layout to be determined. All other matters reserved.
Refused 23rd June 2017 for the following reasons:

1. Due to the loss of the existing public house and car park, the proposal would have a significant adverse impact on the vitality and viability of the Heron Way Local Centre, thus seriously compromising the local community's ability to meet its day-to-day needs, contrary to Policy CS14 of The South Gloucestershire Local Plan Core Strategy adopted Dec. 2013 and the provisions of the NPPF paras, 69 and 70.

2. The proposal would result in the loss of The Tern Inn public house, a listed Asset of Community Value. By reason of there still being a clear demand for the facility which is still fit for purpose and there being no suitable alternative provision available within 800m of the existing site, the scheme would be contrary to Policy CS23 of The South Gloucestershire Local Plan Core Strategy adopted Dec. 2013 and the provisions of NPPF paras. 69 and 70.

3. The proposal would result in the loss of the Local Centre Car Park, a listed Asset of Community Value with no alternative provision, the scheme would be contrary to Policy CS23 of The South Gloucestershire Local Plan Core Strategy adopted Dec. 2013 and the provisions of NPPF paras. 69, 70 and 74.

4. Due to its scale and layout, the proposed development would infringe on to the parking and service yard that currently serve the existing Local Centre. The proposal does not incorporate sufficient parking and manoeuvring spaces for all new Community Centre and proposed residential units and their visitors, as well as the existing users of the Local Centre including the customers/service vehicles associated with the existing shops/retail units. If implemented as proposed, this development has the potential to displace vehicles on to the road thereby adding to on-street congestion and it has further potential to cause obstructions to visibility splays from the site access on to the public highway. The cumulative impact of the above is considered to be 'severe' in relation to the scale of development proposed and detrimental to the travelling public all contrary to Policy CS8 of The South Gloucestershire Local Plan Core Strategy adopted Dec. 2013, Policy T12 of The South Gloucestershire Local Plan Adopt 6th Jan. 2006 and the provisions of the NPPF para.32.

5. In the absence of a Section106 legal agreement to secure contributions towards Off-site Public Open Space provision and maintenance, required to service the proposed development, the proposal is contrary to Policies CS6 and CS24 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy LC1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. In the absence of a Section106 legal agreement to secure an Affordable Housing provision, the proposal is contrary to Policy CS18 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013.

7. In the absence of a Section106 legal agreement to secure contributions towards Traffic Regulation Orders the proposal is contrary to Policies CS6 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

*Subsequent Appeal APP/P0119/W/17/3190390 withdrawn 20th Sept. 2018
Partial Costs awarded against the Appellant – 9th Jan. 2019*

- 3.7 P20/23744/F - Erection of a convenience store with 5no flats above, retention of existing public house, with associated access and parking.
Approved 5th May 2021

Other relevant history

- 3.8 SG6970/Bap 1 - erection of 546 dwellings and garages, construction of new pedestrian and vehicular accesses (Plots 69-614 inc.). In accordance with schedule to be approved.
Approved 19th July 1966

For planning purposes, the application site was previously administered by Gloucester County Council and subsequently by Northavon District Council when part of Avon County Council. More recently the site has been within the South Gloucestershire Council area. Planning permission for the original Raysfield Park Estate was granted by Gloucester County Council (see SG6970/Bap 1) in 1966. From the records available to the Council it is evident that the 'Local Centre' was developed separately from the housing estate and was the subject of a separate planning consent i.e. SG6970/Bap 2 and is clearly shown as such on historic plans. An historic aerial photograph previously submitted by Doddington Parish Council showed the site in the 1960's when the shops were already built and the car park laid out prior to the construction of the pub.

4. CONSULTATION RESPONSES

Following amendments to the scheme, key consultees were re-consulted. The following is a summary of comments made in relation to the revised scheme.

- 4.1 Doddington Parish Council
Over the course of the last 5.5 months as well as the plans being amended - other matters have changed too. As such, following a meeting of Planning Committee on 28th March 2022 members resolved to support the revised plans (21-140-01 D, 21-140-03 D & 21-140-04 E).

4.2 Other Consultees

Highway Structures

No response

Lead Local Flood Authority

No objection subject to development being carried out in accordance with submitted and approved drainage details.

Transportation D.M.

No objection subject to the same conditions as imposed on the previous consent.

Environmental Protection

Noise – No objection subject to condition previously imposed.

Contamination - No objection subject to standard contamination condition.

Children and Young People

No response

Housing Enabling

Affordable Housing is not sought in line with National Planning Policy Guidance: Planning Obligations and other requirements under Policy CS18 of the Council's adopted Core Strategy Development Plan Document.

Police Community Safety Officer

No objection - I do note the lighting provisions submitted 15/2/22 and accept them as being adequate. However I would still seek conditions if the application is approved in relation to any ATM and CCTV as per report 13/10/21 and which formed part of the previously approved application.

The Tree Team

The Tree Officer is satisfied that no further comments are required, so long as the construction of the development is carried out in accordance with the submitted Arboricultural Report from Silverback Arboricultural Consultancy dated January 2021.

Landscape

No objection subject to a condition to secure details of and implementation of the detailed landscape design.

Urban Design

No objection subject to materials condition.

Sustainability Officer

No objection

Other Representations

The following is a summary of comments made in relation to the scheme as originally submitted. Local residents were not consulted on the revised scheme, which took account of their original concerns.

4.3 Local Residents

A total of 68no. local residents have registered objections to the proposal. The concerns raised can be summarised as follows:

- The proposal is not in accordance with what was previously approved i.e. now 9no. flats as opposed to 5no. previously.
- Not in keeping.
- Adverse impact on visual amenity.
- Overdeveloped – 3 stories.

- Will increase on-street parking.
- Insufficient parking for the store.
- Increased anti-social behaviour.
- Increased height – overbearing impact and loss of privacy due to overlooking of neighbouring property.
- Increased traffic will result in increased pollution.
- Reduced parking will adversely impact the viability of the nearby shops and pub.
- The Car Park is an ACV.

5. **ANALYSIS OF PROPOSAL**

Principle of Development

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The South Gloucestershire Local Plan: Core Strategy was adopted by the Council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2012 (NPPF). The Policies, Sites & Places Plan was adopted in Nov. 2017 and also now forms part of the Development Plan.
- 5.3 Furthermore, The South Gloucestershire Local Plan Core Strategy adopted (Dec 2013) Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. In accordance with the NPPF para. 38, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible. Policy CS17 of the Core Strategy sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities.
- 5.4 The locational strategy for the District is set out in policy CS5. Under this policy, new residential development is directed to the strategic housing allocations, existing urban areas, and defined rural settlements as shown on the proposals maps, with most new development being on the North and East Fringes of Bristol. This application proposes an element of residential development which would be within the designated Urban Area and as such is acceptable in principle.
- 5.5 Policy PSP32 relates to Local Centres, Parades and Facilities. Development proposals for retail and main town centre uses in local centres are acceptable where:
- 1) Small scale retail, or main town centre uses are proposed of a scale and character appropriate to the location; and

- 2) Access for pedestrians, cyclists and those with impaired mobility is provided or enhanced; and
- 3) Car parking facilities that prioritise short stay are retained or enhanced; and
- 4) Vacant floor space and living space would be brought back into active use; and
- 5) An active ground floor frontage is maintained or provided; and
- 6) They do not result in the loss of any retail and main town centre uses that meet essential day to day convenience, retail or service needs; and 7) They avoid harm to the vitality, vibrancy and function of the centre or parade.
- 5.6 The application site is previously developed land within a highly sustainable location within the Urban Area; it also forms part of the Heron Way Local Centre. The proposal for a relatively small convenience store with flats above is acceptable in principle, as was established with the grant of P20/23744/F.
- 5.7 Chapter 9 of the NPPF promotes sustainable transport and states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be 'severe' (para. 111).
- 5.8 It is noted that the NPPF puts considerable emphasis on delivering sustainable development and not acting as an impediment to sustainable growth, whilst also seeking to ensure a high quality of design and good standard of amenity for all existing and future occupants of land and buildings. The NPPF encourages efficient use of land and requires (para.60) the need to boost significantly the supply of homes.
- 5.9 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.
- 5.10 Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 seeks to secure good quality designs that are compatible with the character of the site and locality.
- 5.11 The remainder of this report will conduct the exercise of applying national guidance and policies in the Development Plan to the proposed development.

The Convenience Store

- 5.12 The proposed convenience store (Class E) would have a total floor area of 398sq.m. (gross internal area) split into 238sq.m. retail sales floor space and 160sq.m. forming back of house, storage and circulation space. It is intended that the future occupier of the Convenience Store would be Co-op.
- 5.13 The supporting text to Policy PSP32 para. 7.70 states that : Small scale retail uses, as defined in Policy PSP31 are A1 (now Class E) retail units up to 350sq.m. The provisions of Policy PSP31 and the sequential test and retail impact assessment will only apply for larger A1 (E) retail and main town centre

use proposals, outside of Primary Shopping Areas and defined Town and District Centres.

- 5.14 Officers consider that whilst the proposed Convenience Store would be of an appropriate size and character for the Local Centre and is likely to enhance the Centre's vitality, vibrancy and function, the sequential test and retail impact assessment will apply in this case, given the overall scale of the store proposed i.e. 398 sq.m. The location is highly accessible, adequate parking would be provided and an active ground floor frontage would be maintained. On the whole, the criteria listed above (Para. 5.5) would be generally met.
- 5.15 Policy CS14 of the Core Strategy identifies Heron Way Local Centre as one of 49 local centres/parades within the urban area and larger settlements in South Gloucestershire. It seeks to protect and enhance the vitality and viability of existing local centres. It states that development in local centres will be primarily to meet local needs, be of a scale appropriate to the role and function of the centre, and should not harm the vitality and viability of other centres.
- 5.16 The NPPF (para. 87) identifies that main town centres uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
- 5.17 NPPF para. 88 identifies that when considering edge-of-centre and out-of-centre proposals, preference should be given to accessible sites which are well connected to the town centre. The NPPF requires applicants and local planning authorities to demonstrate flexibility on issues such as format and scale so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
- 5.18 Para.12 of the NPPG 'Ensuring the Vitality of Town Centres' section, notes that the use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements, which mean that they may only be accommodated in specific locations.

The Sequential Test

- 5.19 Local Centres are defined as falling with the definition of 'town centres' (Annex 2 of the NPPF) and therefore in NPPF policy terms the proposal is located in a sequentially preferable location where retail development is supported.
- 5.20 The NPPG also identifies that the use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements, which mean that they may only be accommodated in specific locations. Given the nature/role of the proposed convenience store, which is to serve a local catchment; in this instance the floor-space is site specific to the local centre. If the convenience store was located within Chipping Sodbury or Yate town centres, local residents in the Raysfield Park Estate would be disadvantaged and would continue to be devoid of an accessible and walkable basket/top-up convenience store. The proposed small convenience store would be complementary to, and trade alongside, the larger Tesco Extra and Waitrose stores located in Yate and Chipping Sodbury town centres.

