

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: 28/22

Date to Members: 15/07/2022

Member's Deadline: 21/07/2022 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

7) Any applications, except those list 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:

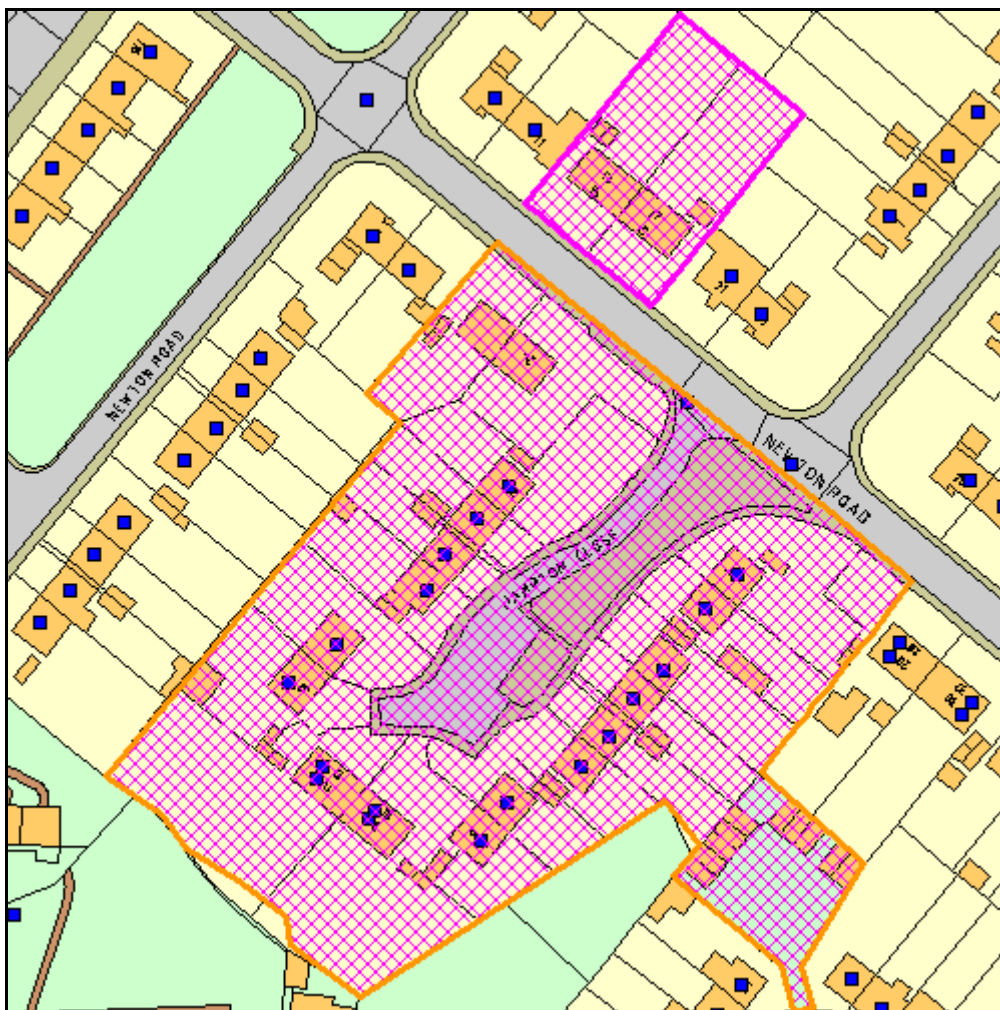
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE 15 July 2022

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/00546/F	Approved Subject to Section 106	Land At Hampton Close Cadbury Heath South Gloucestershire BS30 8EY	Parkwall And Warmley	Oldland Parish Council
2	P21/05877/F	Approve with Conditions	Land Adjacent To Oakdown Vicarage Lane Olveston South Gloucestershire BS35 4BT	Severn Vale	Olveston Parish Council
3	P21/06062/F	Approve with Conditions	The Barn Yew Tree Farm Chapel Road Oldbury On Severn South Gloucestershire BS35 1PL	Severn Vale	Oldbury-on-Severn Parish Council
4	P21/08129/F	Approve with Conditions	24 Poplar Road Warmley South Gloucestershire BS30 5JU	Bitton And Oldland Common	Bitton Parish Council
5	P22/01743/RVC	Approve with Conditions	Longwell Green Community Association Shellards Road Longwell Green South Gloucestershire BS30 9DU	Longwell Green	Oldland Parish Council
6	P22/02116/ADV	Advert Approve with Conditions	The Old Station Wotton Road Charfield South Gloucestershire GL12 8SR	Charfield	Charfield Parish Council
7	P22/02947/RVC	Approve with Conditions	Land At Pipleay Court Farmhouse North Stoke Lane Upton Cheyney South Gloucestershire BS30 6NG	Bitton And Oldland Common	Bitton Parish Council
8	P22/02974/F	Approve with Conditions	Horton Village Hall Charity Group Horton Hill Horton South Gloucestershire BS37 6QN	Chipping Sodbury And Cotswold Edge	Horton Parish Council
9	P22/03166/HH	Approve with Conditions	9 Lomond Road Filton South Gloucestershire BS7 0SD	Filton	Filton Town Council
10	P22/03372/TRE	Approve with Conditions	Cornercroft Barn Hacket Lane Thornbury South Gloucestershire BS35 2HH	Thornbury	Thornbury Town Council

CIRCULATED SCHEDULE NO. 28/22 - 15th July 2022

App No.:	P21/00546/F	Applicant:	Merlin Housing Society Bromford
Site:	Land At Hampton Close Cadbury Heath South Gloucestershire BS30 8EY	Date Reg:	20th September 2021
Proposal:	Proposed demolition of 24no. existing dwellings, their outbuildings, and 10no. existing garages, and the construction of 44no. dwellings with associated access, parking and hard and soft landscaping.	Parish:	Oldland Parish Council
Map Ref:	366332 172131	Ward:	Parkwall And Warmley
Application Category:	Major	Target Date:	15th December 2021



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

INTRODUCTION

This report is for Planning Application P21/00546/F for Land at Hampton Close Cadbury Heath as follows:

Proposed demolition of 24no. existing dwellings, their outbuildings, and 10no. existing garages, and the construction of 44no. dwellings with associated access, parking and hard and soft landscaping.

The application relates to a scheme for 100% Affordable Housing.

On 19th November 2021 the report as set out in **Appendix 1** below appeared on the Member Circulated Schedule dated 19th November 2021 (expiry date for referral 25th November 2021). The matter was not referred to the Development Control Committee and therefore subject to the signing of a S106 Legal Agreement the decision could be issued under officer delegated powers.

Included in the report was a standard clause (at 7.3) as follows:

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

A previous report was placed on the Circulated Schedule to request a further 2 MONTHS until 25th July 2022 to allow the completion of the legal agreement. It is understood that the signing of the agreement is now imminent but it is necessary to request a further 1 MONTH to allow for the signing of the agreement

The original report is included as **Appendix 1** below.

RECOMMENDATION: That a further ONE MONTH until 25th AUGUST 2022 is given to allow the signing of the Section 106 Legal Agreement.

Appendix 1

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to the receipt of three letters of objection from local residents.

1. THE PROPOSAL

- 1.1 The application site comprises 1 hectare in total and is located within the residential area of Cadbury Heath. The site currently comprises 24 no. dwellings with associated hard and soft landscaping and 10 no. separate garages (accessed from Earlstone Crescent). The site is situated in two parts, one the much larger site is situated to the south-east of Newton Road and is bisected by Hampton Close, the site being surrounded on all sides by residential properties and to the south-west part of the boundary is with the Little Health Re-enablement Centre and Care Home. A smaller area on the northern side of Newton Road comprises four units also to be demolished.
- 1.2 The existing properties at the site are Council house Cornish style post war units built of precast reinforced concrete both terraced and semi-detached and deemed to be dated and of poor quality. In addition it is indicated that many of the properties do not have opportunities for off-street parking and the Hampton Close cul-de-sac is inadequate for parking needs. The garages (accessed via Earlstone Crescent) are concrete block structures with flat roofs and do not appear adequate in terms of their size for modern vehicles.
- 1.3 The proposal is to demolish the existing 24 no. dwellings and outbuildings along with the 10 no. garages and to replace these with 44 no. dwellings with associated access, parking, hard and soft landscaping and other associated works. The development will provide 84 parking spaces, 76 for the individual dwellings and 8 spaces dedicated for visitors. Off street parking spaces to include charging points for electric vehicles where the space is within the immediate vicinity of the property and ducting for others. The new homes will also all be provided with cycle parking. The development therefore represents an increase of 20 houses and overall the scheme comprises the following:
 - 8 no. 1 bed flats
 - 18 no. 2 Bed Houses
 - 16 no 3 Bed houses
 - 2 no. 4 Bed Houses
- 1.4 The applicant is Bromford a registered affordable housing provider and therefore the tenure will deliver 100% affordable housing units on the site. In terms of form the scheme proposes plans show that the majority of the properties will be semi-detached but there will be a terraces of four properties within the smaller redline site area on the north of Newton Road and a terrace of three on the southern side. At the south-west corner of the site there would be two block each comprising four one bedroom flats.
- 1.5 As background information, the proposed redevelopment of Hampton Close and Newton Road was part of the original legacy Merlin Housing Society redevelopment programme which proposed to redevelop more than 400 non-traditional properties across South Gloucestershire. This programme has since been disbanded and sites are now being brought forward on an individual basis.
- 1.6 In support of the application the following documents have been supplied:
 - Affordable Housing Statement
 - Drainage Strategy