5.21 Officers are satisfied that in this instance there is a locational/market specific requirement. On this basis, it is considered that the proposal is in accordance with the sequential approach to site selection.

Retail Impact

5.22 The Retail Impact of the proposed Convenience Store has been assessed within the applicant's Retail Impact Statement, which is available to view on the Council's Public Website. The findings of the assessment can be summarised as follows:

5.23 Heron Way Local Centre is one of seven Local Centres within the Chipping Sodbury/Yate area. The proposal would serve an existing Local Centre catchment area (primarily the Raysfield Park Estate). The proposal would not change the size of the catchment area and is of an appropriate size and character for the Local Centre.

5.24 In the absence of a convenience store in Heron Way Local Centre, residents are likely to be travelling unsustainable distances, primarily by car, to other local and large convenience stores beyond Heron Way Local Centre's catchment area i.e. Yate and Chipping Sodbury.

5.25 The closest local centres to Heron Way Local Centre are:

- Abbotswood Shopping Centre Local Centre which provides a McColl's convenience store (approximately 1.5km walking distance away); and
- Westerley Road Local Centre which provides a One Stop Shop convenience store (approximately 2km walking distance away).

Any potential impact on these local centre stores is likely to be negligible.

5.26 Furthermore the proposal would have no significant impact on the larger supermarkets located in Yate and Chipping Sodbury. The role and function of these supermarkets is very different to that of the proposal. The supermarkets are significantly larger in size and perform a main-food shopping role whilst the proposal is for a small local convenience store performing a basket/top-up shopping role, so there would be little trading overlap.

5.27 Notwithstanding the above conclusions, the following are important material considerations which should be taken into account when considering retail impact:

- The proposal will provide an important anchor convenience store facility within a designated Local Centre where currently there is none.
- The convenience store will significantly increase footfall in the Local Centre which will benefit other services/shops and improve the ongoing viability of the Tern Inn public house.
- Heron Way Local Centre is currently devoid of a convenience store facility resulting in residents having to travel distances to other facilities. The proposal providing an accessible and walkable convenience store will encourage sustainable shopping patterns.

- 5.28 Officers conclude that the proposal would enhance the vitality and viability of the Heron Way Local Centre.

Assessment against Policy PSP32 Criteria

- 5.29 The scheme can be assessed against the PSP32 criteria as follows:

1) Does the proposal involve small scale retail or main town centre uses of a scale and character appropriate to the location?

Whilst the size of the proposed convenience goods store (398sq.m. gross) is marginally larger than Policy PSP32's definition of small-scale retail uses (350sq m gross) the scale and character of the store is appropriate for a local centre. The actual sales area of the retail floor-space would be 238 sq.m. net with the back of house and storage area being 160 sq.m. (spread over 2 floors). The sales area is considered to be small and commensurate with convenience stores on other Local Centres. The area of back of house and storage floor-space at 160sq.m. is considered to be disproportionately large. There is potential here for future expansion of the sales floor-space into these areas, which could result in an excessively large store for the Local Centre. To prevent this, officers consider it appropriate in this case to impose a condition to restrict the area of sales floor-space to 238sq.m.

2) Is access for pedestrians, cyclists and those with impaired mobility provided/enhanced?

The Transport Statement identifies that the proposed development provides access and parking for vehicles, cyclists and pedestrians. A total of 40 no. off-street parking spaces are provided with one of these spaces reserved for disabled users. Cycle parking will be provided by Sheffield stands at the front of the store for customers, with separate provision for staff and occupants of the flats. At grade access will also be provided into the convenience store.

3) Are car parking facilities that prioritise short stay retained/enhanced?

The development retains 15 car parking spaces which will be available for short stay purposes for users of the local centre, these have been leased to the Parish Council at a peppercorn rent. Also provided are 15 short stay spaces to serve the convenience store. It would be for those managing the car park to impose any restrictions on length of stay.

4) Is vacant floor space and living space being brought back into active use?

It is hoped that the introduction of a modern convenience store to the Local Centre will considerably improve footfall and make the 'Tern Inn' a more viable proposition as a public house.

5) Is an active ground floor frontage being maintained or provided?

Yes, the introduction of a new local convenience store will provide additional active ground floor frontage.

6) Does the proposal result in the loss of any retail and main town centre uses that meet essential day to day convenience, retail or service needs?

Heron Way Local Centre does not currently provide a convenience store, which provides for essential day to day convenience needs of its local catchment. The proposal will result in the important contribution of a local convenience store which will meet this current deficiency to the benefit of local residents.

7) Does the proposal avoid harm to the vitality, vibrancy and function of the centre or parade?

The introduction of an important local convenience goods shopping facility will provide a new anchor facility for the centre, which will increase footfall and is likely to result in spin-off benefits/linked trips to other services in the centre. Accordingly, the proposal will enhance the vitality and viability of Heron Way Local Centre.

Retail Conclusions

5.30 The proposals accord with relevant retail planning policy set out within the development plan. In accordance with Policy CS14 and PSP31 & PSP32 the proposals:

- will enhance the vitality and viability of the Heron Way Local Centre;
- is of an appropriate scale to the role and function of the Heron Way Local Centre;
- are in accordance with the sequential approach policy test; and
- will not result in any significant adverse impacts or harm to the vitality and viability of any other centre.

5.31 The proposals are also in accordance with the NPPF which in retail policy terms supports retail development in Local Centres.

Scale, Layout and Design

5.32 The Raysfield Park Estate displays a uniformity of character, whereby all of the houses are two-storey detached or semi-detached and distinctly open plan, so typical of the Radburn Estates of the 1960's and 1970's. It is however noted that the Local Centre was developed separately from the rest of the estate and its existing appearance is anomalous in that the retail units and maisonettes are arranged in a 3-storey block. In this respect the three-storey building as proposed, despite being highly visible within the Heron Way street scene, would not look out of place in this context.

5.33 Furthermore, officers raise no objection to the proposed mix of housing type i.e. 1 & 2 bed flats, as this would accord with NPPF para.62 which promotes a mix of housing types to widen opportunities for home ownership and create

sustainable, inclusive and mixed communities. This policy stance is replicated in Core Strategy Policy CS17.

- 5.34 The design of the Local Centre is of its time and currently has a somewhat 'tired' appearance. The scheme design would enhance the appearance of the built form and would not represent an overdevelopment of the site.
- 5.35 Initially there was a good deal of concern raised by the Parish Council; the Council's Urban Design Officer and local residents alike, as to the scale and appearance of the proposed building. During the course of the application there has been a great deal of negotiation and re-design of the building as proposed.
- 5.36 In short, the mix of unit types has been reduced; the form of the building has been revised to reduce its bulk and to better relate to the adjacent pub; a better variety and quality of materials have been introduced and more detail introduced to the elevations; balconies have been introduced to create more private amenity space; the hard and soft landscaping has been greatly improved to provide an enhanced public realm.
- 5.37 The building would be set back over 10-11m from Heron Way, in line with the set back of the adjacent public house, which further ensures the overall scale and massing of the proposed building in the street-scene would safeguard the area's character.
- 5.38 Given what is proposed, the layout is a logical one, which would respect the street scene, whilst having minimum impact on neighbouring residential amenity. The existing car park, whilst functional, is in a state of disrepair and would benefit from re-laying with the parking bays re-marked, this would be secured through this scheme.
- 5.39 On balance, officers consider the revised scale, layout and appearance of the proposal now overcomes the concerns previously expressed. It is noted that the Parish Council now positively support the scheme.

Landscape Issues

- 5.40 Given the developed nature of the site, officers do not consider that the site is an open space that contributes to local character. There are no large trees within the site; there is however a large conifer hedge on the southern and western boundaries of the site, which is in fact owned and maintained by the Council. This hedge provides excellent screening of the site; there are no proposals for its removal.
- 5.41 An Arboricultural Report including Tree Protection Plan, from Silverback Arboricultural Consultancy dated January 2021 has been submitted to the Tree Officer's satisfaction, who raises no objection, subject to full compliance with the report.
- 5.42 A wide verge along Heron Way would also remain, this contains a number of trees which help to screen the site to a limited degree; the verge falls outside of the application site and will not be impacted as a result of the proposal. There is however some limited scope to introduce new landscaping within the site; a

scheme of landscaping has been submitted which includes some additional tree and shrub planting to the periphery of the site, which is welcomed. Whilst it would have been desirable to include further tree planting in the centre of the site, this would have compromised the number of residential parking spaces.

- 5.43 On balance, given the urban character of the site, the proposal would not have any significant adverse impacts on landscape character.

Transportation Matters

- 5.44 The proposal is similar to the previously approved development P20/23744/F; the difference being an additional 4no. flats. A Transportation Statement has again been submitted in support of the application.

Access

- 5.45 The access and servicing arrangements are the same as previously approved under P20/23744/F and as such these are agreed.

- 5.46 The proposed convenience store would be accessed via the existing car park access onto Heron Way. The posted speed limit on Heron Way is currently 40mph. Adequate visibility splays exist at the site access for the measured speed of traffic along Heron Way.

- 5.47 It is proposed to reduce the width of the site access to accommodate a footpath access on the north-east side of the access connecting the south side of Heron Way to the proposed store entrance. The reduced access width, which has been previously tested with the swept paths of the largest vehicles entering the site, would slow traffic as it accesses the site. Alternative pedestrian access to the development from the south side of Heron Way is already provided from the subways to the north and south of the site. There is also a pedestrian path leading into the car park from the footpath north of the site.

- 5.48 The Transportation Officer concludes that the Development would be provided with safe and suitable access by all means of travel.

Servicing

- 5.49 The store would take deliveries from a rigid delivery vehicle which would park up in the delivery area adjacent to the site access. A Delivery Management Plan (DMP) has been previously submitted with planning application P20/23744/F and is appended to the Transport Statement for the current application. The DMP covers delivery times, restricted to off-peak store and school start and end times.

- 5.50 It is proposed that the delivery vehicle will remove waste and recycling from the site after deliveries have been unloaded. Waste collection for the residential flats would be able to take place from the car park and adjacent car park/servicing area behind the existing PH and existing small retail units. This would be the same as the existing arrangement for the PH, small shops and flats above them. Track plots have been submitted to demonstrate that the waste collection vehicle can access and turn within the site. A suitable bin store would be provided for the 9 flats.