Sustainability/Energy Statement
Transport Statement and technical note
Coal Report and Risk assessment
Ecological Appraisal
Arboricultural Impact Assessment

- 1.7 It should be noted that an original scheme proposed the demolition of 22 no. dwellings and the erection of 39 dwellings. It is now proposed to demolish No. 1 and No.2 Hampton Close to allow the erection of an additional 5 dwellings that will face onto Newton Road. A full re-consultation has taken place.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance 2014

2.2 Development Plans

The 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
CS7 - Strategic Transport Infrastructure
CS8 - Improving Accessibility
CS9 - Managing the Environment and Heritage
CS15 - Housing Distribution
CS16 - Housing Density
CS17 - Housing Diversity
CS18 - Affordable Housing

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

PSP1 - Local Distinctiveness
PSP2 - Landscape
PSP3 - Trees and Woodland
PSP6 - On Site Renewable and Low Carbon Energy
PSP8 - Residential Amenity
PSP11 - Transport Impact Management
PSP16 - Parking Standards
PSP17 - Heritage Assets and the Historic Environment
PSP19 - Wider Biodiversity
PSP20 - Flood Risk, Surface Water and Watercourse Management
PSP21 - Environmental Pollution and Impacts
PSP22 – Unstable Land
PSP43 - Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Check List (SPD)

Trees on Development Sites SPG (Adopted) Nov. 2005
South Gloucestershire Council Residential Parking Standards (SPD) Adopted
Waste Collection: guidance for new developments (SPD) Adopted Jan. 2015
Affordable Housing and extra care SPD (Adopted) May 2014
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations
Guide.

3. **RELEVANT PLANNING HISTORY**

There is no relevant planning history

4. **CONSULTATION RESPONSES**

4.1 **Oldland Parish Council**

Following the re-consultation following the submission of the revised proposals the Parish Council states that the development of the site is supported in principle but wishes the following issues be addressed.

Better employment of 'green' initiatives should be made including ideally heat pumps but definitely integrated solar panels and electric charging points. The Parish Council supports the comments of the Policy & Climate Change Team.

Alternative approaches to integrating vehicle parking in the layout of the scheme. It is essential that PSP16 is observed and that more imaginative architectural design egg 3 storey housing with garage/parking at ground level are included. Failure to address parking issues will only generate further parking problems in the community.

The loss of the garage block is lamented and it is important to recognise the local impact of this loss. A mitigation plan is required to create a clear plan for alternative provision and define a policy for any further loss of garage stock.

The highest quality design for soft landscaping is essential to prevent the development presenting as a car park.

These comments relating to Environmental Policy, the parking provision, loss of garage space and the overall design are addressed in the report below.

4.2 **Other Consultees**

Ecology Officer

Initial Comments (summary)

Three bat roosts have been recorded. These were undertaken in September and October and there is a need for these to be updated. Two emergent surveys are

required. Details of a reptile receptor site is required given that a small population has been found.

These matters must be dealt with prior to determination. If acceptable conditions should then be applied to ensure that the works are carried out in accordance with the submitted mitigation measures, to secure a lighting strategy for biodiversity and a habitat enhancement scheme to expand upon the recommendations in the submitted ecological report.

Following the submission of additional information to include a habitat enhancement scheme as well as the requested surveys no objection is raised subject to conditions

The Listed Buildings & Conservation Officer

No comment

Waste Manager

Good storage arrangements shown. Tracking is recommended to ensure that the vehicles can turn off main road and manoeuvre.

Landscape Officer

There is no landscape objection to the principle of development. An improved landscape frontage treatment should be sought along either side of Newton Road and along the new internal access road. There are also opportunities for additional tree and taller growing structure planting.

In addition conditions are recommended to secure full planting details and all proposed boundary and hard landscape treatments.

Following the re-consultation on the revised proposals and amendments secured the scheme is considered acceptable in landscaping terms subject to the above conditions.

Arts Development Officer (summary)

No objection subject to a condition being applied to secure a public art programme that is relevant and specific to the development and its locality being integrated into the site

Lead Local Flood Authority

Initial Comments

Before we may confirm acceptance of the proposed 'Brownfield' surface water discharge rate, we require evidence of the existing surface water network which connects to the **375mm** public surface water sewer in Newton Road. A survey was undertaken and therefore we request the accompanying report which will verify details of pipe specifications, and in particular the two positive outfalls from the site at

Manhole 3121 and **3116** respectively. We would expect to see the pipe sizes including the slope/gradient which will corroborate the existing runoff conditions.

Following the submission of additional information the following comments have been received:

The proposed development is considered acceptable in principle subject to a condition to secure a full sustainable urban drainage scheme

Environmental Policy Team

Initial Comments

Concern raised that the development will not meet targets in the areas of fabric and ventilation, heating and hot water, PV, Overheating and EV Charging. Alterations to the Energy Statement are therefore required.

The comment has been reiterated following the submission of the revised scheme.

Urban Design Officer (summary)

Existing public realm poor quality in design terms, in terms of boundary treatments, open space. Over domination of street parking which is not sufficiently broken up with landscaping to reduce visual impact, this is a factor because of the relatively high density of 42 dwellings per hectare.

Parking spaces should be put within property boundary lines to avoid disputes and provide overlooking (Plots 15 to 20)

Brick wall to the rear of plots 10 and 11 needs to be extended to cover plot

Brick wall is needed along the south-west side of plot 20 to help define the parking area

Elevations are rather plain and bland in style. Improved detailing needed (in particular 25 to 28)

A number of the proposed properties have prominent projecting pitched gable features which are seen in the local area, but the lack of any type of reference to the clearly more obvious and abundant locally distinctive mansard style properties, is not acceptable. The majority of the proposed properties are very bland and have neither a more modern and interesting style or a traditional style. The pitched gable features are certainly something which should be incorporated, as these add interest, but there is a real missed opportunity here to create something distinctive and special.

Following the submission of the revised scheme and information to address the above concerns there is no objection to the proposed development however the key issue remains the choice of the appropriate materials which it is considered will make the difference between an average scheme and a good one. An appropriate condition to secure the maximum clarity on this point is recommended.

Sustainable Transport

Initial Comments (where additional information required)

The Stage 1 Road Safety Audit will need to be completed and submitted prior to the determination of the application

Bellmouth junction – Copenhagen style vehicle crossovers on the cul-de-sac should be considered. Dropped kerb extended accordingly

Newton Road footway is slightly out of alignment

The plan should include the specification for the EV charging points

Parking spaces along Hampton Close and Newton Road should be moved to the back edge of the adoptable footway. This will enable a wider private path to be provided to accommodate vehicle overhang and EV charging points.

The double tandem parking space for plot 1 should be increased in length to at least 10.3m (5.5m in front of a fence plus 4.8m) long.

In accordance with the Council's current guidance I recommend that active EV charging points are provided for all dwellings with allocated car parking spaces to the front of the property. I.e. plots 2, 3, 4, 6, 7, 8, 9, 10, 11, 12 – 20, 22 and 26 (reallocated spaces so an allocated space is outside of the associated dwelling), 32 – 37, 38 and 39. That said, I accept that 22 of the dwellings are replacing existing dwellings which don't currently have EVCP's. Therefore there should be a minimum of 17 dwellings provided with active EVCP's. The remaining spaces should be provided with passive ducting.