Parking

- 5.51 A total of 40 car parking spaces are proposed. Parking demand assessments have been carried out for the PH and the Convenience Store using national parking survey data on the TRICS database, which surveys parking accumulation at similar sites across the country. These cumulative parking assessments have demonstrated that there will be sufficient onsite parking for the proposal and existing pub.
- 5.52 10 car parking spaces are proposed for the 7 x 1 bedroom and 2 x 2 bedroom flats. This number of spaces is consistent with the Council's minimum residential car parking standard, which requires 1 space per 1-bed flat and 1.5 spaces per 2-bed flat rounded up; there are no designated visitor spaces provided. The Transportation officer is however happy that the 1 or 2 visitor spaces can be accommodated within the overall parking provision.
- 5.53 In line with the Council's guidance on Electric Vehicle Charging Points the 10 residential car parking spaces should, as a minimum, be provided with ducting for future charging point provision; this can be secured by condition.
- 5.54 Details of a secure cycle store for the flats, sufficient for 11 cycles, has been submitted to officer satisfaction. The store would be served by 4no. Sheffield type stands located 1m apart. This accords with the Council's standard in terms of the number of stands, however two covered and secure spaces are required for staff. These can be secured by condition.
- 5.55 The convenience store would be provided with 15 car parking spaces, one of which is designated disabled space. The old withdrawn Local Plan maximum standard for the 417m sq. store was 12 spaces. So the proposed provision is 3 more than the old maximum standard.
- 5.56 Despite being more recently in private ownership, the Local Centre car park has traditionally been used by the local community on an informal basis, most notably at school drop off and pick up times. It is understood that the applicants have now agreed a lease with the parish council for 15 of the parking spaces at a peppercorn rent to ensure those spaces stay in long term community free use. These spaces are labelled as the 'additional spaces' on the Site Plan and would also be used to serve The Tern Inn pub. The Transportation Officer is satisfied that the 15 spaces, plus use of some of the convenience store spaces will be sufficient to accommodate the parking demand generated by the Tern Inn. The respective parking spaces would be marked out and delineated by differing hard surfacing.

Summary

- 5.57 The proposal would be provided with a safe and suitable access for all means of travel; the servicing arrangements would be safe and suitable. Adequate provision is made for car and cycle parking in accordance with the Council's standards and the predicted demand.
- 5.58 There are no Transportation objections subject to conditions to secure the matters discussed above.

Impact on Residential Amenity

- 5.59 Policy PSP8 which relates to residential amenity, states that : Development proposal(s) will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to):
- a. loss of privacy and overlooking;
 - b. overbearing and dominant impact;
 - c. loss of light (daylight/sunlight);
 - d. noise or disturbance; and
 - e. odours, fumes or vibration.
- 5.60 Given the scale and location of the proposed building and the distance to neighbouring property, officers are satisfied that the scheme will not result in any significant loss of privacy, light or overbearing impact for neighbouring occupants.
- 5.61 The site is an existing car park and Local Centre. The scheme is unlikely to generate or be subjected to, significant amounts of additional noise and disturbance (see environmental section below).
- 5.62 Policy PSP43 of the PSPP states that private and communal external amenity space should be functional and safe, easily accessible from living areas, orientated to maximise sunlight, be of a sufficient size and functional shape to meet the needs of the likely number of occupiers and take account of the context of the development, including the character of the surrounding area. The policy also sets out, as a guide, minimum square metre standards. For 1 and 2 bed flats the policy requires a minimum provision of 5 sq.m. amenity space per flat.
- 5.63 In this instance each flat would now be provided with a balcony where none were provided in the previously approved scheme. The flats would not generally be suitable for family occupation and given the highly sustainable location of the site, some relaxation in the amenity space standards is acceptable in this case.

Ecology

- 5.64 The site is not covered by any statutory or non-statutory nature conservation designations. There are no existing buildings on the site to offer bat roosting potential. Some ecological gain would be secured by the enhanced habitat via the additional landscaping. There are no objections to the proposal on ecological grounds.

Environmental Issues

- 5.65 The future occupiers of the flats would be subjected to some noise generated from traffic on Heron Way, the comings and goings to/from the Convenience Store and other units within the Local Centre and late night noise from the pub. That would however be much the same as the existing flat occupiers above the existing units within the Centre.
- 5.66 A Noise Impact Statement by NSL Noise Solutions has been submitted in support of this application, which relates to noise levels from the plant

associated with the development. The Council's Environmental Health Officer (EHO) raises no objection, subject to a condition to limit noise levels to those quoted in the report. Given the previous uses of the site as a Car Park, a Geo-Environmental Site Investigation Report has been submitted. Whilst no contamination was found the EHO has recommended a condition for remediation should any contamination be found during groundworks.

5.67 The site lies in Flood Zone 1 and is not prone to flooding. The Council's Drainage Engineer raises no objection subject to the development being carried out in accordance with the submitted and approved drainage details; this can be secured by a condition. Furthermore there have been no past mining activities in the immediate area and as such the site is not within a Coal Referral Area.

5.68 In terms of disturbance, a condition would control the hours of working during the development phase. In terms of the opening hours of the proposed Convenience Store, these can also be controlled by condition. The hours quoted on the application form are as follows:

Mon – Fri 06:00 to 23:00

Sat - 06:00 to 23:00

Sun & Bank Holidays – 06:00 to 23:00

On balance therefore there are no objections on environmental grounds.

Sustainability Issues

5.69 Core Strategy policy CS3 – renewable and low carbon energy generation – and Policies, Site and Places Plan policy PSP6 – Onsite Renewable and Low Carbon Energy are relevant.

5.70 A Sustainable Energy Statement has been submitted as part of the Design and Access Statement. The Statement confirms that the proposed design, construction method and materials used will ensure the building is energy efficient to the highest standards possible. The siting and orientation of the building and the layout and use of windows will minimise the need for artificial light, heating and cooling and will maximise solar gain, limiting winter heat loss as well as maximise passive cooling in the summer. The layout of windows will also provide opportunity for natural ventilation. The construction methods and management of the construction process will help to achieve an energy efficient building and reduce thermal heat loss

5.71 The materials proposed and construction methods will also help to ensure that the building is insulated to minimise heat loss. Other measures which could help to achieve reduce energy consumption will be 'A' rated windows and doors to minimise heat loss and maximise solar gain, the installation and use of energy efficient appliances, individual heating controls and metering equipment and low energy light bulbs

CIL Matters and S106 Obligations

5.72 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was first adopted March 2015. CIL charging commenced on 1st August 2015 and this development, if approved, would be

liable to CIL charging. The scheme is not of a scale that would generate contributions to affordable housing or POS.

Consideration of likely impact on Equalities

- 5.73 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.

Planning Balance

- 5.74 At the heart of the NPPF is a presumption in favour of sustainable development. In determining whether the proposal would be a sustainable form of development, there are three dimensions to consider, these being an economic objective, a social objective, and an environmental objective.
- 5.75 A similar scheme for the “Erection of a convenience store with 5no flats above, retention of existing public house, with associated access and parking” was previously approved in May 2021. The acceptance in principle of a Convenience Store of the scale proposed, with flats above has already been established and weighs heavily in favour of this revised scheme.
- 5.76 This current proposal would provide 9no. small, open-market, residential units on previously developed land in a highly sustainable location, which would make a positive, if small, contribution to housing stock within the County, this can be given moderate weight in favour of the scheme.
- 5.77 The introduction of a convenience store with associated employment opportunities is a positive aspect of the scheme, as are the social and economic benefits of the scheme. With the mitigation measures proposed the transportation and parking issue is considered to be neutral.
- 5.78 The proposal would significantly enhance the vitality and viability of the Local Centre and significantly improve the ongoing viability of the recently re-opened Tern Inn PH. The associated increased footfall will encourage sustainable shopping patterns; all of which weigh heavily in favour of the scheme.
- 5.79 The proposal would provide suitable living and working conditions respectively for future occupiers, especially given the highly sustainable location of the site. The proposal would not be harmful to the character and appearance of the area.
- 5.80 The only real harm identified would be the loss of a small area of the existing car park but this would be significantly outweighed by the positive aspects of the scheme. The fact that the Parish Council has leased the 15 car parking spaces for continued community use weighs in favour of the scheme.

5.81 Concerns about the scale and appearance of the building have been adequately addressed in the revised scheme design. Any other potential harms are mitigated by condition and are therefore neutral in the planning balance.

5.82 Officers are satisfied that the scheme represents sustainable development that should be approved without delay.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 That planning permission be **GRANTED** subject to the conditions listed below.

CONDITIONS

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

Reason

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

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

Site Set Up Plan Drawing No. 21-140 104 received 10th Jan 2022

External Lighting Layout Drawing P1 received 14th Jan. 2022

Existing and Proposed Site Plans Drawing no. 21-140-01 Rev I received 1st Nov. 2022

Proposed Floor Plans Drawing No. 21-140-02 Rev E received 17th Aug. 2022

Existing and Proposed Elevations -1 Drawing No. 21-140-03 Rev G received 16th Sept. 2022

Existing and Proposed Elevations -2 Drawing No. 21-140-04 Rev G received 17th Aug. 2022

Balcony Detail Drawing No. 21-140-05 received 17th August 2022

Landscape Plan Drawing No. PA-2319 Rev H received 2nd Nov. 2022

Reason:

To define the terms and extent of the permission.

3. The hours of working on site during the period of construction shall be restricted to 07:30 to 18.00 Monday to Friday and 08:00 to 13:00 on Saturdays with no working permitted on Sundays or Bank or Public Holidays. The term 'working' shall for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 8th Nov. 2017.

4. The development hereby approved shall be carried out in full accordance with the following approved drainage plans and details:

C1739_400_Impermeable Areas Plan

C1739_Drainage Statement A

C1739_Existing drainage area

LLFA Response_P21.06188.F

CGS LLFA Response P21.06188.F - 10.02.2022

C1739_100_P2_Drainage layout_1 of 2

C1739_Drainage Maintenance & Management Statement

Reason

To ensure the site is adequately drained and to comply with Policy PSP20 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policies CS1 & CS9 of The South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and The National Planning Policy Framework Feb. 2019.

5. The development shall be carried out in full accordance with the site specific Construction Environmental Management Plan (CEMP - V3) by Green City Homes received 4th July 2022.

Reason

In the interests of residential amenity and highway safety and to accord with Policies PSP8, PSP11 and PSP21 of the The South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013 and the provisions of the NPPF.

6. The development hereby approved shall not be occupied until the revised access arrangements including the pedestrian

crossing point on Heron Way have been completed in accordance with the details on the Existing and Proposed Site Plans Drawing no. 21-140-01 Rev I received 1st Nov. 2022.

Reason

In the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013.

7. The development hereby approved shall not be occupied until the car parking arrangements have been completed and marked out in accordance with the details shown on the approved Existing and Proposed Site Plans Drawing no. 21-140-01 Rev I received 1st Nov. 2022, plus the inclusion of ducting for the residential spaces for future electric vehicle supply cables.

Reason

To ensure the satisfactory provision of car parking facilities and promote sustainable travel, in the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013.

8. The Convenience Store and flats hereby approved shall not be brought into use until cycle parking (in accordance with the approved Existing and Proposed Site Plans Drawing no. 21-140-01 Rev I received 1st Nov 2022); plus two covered and secure staff spaces, the details of which are to be submitted to and approved in writing by the Local Planning Authority, have been provided.

Reason

To promote sustainable travel and to accord with Policy PSP16 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) 8th Nov. 2017.

9. The Convenience Store hereby approved, shall operate in full accordance with the Delivery Management Plan (DMP) by Traffic & Highways Engineering Limited Ref ADL/AM/4266/27A dated August 2021.

Reason

In the interest of highway safety and the amenity of the area, and to accord with Policy PSP11 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017.