There should be two visitor/ unallocated parking spaces for plots 1 – 11. The standard for 2 bed dwellings is 1.5 spaces. There is no need for the 2 bed dwellings to have 2 allocated spaces each. SGC car parking standards recommend that two bed dwellings are provided with one allocated space with the remainder unallocated.

Following the submission of the additional information and the resubmitted scheme no objection is raised subject to clarification on the charging points and parking spaces for visitors being clearly shown on the plans.

The Coal Authority (summary)

In response to the revised scheme the following comments have been received. No objection subject to conditions.

Housing Enabling Team (summary – full requirement as set out in 5.11 below)

Initial Comments

This application generates an Affordable Housing requirement of 14 homes consisting of 11 homes for Social Rent and 3 homes for Shared Ownership.

Following the submission of revised details and further discussion the following summarised comments were received:

To meet identified housing need (Wider Bristol SHMA) the following tenures shall be provided with a range house types (Wider Bristol SHMA) sought:

- 76% Social Rent
- 3% Affordable Rent
- 21% Shared Ownership

However, at 3% only 0.45 of a unit for an affordable rented home is generated, so the Enabling Team will look to secure 15 units via an S106 based on a tenure split of 76% Social Rent and 24% Shared Ownership.

Following discussions with Bromford and given issues with specific requirements related to Homes England funding constraints around the Shared Ownership homes and local affordability levels, it has been agreed in this instance for the S106 secured quota for Affordable Housing be all for Social Rent. The agreed mix not only addresses our greatest housing need but also assists with the delivery of the scheme for 100% Affordable Housing and should enable the delivery & retention of more Affordable Housing overall.

Archaeology Officer

No objection subject to a condition to secure a programme of archaeological work to be undertaken.

Community Infrastructure Officer (summary)

No objection subject to the provision of contributions to off-site public open space provision/enhancement and a contribution to its maintenance

Environmental Protection

No objections subject to standard construction conditions and advices

Other Representations

4.3 Local Residents

3 no. letters of objection have been received from local residents; the concerns raised are summarised as follows:

Additional traffic (min 8 extra cars) will cause a danger to children in the cul-de-sac and will also cause disturbance and lights shining into living rooms.
The road is not wide enough for emergency vehicles and refuse vehicles
Difficulties will be caused to other occupiers during the construction period

Concern that the proposal would affect the parking space available to No.23 Earlstone Crescent. *The case officer has contacted the applicant and submitted details show that this space would not be affected. This has reassured the correspondent.*

Following the submission of a revised proposal and a public re-consultation no further comments have been received.

5. ANALYSIS OF PROPOSAL

The proposal is to demolish the existing 24 no. dwellings and outbuildings along with the 10 no. garages and to replace these with 44 no. dwellings with associated access, parking, hard and soft landscaping and other associated works.

5.1 Principle of Development

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

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

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

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

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

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

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

Footnote 7 to para 11 states that policies are out of date where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the

Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

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

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

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

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

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

2018 – 131%
2019 – 134%
2020 – 125%

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

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

CS17 of the Core Strategy sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities. Policy CS18 supports the provision of affordable housing as part of the drive to provide mixed and inclusive communities and as this scheme will provide 100% Affordable Housing to accord with the Council's full design and tenure requirements including wheelchair access the proposal is in accordance with policy.

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

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

5.2 **Design**

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

Context

The Design and Access Statement (DAS) correctly identifies the main characteristics of the area. The built form/layout of the area is predominantly high density current or former local authority post-war housing well served by local facilities and services. The existing properties are of low quality terraced and semi-detached dwellings, constructed in a Cornish House style, with lightweight precast reinforced concrete structural elements and panels fixed over a concrete frame and finished under a mansard roof structure with interlocking concrete tiles. Top hung white uPVC windows and doors are featured across all properties. Many of the dwellings benefit from spacious front and rear amenity space. The front gardens are bounded by low level red brick walls and timber fencing. Properties along the North-East and South-East do not have opportunities for off street parking and there are inadequate provisions for parking within the cul-de-sac to meet the requirements for two car households.