10. Prior to the commencement of above ground works, the following shall be shall be submitted to the Local Planning Authority for approval:

- Detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting (to be implemented in the first season following completion of construction works); supported by implementation specification and tree pit details.
 - o 5 Year Landscape Maintenance Schedule covering the establishment of all new planting.

The Development shall subsequently be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP2 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) 6th Nov. 2017 and the National Planning Policy Framework.

11. The development hereby approved shall be carried out in full accordance with the recommendations and methodology outlined in the submitted Arboricultural Report by Silverback Ltd. dated Jan. 2021.

Reason

To protect the character and appearance of the area to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP2 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) 6th Nov. 2017 and the National Planning Policy Framework.

12. Any contamination found during the course of construction of the development shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, a remediation and verification scheme shall be submitted to and approved in writing by the local planning authority. The approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason

There is a record of filled ground located beneath the existing car park. This may have potential to give rise to unacceptable risks to the proposed development. In the interests of the health of future occupiers and to accord with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and Policy PSP21 of The South Gloucestershire Policies Sites and Places Plan (Adopted) Nov. 2017 and the NPPF.

13. The Convenience Store hereby permitted shall not be open to customers outside the following times :

Mon - Sat incl. 06:00hrs to 23:00hrs; Sundays and Bank Holidays 06:00hrs to 23:00 hrs.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017.

14. The development hereby approved shall be operated in full accordance with the noise levels stated in the Plant Impact Assessment report dated 13th November 2020 by Noise Solution Ltd.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017.

15. The total retail floorspace of the Convenience Store hereby approved, shall not exceed 238 sq.m. unless otherwise approved in writing by the Local Planning Authority.

Reason,

To ensure that the store remains small in scale and appropriate in size for the Local Centre, in accordance with Policy CS14 of The South Gloucestershire Local Plan : Core Strategy (Adopted) Dec. 2013 and Policies PSP31 & PSP32 of The South Gloucestershire Local Plan ; Policies, Sites & Places Plan (Adopted) and having regard to the disproportionate area of 'back of house' floorspace.

16. The ATM hereby approved shall be fitted with gas attack protection measures, the details of which shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first use of the ATM the approved protection measures shall be implemented in full in accordance with the approved details and thereafter retained and maintained as such.

Reason

In the interests of crime prevention and to accord with Policy CS1 of South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework Feb. 2019.

17. The lighting design details shown on the approved External Lighting Layout Drawing P1 received 14th Jan. 2022 shall be implemented in full prior to the first occupation of the development for the purposes hereby approved.

Reason

In the interests of crime prevention and to accord with Policy CS1 of South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework Feb. 2019.

18. Prior to the commencement of above ground development, details of CCTV to cover the car park and areas around the Convenience Store, including all cycle stores, shall be submitted to and approved in writing by, the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and the CCTV system implemented prior to the first occupation of the development for the purposes hereby approved..

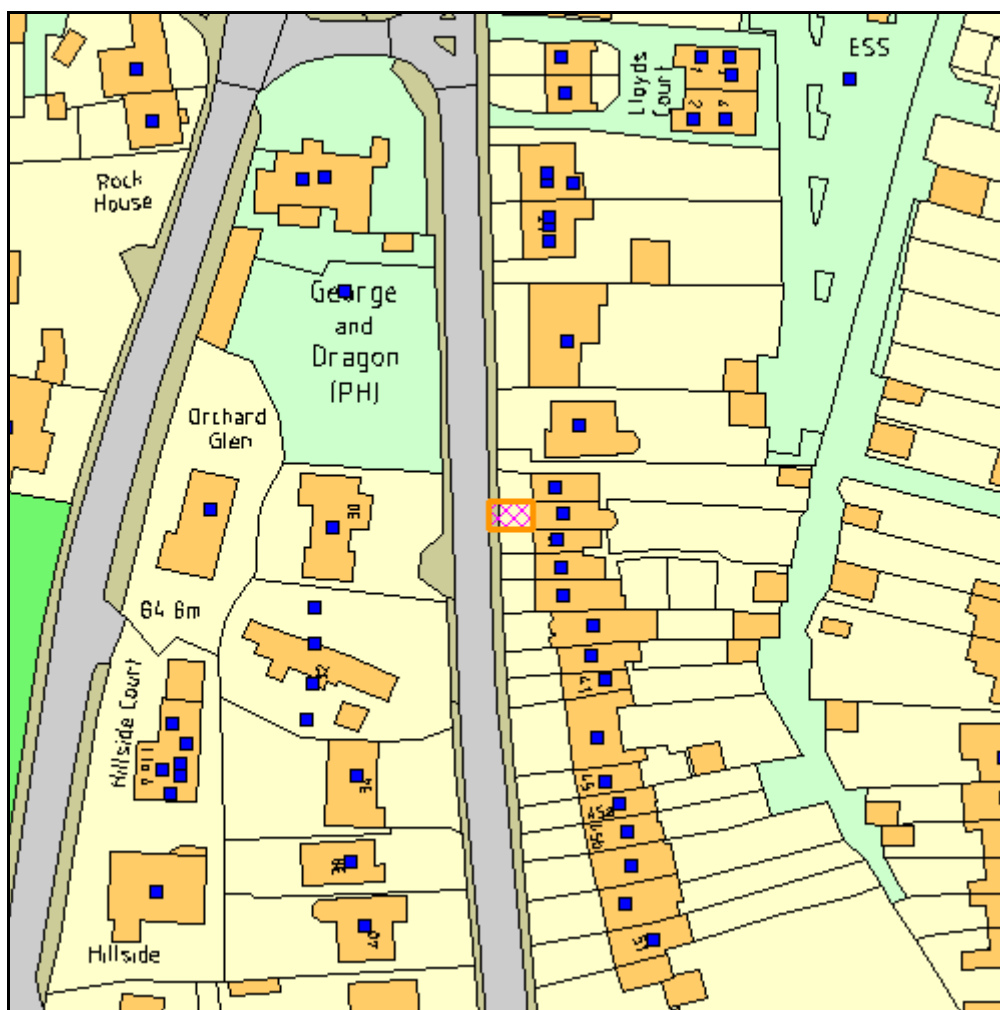
Reason

In the interests of crime prevention and to accord with Policy CS1 of South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework Feb. 2019.

Case Officer: Roger Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 45/22 -11th November 2022

App No.:	P22/01595/F	Applicant:	Mr David Oaten
Site:	Land At And Adjacent To 29 Dragon Road Winterbourne South Gloucestershire BS36 1BQ	Date Reg:	26th September 2022
Proposal:	Creation of new vehicular access on Dragon Road (class C highway) with associated parking area.	Parish:	Winterbourne Parish Council
Map Ref:	364810 180409	Ward:	Winterbourne
Application Category:	Minor	Target Date:	21st November 2022



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P22/01595/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule following the receipt of an objection from Winterbourne Parish Council contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for creation of new vehicular access on Dragon Road (class C highway) with associated parking area at 29 Dragon Road, Winterbourne.
- 1.2 The site is situated within the Winterbourne settlement boundary and comprises a rectangular area of land sited to the front of 29 Dragon Road, a two-storey terraced dwellinghouse.

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

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

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

- 2.3 Supplementary Planning Guidance
South Gloucestershire Householder Design Guide SPD (Adopted) 2021
Residential Parking Standards SPS (Adopted) 2013
Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

- 3.1 PT10/1031/F - Erection of two storey rear extension to form additional living accommodation. Erection of detached double garage.
Refusal 14.06.2010.

- 3.2 PT06/0530/F - Erection of first floor rear extension to provide additional living accommodation
Approve with conditions 30.03.2006.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Objection.

The application would require extensive dropped kerb in an area already the subject of high demand for parking directly opposite an extensive redevelopment site. In addition, it is felt the application will ruin the view of the cottages.

4.2 Transportation DC

No objection subject to condition.

4.3 Lead Local Flood Authority

No objections.

4.3 Public Comment

None.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated within the settlement boundary and is currently utilised as a C3 dwellinghouse.

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

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness, and amenity of both the site and its context.

- 5.3 The application site is a mid-terrace dwellinghouse which sits adjacent to Dragon Road. The property is currently served by off-street parking to the rear, but no off-street parking is to the front.

- 5.4 The creation of the access will result in the removal of part of the existing low boundary wall. The wall appears to be original, and several others can be found along the terrace. Its removal will result in some loss of character however several walls have already been removed to facilitate off-road parking, including

No.35. Furthermore, the neighbouring property No.27 recently received planning permission to drop the kerb and remove a section of stone walling to facilitate their own off-street parking area (P21/05746/F). A condition is recommended to ensure that part of the stone will be retained in order to minimise the loss of character. Overall, the removal of the wall will result in a small loss of character, but this is not significant enough to warrant a refusal.

5.5 Overall, the proposal has been carefully assessed and has found to be in compliance with these policies.

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 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed and has found to be in compliance with these policies.

5.7 Private Amenity Space

Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. The proposal has been carefully assessed and has found to be in compliance with these policies.

5.8 Transport (Access and Parking)

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal allows for the creation of 1.no off-road parking space within the curtilage of the property. The parking space meets the desired 2.4 x 5.5m dimensions as sought by PSP16 and Transport DC have assessed the proposal and raise no objection. This is in part due to the other dropped kerbs in the locality, the straight section of road and the overall low speed and traffic volumes. A condition will be attached to any permission to ensure the material used for the creation of hard standing is bound to avoid loose material being deposited onto the highway. Overall, subject to conditions, the proposal is acceptable in access and parking terms.

5.9 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Location plan

Block plan

(above plans received 22/09/2022)

Parking plan

(above plan received 03/11/2022)

Reason

To define the terms and extent of the permission.

3. The parking area shall be surfaced with a consolidated material (not loose stone or gravel).

Reason:

To prevent stones or gravel being spread over the footway in the interest of highway safety and to accord with South Gloucestershire Local Plan: Policies Sites & Places Policy PSP11.

4. The part of the existing natural stone wall at 29 Dragon Road to the south of the proposed 700mm pedestrian access shall be retained.

Reason:

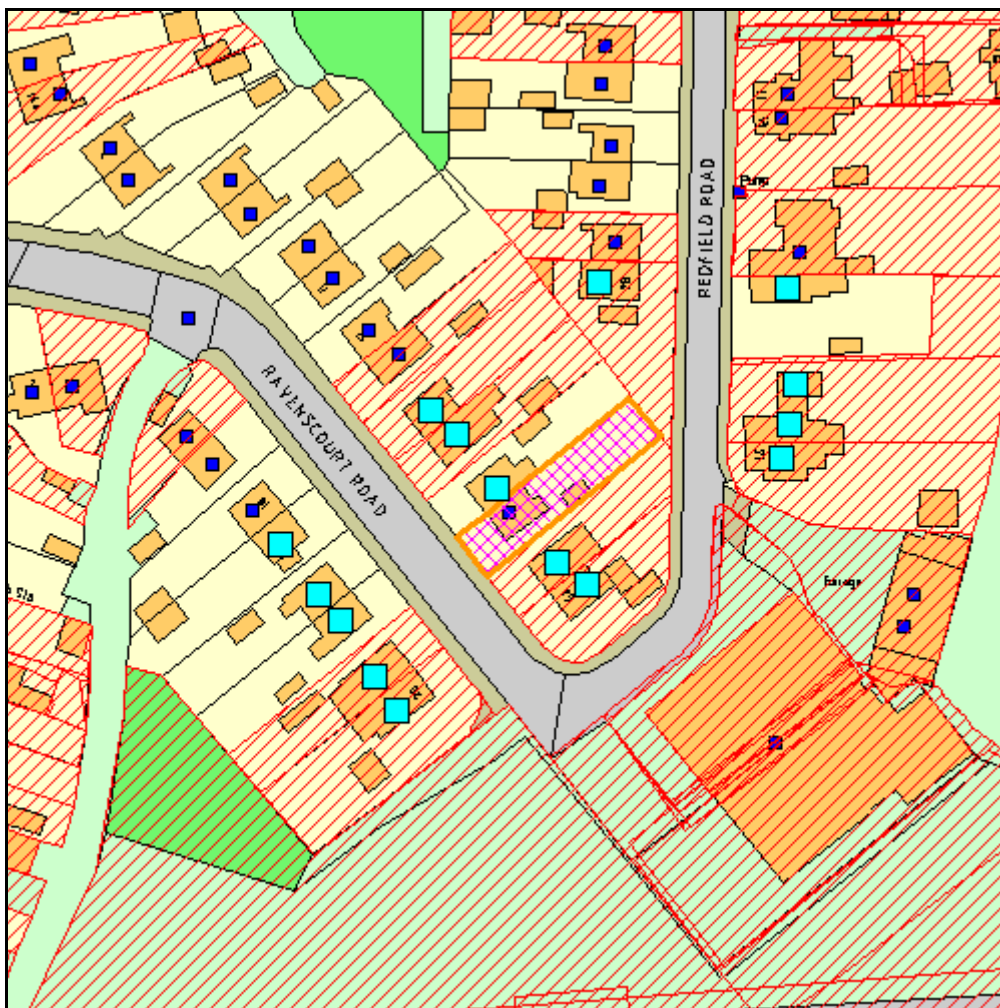
In the interests of visual amenity and the character of the area, and in accordance with Policy CS1 of the adopted South Gloucestershire Core Strategy.

Case Officer: Charlie Morris

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 45/22 -11th November 2022

App No.:	P22/05160/HH	Applicant:	Mr. Banaiy
Site:	25 Ravenscourt Road Patchway South Gloucestershire BS34 6PL	Date Reg:	25th August 2022
Proposal:	Erection of a single storey rear and side extension to form additional living accommodation. Erection of front porch.	Parish:	Patchway Town Council
Map Ref:	360652 181230	Ward:	Charlton And Cribbs
Application Category:	Householder	Target Date:	19th October 2022



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P22/05160/HH

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a single storey rear and side extension to form additional living accommodation and the erection of a front porch.
- 1.2 The application site is a 3no. bedroom semi-detached dwelling, located at 25 Ravenscourt Road, and set within the area of Patchway.
- 1.3 Throughout the course of the application process amendments have been made to the plans following concerns raised by the case officer regarding design and residential amenity. This assessment has been made on the basis of these revised plans.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Householder Design Guide SPD (Adopted) March 2021

3. RELEVANT PLANNING HISTORY

3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Patchway Town Council

Patchway Town Council would like to raise an objection to this planning application. Patchway Town Council feels that the loss of residential parking that this development creates will push the parking issue further throughout the Town.

4.2 Sustainable Transport

The applicant seeks to erect a single storey rear and side extension to form additional living accommodation. The proposed extension will build over the driveway to the side of the house and leave one parking space remaining. As a 3 bed dwelling, the SGC minimum parking standards require 2 off street parking spaces be provided. Subject to a scale plan being submitted and approved showing 2 off street parking spaces within the applicants site boundary, each to measure 5.5m x 2.4m, there would be no transportation objection.

If recommended for approval, we would require the development to provide electric vehicle charging in line with our emerging EV policy, which is for all individual dwellings with one or more dedicated parking spaces or garage to include provision for 7Kw (32 amp) charging infrastructure suitable for charging an electric or other ultra-low emission vehicle. These items should be fully approved by this Council before use. To this end, we would recommend that appropriate conditions are imposed on any planning permission granted for this site to ensure that this takes place.

4.3 Residents

1no. comment has been received, neither supporting nor objecting to the scheme, as summarised:

- Clarification on whether a wall/fence is to be constructed or whether the extension would be built right up to the border
- How will the atrium be separated from the neighbouring conservatory
- Privacy concerns
- Impact of overshadowing

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting,

form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

5.2 The proposal is relatively detailed in what it seeks to achieve. Each element has therefore been broken down to describe in better detail.

5.3 Rear extension

It is proposed to erect an extension to the rear of the application property. The plans show this extension to measure 5.5m in depth and 7.3m in width, to where it would connect to the proposed side extension. In terms of height, the extension would have a flat roof of slightly 'stepped' height, in which it measures 2.8m in height from the rear elevation, stepping up to 3m in height at a projection of 1.5m. This would facilitate the inclusion of an atrium within the extension itself. The rear extension would be finished with a combination of timber cladding and brick.

5.4 Side extension

The plans also show that it is proposed to erect a single storey extension to the side of the property. This extension would measure 1m in width and 7.9m in depth to which it would connect to the proposed rear extension. The side extension would also be finished with a flat roof, measuring 2.8m in height and would be finished in brick.

5.5 Front porch

It is also proposed to construct a front porch. The plans show that this porch would measure 2.4m in width, 1.7m in depth and 2.8m in height, as measured externally. The porch would also be finished in brick.

5.6 Design & Visual Amenity

Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.7 The proposal would result in a substantial change to the property. That being said, significant amendments have also been made to the plans since the original submission. The resultant impact of these amendments is that the proposed additions to the property now appear much more subservient and well-balanced against the existing building.

5.8 In particular, the proposed rear extension has been reduced in depth from 8m to 5.5m. Whilst it is noted that the Householder Design SPD encourages rear extensions to a maximum depth of 5m, it is reasonably demonstrated that the additional 0.5m would not result in harm to character or visual amenity in this instance. Additionally, whilst the difference in height levels of the roof may

appear slightly jarring, the case officer is of the view that this assists in breaking up each element of the development, so as not to result in a bulky or cumbersome appearance to the final built form of the dwelling.

- 5.9 The design of the porch and side extension to present the curvature of the corners promotes integration with the aesthetic of the existing property and others along Ravenscourt Road. Most properties along the road present these curved bay windows to the façade, meaning that the proposal would enhance the existing features and characteristics of the dwelling and its context.
- 5.10 It is also clear that porches are a common feature along the street scene and range greatly in terms of scale, form and design. In this case, the proposed porch has been reduced in size slightly so that existing features of the property are retained, and the porch appears subservient to the principal elevation and wider context of the street scene and building line.
- 5.11 On that basis, the proposal is found to be in accordance with the relevant policies in the development plan which promote high quality design and the accompanying guidance within the Householder Design SPD.
- 5.12 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Similarly, policy PSP43 reinstates the requirement for the provision of sufficient private amenity space standards and that private and communal external amenity space should be; functional, safe, accessible, of sufficient size and should take into account the context of the development and, including the character of the surrounding area.
- 5.13 The property itself is semi-detached to its neighbour at No. 23 and sits within relatively close proximity to its neighbour at No. 27. There are no neighbours to the rear which are likely to be affected as a result of the development. Concerns were initially raised from the case officer with regards to the impact of the proposal on neighbours at both No. 23 and No. 27. Specifically, the original design would have resulted in significant harm to the amenity of these neighbouring occupiers by virtue of a loss of privacy and overbearing and dominating impact.
- 5.14 As such, the relevant amendments have been made to the design of the scheme which mitigates against the concerns initially raised. Windows to the side elevation have been obscurely glazed and the overall size and scale of the rear extension had been reduced so as not to detrimentally harm the amenity of the neighbouring conservatory.
- 5.15 Given that suitable and appropriate amendments have been made, it would be unreasonable to hold an objection on residential amenity grounds. The proposal is therefore compliant with PSP8 and PSP43 of the development plan.

5.16 Parking Standards

PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand.

5.17 The proposal does not seek to alter the number of bedrooms at the property however, some alterations would be made to the parking arrangements by demolition of the existing garage which is currently sited within the rear garden. Comments are also noted from the Town Council and the transport officer with regards to the existing and proposed parking arrangements, and this will be addressed in turn.

5.18 As existing, the property is able to offer 1no. parking space to the front of the dwelling in the form of a driveway. Whilst the development would result in the loss of the garage, the internal measurements of this garage do not conform to current size standards to be considered suitable for the parking of a car. The side access to the property is also found to be too narrow, at just 2.2m, to also be able to park a vehicle of modern size standards. As such, the property is able to offer 1no. off-street parking space in the form of the driveway.

5.19 The proposal does not seek to lose this parking space and the plans show that the driveway would be retained for off-street parking. Given that the proposal is also not increasing the number of bedrooms at the property, it is reasonably demonstrated that the proposal would not result in unacceptable harm to highway safety or an unacceptable increase in parking demand at the application property. The proposal is therefore found to be compliant with PSP11 and PSP16 of the development plan.

5.20 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

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

7. **RECOMMENDATION**

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

CONDITIONS

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

Reason

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

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

Received by the Local Authority on 24 August 2022:

Site Location Plan (Drawing No. DR-01)
Existing Floor Plans (Drawing No. DR-03)
Existing Elevations (Drawing No. DR-04)
Existing Site Photos (Drawing No. DR-09)

Received by the Local Authority on 08 November:

Proposed Elevations (Drawing No. DR-06 - Rev 4)
Proposed Sections (Drawing No. DR-07 - Rev 4)

Received by the Local Authority on 09 November:

Existing and Proposed Site and Block Plans (Drawing No. DR-02 - Rev 3)
Proposed Ground Floor and Roof Plan (Drawing No. DR-05 - Rev 3)

Reason

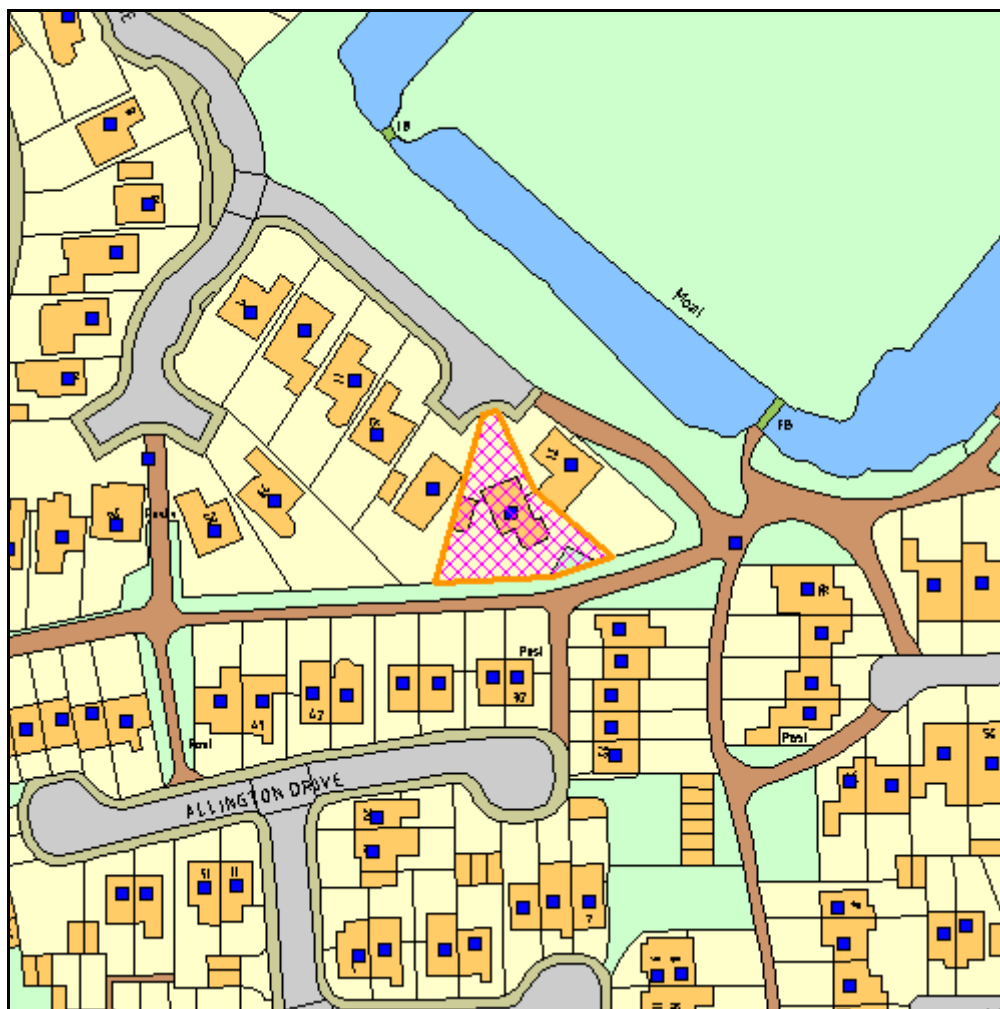
To define the terms and extent of the permission.

Case Officer: Lucie Rozsos

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 45/22 -11th November 2022

App No.:	P22/05163/F	Applicant:	Mr David Cox
Site:	19 Craven Close Barrs Court South Gloucestershire BS30 7BX	Date Reg:	26th August 2022
Proposal:	Change of use of land from amenity land to residential (Class C3) as defined in the Town and Country Planning (Use classes) Order 1985 as amended.	Parish:	Oldland Parish Council
Map Ref:	365775 171941	Ward:	Longwell Green
Application Category:	Minor	Target Date:	19th October 2022



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P22/05163/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Comments received from Oldland Parish Council and four local residents contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the change of use of land from Amenity Land to Residential (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1985 as amended at 19 Craven Close, Barrs Court.
- 1.2 The application site comprises a triangular area of amenity land to the rear of 19 Craven Close. The amenity land appears 'cut-out' from the rear garden of no.19 and contains a main sewer inspection chamber. To the rear of the site runs a pedestrian footpath that links neighbouring residential development together. This footpath is separated from the surrounding residential gardens by a mix of brick walls and timber fencing. The application site is located within the defined Bristol eastern fringe settlement boundary.
- 1.3 The proposed development seeks to extend the residential curtilage of no.19 by removing the part of the existing brick wall that cuts into the current residential curtilage and replacing it with a timber fence that carries on the brick wall parallel to the pedestrian footpath.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plan

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage

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 within Urban Areas and Settlements
PSP8	Residential Amenity
PSP11	Transport Impact Management

PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK08/0490/F
 Erection of rear conservatory.
 Approve with Conditions (18/03/2008)
- 3.2 K1124/162
 Erection of 26 dwellings and associated roadworks.
 Approval Full Planning (23/08/1993)

4. **CONSULTATION RESPONSES**

- 4.1 Oldland Parish Council
 Objection - No objection to the change of use of land but objection to the proposed fence as it would be out of keeping with the existing wall. Noted that Wessex water need access to the main A1 sewer within the garden of the property.
- 4.2 Sustainable Transport Team
 No objection.
- 4.3 Wessex Water
 No objection.
- 4.4 Local Residents
 4no. objection comments from local residents have been received making the following points:
- There is a main sewer on the site that needs to remain accessible.
 - Trees that are Council owned have already been removed that acted as a screen for neighbouring properties.
 - The proposed timber fence would be out of keeping with the existing brick wall.
 - The land is Council owned and not owned by the applicant.
 - Concerns about the structural integrity of the remaining wall.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development

The application seeks permission for the change of use of land from Amenity Land to Residential (Class C3) at an existing residential property within a defined settlement. Policy PSP5 of the Policies, Sites and Places Plan covers undesignated open spaces within the urban areas and defined settlements. PSP5 permits development within such areas provided it does not adversely affect the quality, character, biodiversity, sustainable water management, recreation opportunities, heritage value, amenity, or distinctiveness of the locality. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Land Ownership

Concerns have been raised about the ownership of the amenity land that is the subject of this application. The applicant has signed Certificate of Ownership - Certificate A certifying that they are the sole owners of the land. This was queried and confirmed with the submission of the property's Title Deed.

5.3 Design and Visual Amenity

Policy CS1 of the Core Strategy and Policy PSP1 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.4 The proposed change of use of land would not have any detrimental impacts on the visual amenity of either the site or its context. The existing amenity land offers little to the surrounding area and a strip of amenity land would be maintained adjacent to the existing pedestrian footpath.

5.5 The section of brick wall to be removed would be replaced with a timber fence. A site visit was carried out on 19/10/2022 and it was evident that the surrounding area is characterised by a mix brick walls and timber fencing. The two boundary treatments are used interchangeable within the surrounding area with examples visible of where timber fencing meets brick wall. No.32, 34 and 36 Allington Drive, directly south of the application site, are bounded by timber fencing.

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

5.7 Residential Amenity

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

- 5.8 The proposed change of use of land would not have any detrimental impacts on the residential amenity of the neighbouring properties. The proposed replacement timber fence would follow the line of the existing remaining wall parallel to the pedestrian footpath so would not have any overbearing or dominant impacts on the residential amenity of the neighbouring properties. The proposal has been carefully assessed and has found to be in compliance with these policies.
- 5.9 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.10 Highway Safety and Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposed development would not increase the number of bedrooms in the property and would not remove any on-site parking spaces. The proposed change of use would not impact the existing pedestrian footpath that runs to the south of the site.
- 5.11 Trees
It appears that a number of Council owned trees have been removed from the land adjacent to the pedestrian footpath that runs to the south of the site. These are not within the area of land that is the subject of this application and their removal is not necessary for this application to proceed. Their potential unlawful removal is therefore not within the scope of this application and is instead being dealt with by the relevant team within the Council.
- 5.12 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.
- 5.13 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.14 Other Matters
A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.15 Concerns have been raised about the need for access to the main sewer inspection chamber on the site. Wessex Water were consulted on the application and raised no objection. The proposed timber fence would be

removable to allow Wessex Water access to the main sewer inspection chamber.

- 5.16 Concerns have been raised about the structural integrity of the remaining wall. This would be a matter for the applicant to ensure and they should liaise with the Councils Building Regulations Team.

6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

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

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:
22096-PL01 - Site Location Plan (Received 24/08/2022)
22096-PL02 - Existing Block Plan (Received 24/08/2022)
22096-PL03 - Proposed Block Plan (Received 24/08/2022)

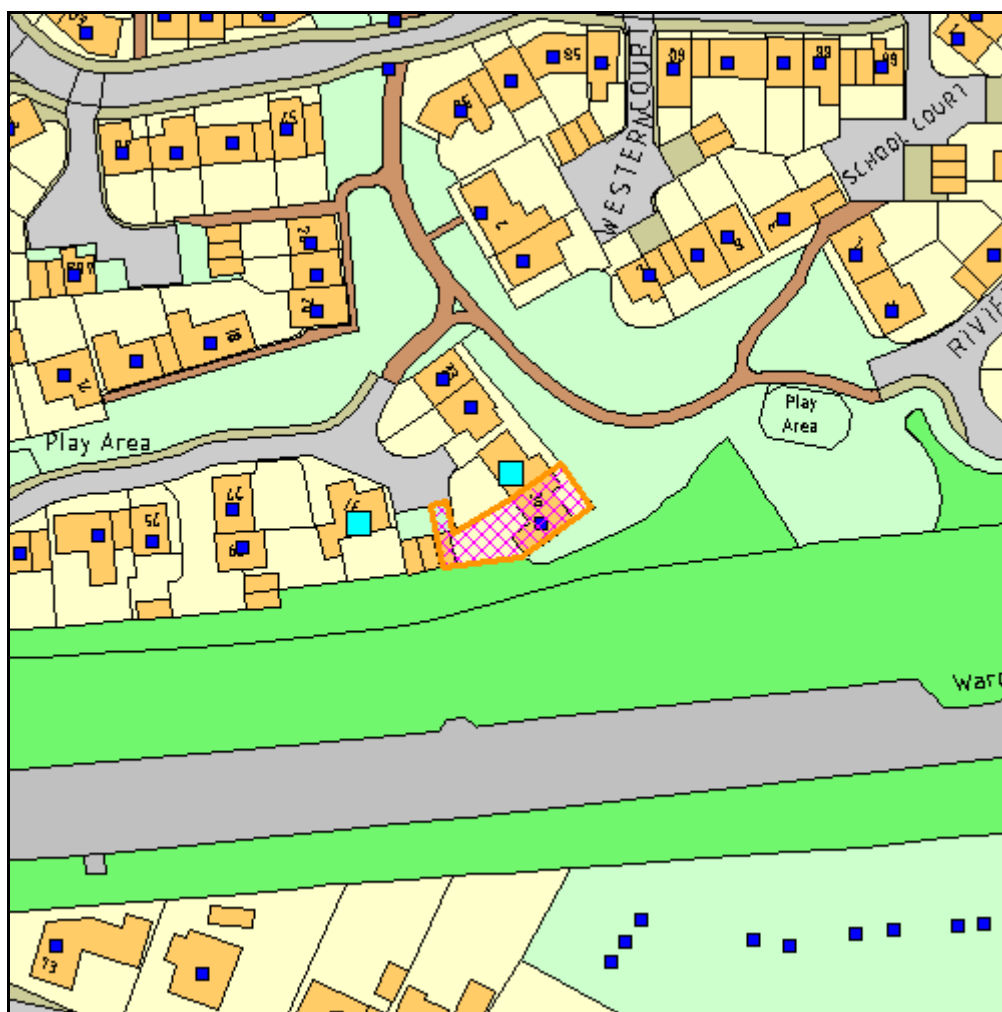
Reason

To define the terms and extent of the permission.

Case Officer: Oliver Phippen
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 45/22 -11th November 2022

App No.:	P22/05250/HH	Applicant:	Mr Neil Lloyd
Site:	39 Adelante Close Stoke Gifford South Gloucestershire BS34 8RT	Date Reg:	1st September 2022
Proposal:	Installation of 1no front dormer with Juliet balcony, 2no rear dormers and 2no rooflights to facilitate loft conversion.	Parish:	Stoke Gifford Parish Council
Map Ref:	363186 179631	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	25th October 2022



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P22/05250/HH

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the installation of 1no front dormer with Juliet balcony, 2no rear dormers and 2no rooflights to facilitate loft conversion.
- 1.2 The application site is a 3no. bedroom semi-detached dwelling, located at 39 Adelante Close, and is set within the area of Stoke Gifford.
- 1.3 Throughout the course of the application process, minor amendments have been made to the plans. These will be discussed in turn within this report.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Householder Design Guide SPD (Adopted) March 2021

3. RELEVANT PLANNING HISTORY

3.1 **P19/10598/F (Approved – 04 November 2019)**

Erection of a single storey rear extension to form additional living accommodation.

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

Objection

Stoke Gifford Parish Council object to this application due to insufficient parking spaces, making it contrary to policy PSP16. Parking is a particular problem in the locality. Additionally, the application would significantly unbalance the façade of this and the adjoining dwelling, by the addition of the front dormer. This and the dormer being mis-aligned with the window below depart from the requirements of the Householder Design Guide SPD and are contrary to policies CS1 and PSP38. Should planning permission be granted, SGPC would request the inclusion of a condition restricting the hours of working (and movement or delivery of machinery or building materials), during the period of construction, to 07:30 18:00 Monday to Friday, 08:00 13:00 Saturdays and with no working permitted on Sundays or Public Holidays.

4.2 Sustainable Transport

We understand that this planning application seeks to modify the existing dwelling situated at 39 Adelante Close, Stoke Gifford. As we note that this site is located within an existing residential area, hence we consider this development fully complies with the locational requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places, we would not wish to make any highways or transportation objection in principle to this application.

Likewise, we understand that this proposal increases the number of bedrooms present at this property from three to five. Hence, to conform the Councils minimum residential car parking standards as set out in the Residential Parking Standards SPD adopted in December 2013 and Policy PSP16 of the Policies, Sites and Places document it will probably be necessary to provide additional space(s) on this site. It is disappointing, therefore, that no other information about the existing or proposed parking arrangements is provided. Consequently, we cannot verify whether the required spaces are present or whether they conform to the requisite dimensional requirements. Hence, we would request that this matter clarified by the applicant.

Moreover, we would recommend that, if this is not already the case, then all driveways and parking areas are surfaced in a drained, bound material and that the applicant provides electric vehicle charging facilities in accordance with the Councils emerging policy. To this end, we would recommend that appropriate conditions are attached to any planning permission granted for this development. Overall, therefore, we do not believe that this proposal is likely to create any significant highway or transportation issues and subject to clarification of the parking arrangements and imposition of the conditions noted above, have no further comment by this development.

4.3 Residents

No comments have been received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 The proposal is relatively detailed in what it seeks to achieve. Each element has therefore been broken down to describe in better detail.

5.3 Rear dormer extensions

The plans show that it is proposed to install 2no. traditional pitched roof dormers to the rear roof slope of the property, accompanied with 1no. velux window. Amendments have been made to these dormers in terms of height so that they now sit slightly lower than the ridge line of the original roof. The 2no. rear dormers would therefore measure 2.3m in width, 2.5m in total height and would protrude from the existing roof slope by 2.5m.

5.4 Front dormer extension

The plans also show that it is proposed to install a traditional dormer to the front of the property. This dormer would measure 2.3m in width, 2.5m in total height and would protrude 2.5m from the existing roof slope. A velux roof light would also be added to the principal roof plane.

5.5 Juliette balcony

It is also proposed to add a Juliette balcony to the south elevation of the property. The balcony would be finished with uPVC doors and glazed balustrade and would overlook the railway track from Bristol Parkway.

5.6 Design & Visual Amenity

Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.7 In terms of design, concerns were initially raised with regards to the prominence of the front and rear dormers, due to their visibility from the public realm when looking at the host dwelling in isolation. However, photos accompanied from the

applicant and a site visit undertaken by the case officer found that the development would not necessarily look out of place within its wider context. There are instances of both traditional and flat roof dormers in the surrounding area, meaning that the addition of dormers at the application property would not appear incongruous within the setting of the street scene.

- 5.8 The application property also sits within a relatively secluded location. Adelante Close is a cul-de-sac within a built-up residential estate where there is no main road to the front of the property. The frontage comprises a public footpath and open green space to the north/northeast and train tracks to the south, with the road to Adelante Close ending at the west towards the rear of the small rank of dwellings that the application dwelling sits within.
- 5.9 Comments and concerns from the parish council are noted with regards to design and impact on the façade of the property which will aim to be addressed. It is noted that there is an element of symmetry between the application property and its semi-detached neighbour at No. 37. When assessing the design of the front dormer, it is found to be compliant with the best practice design principles within the Householder Design SPD by being set down from the ridge line, being set up from the existing eaves and by respecting the character, proportions and aesthetic of the host dwelling. The SPD goes on to encourage the addition of traditional dormers, particularly where the resultant visual impact is limited, and the proposed dormer is of modest scale. Whilst it would likely have an impact, this impact is not found to be significantly harmful, intrusive or visually dominant. There is a slight unbalance with regards to the alignment of the windows presented to the principal elevation. However, the alignment is found to be approximately 0.3m to the right of the existing front windows. It is therefore felt that this would not have a significantly harmful impact on the balance or proportionality of the dwelling.
- 5.10 Amendments have also been made to the proposed rear dormers by reducing the height and bringing the ridge of the dormer roof down from the ridge of the existing dwelling. The result of the height reduction is that the dormers now appear much more subservient and well-balanced in terms of the roof scape.
- 5.11 On that basis, it would be unjust to hold a design and visual amenity objection. The proposal is therefore found to be in accordance with the relevant policies in the development plan and the supporting guidance within the Householder Design SPD.
- 5.12 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Similarly, policy PSP43 reinstates the requirement for the provision of sufficient private amenity space standards and that private and communal external amenity space should be; functional, safe, accessible, of sufficient size and should take into account the context of the development and, including the character of the surrounding area.

- 5.13 The property is semi-detached to its neighbour at No. 37. Whilst the application dwelling sits within a residential area, it also sits at the end of the estate, to which there are no neighbours to the east and south and there is a sufficient distance between the application property and its neighbour to the west. The main consideration has therefore been given to the attached neighbour at No. 37.
- 5.14 Whilst the addition of windows would create some additional impact to overlooking, as is the case with the presence of any window, it is not considered to be harmful in this instance. Furthermore, the addition of a Juliette balcony to the side elevation would not jeopardise amenity of neighbouring occupiers given its outlook towards the train tracks. Therefore, there are no concerns in this respect.
- 5.15 As such, the proposal is found to comply with PSP8 and PSP43 of the development plan and it is demonstrated that amenity of any neighbouring occupiers would not be harmed as a result of the development.
- 5.16 Parking Standards
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand.
- 5.17 Comments and concerns regarding the parking arrangements have been noted and duly considered within this assessment. The proposal does not seek to alter the existing parking arrangements however, it is proposed to increase the number of bedrooms at the property from 3no. bedrooms to 4no. bedrooms. As such, the same level of parking is required under PSP16, which is 2no. spaces for both a 3no. and 4no. bedroom property. Given that there is an increase in the number of bedrooms, it is appropriate to determine whether this would generate an unacceptable level of parking demand and whether this would subsequently result in a harmful impact to the immediately surrounding area.
- 5.18 As existing, the property can offer a garage parking space and 1no. driveway parking space outside of this garage. The garage and parking space are sited at the rear of the property as part of an attached structure to neighbouring garages and associated hardstanding.
- 5.19 A site visit to the property did demonstrate that on street parking is available. Some areas of the estate did appear congested upon passing through however, the end of Adelante Close presented more available space. Likewise, there is no traffic passing through given that the property sits at the end of the cul-de-sac, so vehicles are likely to be owned by occupiers or visitors.
- 5.20 In this instance it is therefore reasonably demonstrated that, whilst the proposal does seek to create an additional bedroom at the property, it is unlikely that this would result in an unacceptable increase in traffic generation or parking demand. This view is shared with the transportation officer. No objections are therefore held from a parking and transportation point of view.

5.21 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Received by the Local Authority on 30 August 2022:

Site Plans (Drawing No. ADE39/22/01)

Existing Elevations (Drawing No. ADE39/22/100)

Existing Ground Floor Plan (Drawing No. ADE39/22/50)

Existing First Floor Plan (Drawing No. ADE39/22/51)

Proposed First Floor Plan (Drawing No. ADE39/22/53)

Proposed Second Floor Plan (Drawing No. ADE39/22/54)

Received by the Local Authority on 07 November 2022:

Proposed Elevations (Drawing No. ADE39/22/101 - Revision A)

Reason

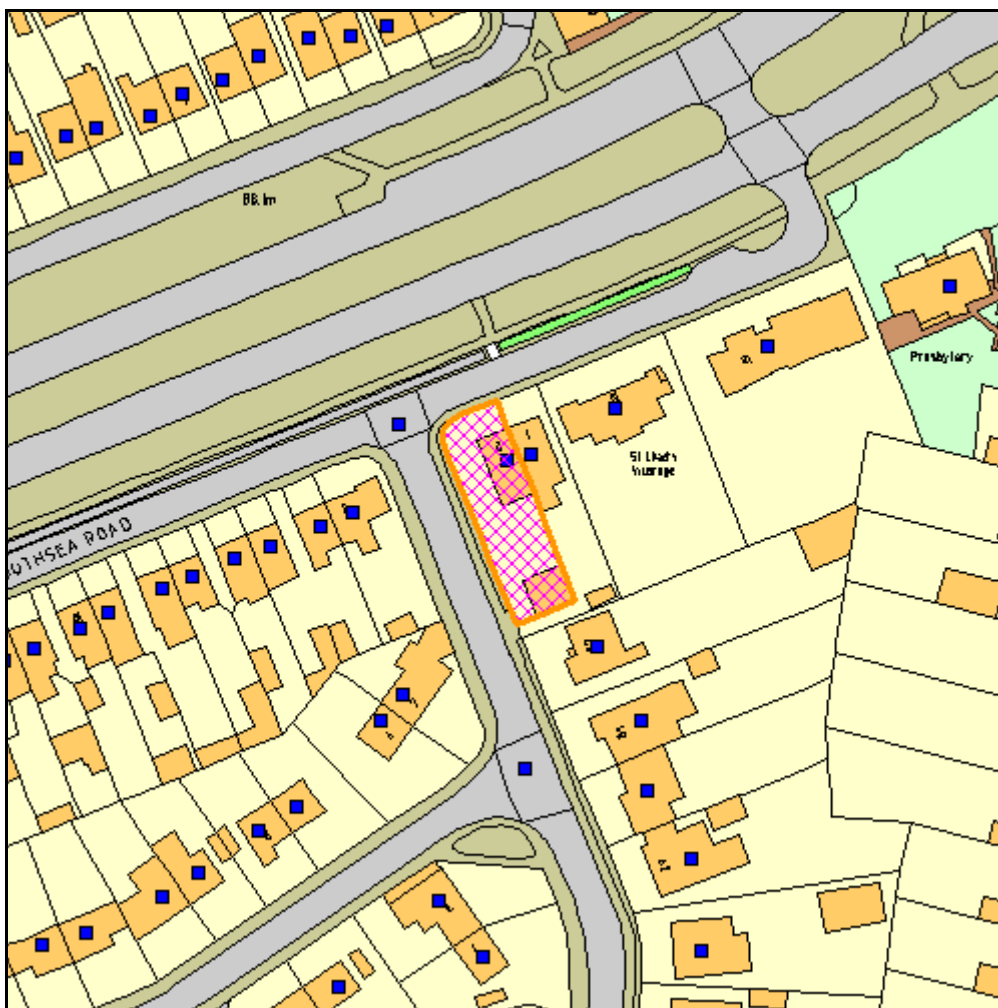
To define the terms and extent of the permission.

Case Officer: Lucie Rozsos

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 45/22 -11th November 2022

App No.:	P22/05312/F	Applicant:	Mr Grant Gilliatt Noogle Property Ltd
Site:	2 Southsea Road Patchway South Gloucestershire BS34 5DR	Date Reg:	12th September 2022
Proposal:	Erection of a two storey side extension to facilitate change of use from a residential dwelling (C3a) to a large house in multiple occupation for up to 8 people (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include alteration to access.	Parish:	Patchway Town Council
Map Ref:	360450 181555	Ward:	Charlton And Cribbs
Application Category:	Minor	Target Date:	3rd November 2022



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P22/05312/F

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule due to comments received which are contrary to the findings of this report and officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a two storey side extension to facilitate change of use from a residential dwelling (C3a) to a large house in multiple occupation for up to 8 people (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), to also include alteration to access.
- 1.2 An HMO is a residential property where 'common areas' exist and are shared by more than one household. Planning permission is not required when converting a residential property into an HMO that would be shared by up to 6 unrelated individuals, by reason of permitted development.
- 1.3 The property is a semi-detached dwelling, within the residential area of Patchway.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol

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
PSP39	Residential Conversions, Subdivision, and HMOs

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) August 2007
Householder Design Guide SPD (Adopted) March 2021
Residential Parking Standard SPD (Adopted) December 2013
Houses in Multiple Occupation SPD (Adopted) October 2021

3. RELEVANT PLANNING HISTORY

P22/03283/F - Erection of a semi-detached dwelling with associated works.
Current application

P22/03125/HH - Proposal: Erection of two storey side & rear extension to form additional living accommodation. Approved 19/7/22

PT01/0664/F - Erection of detached garage (retrospective). 2/4/01

4. CONSULTATION RESPONSES

4.1 Patchway Town Council

Object to this planning application. The Town Council do not believe the scale and mass of this development is in keeping with the area of Southsea Road. The Council also feels that this would push the already present parking issue further into Patchway and beyond this road. This development is adjacent to a refuge for women and recovering addicts and it would be wholly irresponsible to have the development built next to this site. The area can be quite troublesome already and the influx of people may add to the increasing anti-social behaviour that we are seeing in that area. The main concern is the amount of cars that will be held within this development. Residents already struggle for parking on Southsea Road and surrounding areas and this development would cause further issues for our residents.

4.2 Transport

No objections

4.3 Local Residents

10 letters of objection have been received, summarised as follows:

- Insufficient parking
- Driveways rarely get used putting more cars parked on the road
- Risk to pedestrians and other road users
- Concerns over anti-social behaviour
- Increased noise
- Issues of increased traffic on the road

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal is for the erection of a two storey side extension to facilitate change of use from a residential dwelling to a large house in multiple occupation for up to 8 people to also include alteration to access.

Principle of Development

- 5.2 Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity, and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. Policy PSP39 of the PSP Plan is supportive of Houses in Multiple Occupation provided they would not harm the character of the area; not prejudice the amenity of neighbours; provide adequate amenity space, refuse storage and parking. As set out at the start of this report, the property can be used currently for up to 6 people as a 'small HMO' (Class C4) without the need for planning permission. Therefore in effect the key consideration is the proposed extension and the change of use to a 7 person HMO that triggers the need for planning permission.

Of note and as referenced in the planning history section, above, planning permission exists for a two storey side extension, taking the same form as that proposed under this application.

5.3 Impact on the character of the area

The application is a single storey rear and side extension to facilitate the change of use into a 8 person HMO.

HMO and perceived impacts

- 5.4 Concerns have been raised in terms of a loss of a family home and the impact of an additional HMO on the character of the area. The surrounding locality is made up largely of dwellings under C3 use. Policy CS17 seeks housing diversity and states that the sub-division of existing dwellings to form flats or HMOs can make a valuable contribution suitable for smaller households and single people. These are generally acceptable where it is in compliance with policy PSP16 (Parking and transportation are -discussed elsewhere in the report). Policy PSP39 within the adopted Policies, Sites and Places Plan (2017) states that where planning permission for an HMO is required, this will be acceptable, provided that this will not prejudice the amenity of neighbours. Supporting text states that the term "neighbours" should be taken to mean properties adjacent to, and surrounding, the site which have a reasonable potential to be directly affected by harmful impacts arising from the proposal(s). In addition, Policy PSP8 maintains that development proposals will only be acceptable provided that they do not 'have unacceptable impacts on residential amenity of occupiers of the development or of nearby properties'. Unacceptable impacts could result from noise or disturbance, amongst other factors, which could arise from HMOs functioning less like traditional single households on a day-to-day basis. Prejudicing the amenity of neighbours can arise at a localised level when developments of such HMO uses are inappropriately located, or become concentrated, particularly at an individual street level.
- 5.5 A Supplementary Planning Guidance document on HMO's has been adopted which provided guidance on the consideration of applications for HMO's. The

SPD provides a way of using available data (licensed HMOs) to provide tangible and substantiated evidence regarding the concentration of HMOs and overall housing mix within the locality of the proposal. Additional Explanatory Guidance 1 sets out that the following factors should be taken into account when determining if the proposal would prejudice the amenity of adjacent neighbours:

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

5.6 In the case of the current application site, the property would not be sandwiched between two licensed HMOs, or result in three or more adjacent licensed HMO properties in this road.

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

5.8 As there are localities which are already experiencing concentrations of HMOs, the SPD requires consideration of existing localities that are already experiencing levels of HMOs which harm the ability to support mixed communities and preventing impact on character and amenities, and applications which would result in a level of HMOs that could contribute towards harmful impacts.

5.9 Additional Explanatory Guidance 2 sets out that the following factors should be taken into account when determining if the proposal would contribute to harmful impacts in respect of a mixed community and the character and amenity of an area:

- An additional HMO in localities where licensed HMO properties already represent more than 10% of households, or,
- More than 20% of households within a 100m radius of the application property.

5.10 For the purposes of this assessment, a 'locality' is defined by a statistical boundary known as a Census Output Area.

In the case of 2 Southsea Road, HMO properties do not meet or exceed these thresholds

The principle of a change of use to an HMO is therefore considered to comply with policies PSP39, PSP8 and CS17 and the SPD.

The Proposed Extension:

5.11 With regards to the proposed alterations, Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Of

material consideration is the existing permission for a two storey side extension, which would be the same form as that proposed under this application.

Visual Amenity

The proposals are subservient to the main dwelling on this pair of semi detached dwellings and considered to be of an acceptable standard in design and would be an acceptable addition, taking into account the main dwelling house and surrounding area. Materials would be acceptable, matching the existing building. Accordingly, officers would not consider there to be any material design grounds in which the proposal could be resisted.

Residential amenity

- 5.12 PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Of material note, again, is the fact that a two storey side extension has already been approved.
- 5.13 The property is essentially on a corner plot and the proposed extension would be set away from the shared boundary and towards the road. Given the size, design and relationship with the nearest properties, it is not considered that it would give rise to any additional residential amenity impacts in its own right.
- 5.14 There are no adopted standards for amenity space when it comes to HMOs. However, PSP43 submits that a 1 bed flat should provide at least 5sqm of private amenity space. If it is taken each room is allocated 5sqm, the total requirement would be 40sqm (this approach has been used on other HMO applications in the district). The area to the rear is around 120 square metres. Alternatively, the PSP43 guidance for a 4+ bed dwelling is 70sqm. The proposals would meet these amenity requirements in both tests in terms of compliant standards with PSP43.
- 5.15 Internally, all habitable rooms would benefit from a satisfactory level of light and outlook from windows. In addition, to be granted a license, the internal room sizes would need to comply with the relevant licensing requirements in order to obtain a license, should permission be granted.
- 5.16 Following the above assessment, officers do not consider there to be any material residential amenity issues, to warrant refusal of the application.
- 5.17 Transportation
Revisions were initially required to provide the four on-site car parking spaces to the standard dimensions set out in the supporting text to policy PSP16, and an elevation of the garage showing a double door wide enough to enable two cars to access. Also required was an extension to the outside car parking spaces to a length of 5.5m and setting back of the garden wall / fence accordingly, with the northern space 2.8m wide up against the fence for ease of access, with the dropped kerb to include the northern parking space, in order to provide acceptable parking provision. Revised plans were subsequently

received and these are considered acceptable in highways terms and in accordance with the required parking provision. Cycle store and a car charging point will also be provided.

Impact on Equalities

- 5.18 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.
- 5.19 With regards to the above this planning application is considered to have a neutral impact on equality.

5.20 Summary

Southsea Road is a residential road and the proposed change of use would result essentially in a residential use in a residential area. The visual changes are considered acceptable ones that could perhaps be expected and would not look out of place in a residential urban area. As considered above, the proposed development offers a policy compliant level of parking. Accordingly, officers conclude that the proposal can be considered to be in compliance with PSP39, and not in conflict with the objectives of CS17 or PSP38. As such, it is not considered that there are any grounds to resist the proposal on the basis of harm to the character or amenity of the area.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that permission is granted, subject to the conditions recommended.

CONDITIONS

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

Reason:

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

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

Location Plan, and Existing and Proposed Plans and Elevations (Refs 4034.PL3 01, 03A and 04B), received by the Council on the 2nd and 8th September 2022 and Existing and Proposed Block Plan and Garage Plan (Refs 4034.PL3 02B and 05), received by the Council on the 3rd November 2022.

Reason:

To define the terms and extent of the permission.

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

Reason

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

3. The development shall not be occupied until the access, car (including 7KW 32 Amp Electric Vehicle Charging Point) and cycle parking facilities have been provided in accordance with the approved details.

Reason:

In the interests of highway safety, to promote sustainable travel and to accord with PSP11 and PSP16 of the South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017 and CS8 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

Case Officer: Simon Ford

Authorising Officer: Helen Ainsley