The DAS correctly identifies the following as local characteristics within the vicinity of the site:

Red brick and render combinations • Residential terraces and semidetached properties with repetitive features such as windows, chimneys • Buildings set back from street frontage • Simple pitched roofs • Red and grey interlocking concrete tile roofs • Top and side hung casement windows • Simple pitched rain porches

The Proposal

With respect to the proposed layout, the rows of existing semi-detached houses will be replaced a majority of new semi - detached properties with 4 terraces of three properties and a terrace of 4 dwellings on Newton Road. The dwellings will remain set back from the road edge and adequate parking spaces will be provided to the front or side of each dwelling .Two blocks of four one bedroom flats are proposed on the South - West portion of the site. The amount of buildings proposed make the best use of land, provide adequate private amenity space and parking spaces. Landscaping is considered elsewhere in the report but has been improved through negotiation. The layout is considered acceptable.

From the outset the development has followed the following points with respect to the general appearance and materials: - Traditional/ Considered presentation to public realm. • Well-proportioned contemporary window styles. • Combination of dual pitched and gable fronted roof elements to promote a variation in form • Combination of red facing brick and buff facing brick with projecting course details • Combination of grey roof tiles and red roof tiles • White uPVC windows, fascias and soffits • Black rain water pipes and gutters.

There has been a concern form officers that the development would appear distinctly average rather than reaching the highest standards of design. Negotiations through meetings have taken place to emphasise this point. Improvements have been the incorporation of brick projections (10mm) with a different brick to the rest of each unit. This brick will be different in colour and texture with detailing on the returns. Brick banding is also to be used (such as plots 11 and 44). The alternating red then white approach to colouring adds interest.

It is considered by officers that the design principles are welcome. Whether the scheme is successful will almost entirely depend on the materials that are used. As the Council Urban Design Officer *states "The brick selection is the remaining key issue and could easily mean the difference between an average scheme and a very good one"*.

Possible materials have been suggested to the applicant. A condition will be attached to the decision to ensure that the materials are agreed prior to the commencement of development with the brickwork be tested with a 1 sq.m on site sample panel. Subject to this condition the proposal is considered acceptable in design terms.

5.3 **Ecology**

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

The application is not covered by a Nature Conservation designation and in terms of habitat comprises small areas of amenity grassland (i.e. gardens), poor semi-improved grassland, species poor hedgerow and scattered trees. An Ecological Appraisal has been submitted with the application and this has bene

supplemented by a habitat enhancement scheme (in order to avoid the need for a pre-commencement condition).

Bats

The appraisal in Aug 2019 identified a moderate potential for bats with roosts being found in certain properties but not all. Emergent surveys were undertaken where roosts were evident. It was considered that two emergent surveys were required for all properties (although mitigation in the report is deemed acceptable). Subsequently surveys were undertaken and this includes the new buildings proposed for demolition in the revised scheme. Suitable mitigation is proposed.

Great Crested Newts

Newts are not considered to be present on the site.

Birds

The report recommends sensitive construction timings (re nesting season) and bird boxes as enhancements.

Reptiles

A small population of slow worms was revealed by the survey and a mitigation strategy has been set out. Confirmation of a receptor site at a nearby golf club has been agreed and deemed acceptable by the ecologist.

Badgers and Hedgehog

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

In summary the proposed development is considered acceptable subject conditions to require that the development proceeds in accordance with the mitigation measures set out in the report which now includes a scheme for habitat enhancement and a lighting design strategy for biodiversity being submitted prior to the commencement of the development.

5.4 **Landscape/Trees**

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

The site is situated within a fairly high density. The proposal is dominated to an extent by parking to the front, that said it appears that the majority of trees with Hampton Close are being retained but that a large number of the existing garden trees will be lost particularly on the north east side of the road. A tree protection plan has been submitted with the application for the remaining trees.

The type and placement of the new boundary treatments comprises a 1.8 metre brick wall along rear boundaries, 1.8m close board fencing to sides and some rear boundaries with limited use of metal railings principally at the entrance to Hampton Close. Surfacing delineates parking spaces through block pavements from the tarmac surfacing of the road. These treatments are considered acceptable but will be the subject of a condition to secure full details of the materials and colour finishes.

A soft landscaping plan has been submitted with a planting schedule. This includes shrubs and perennials. It is considered that additional shrub planting should be included particularly on the entrance road in the south west as well as some shrubs to break up parking.

There were initial concerns as indicated above regarding the over dense car parking. Some new planting beds between parking bays are now provided and these have been further enhanced to the satisfaction of the Landscape Officer. The planting at the additional units is acceptable.

The tree officer has questioned the use of Oak trees given their growth and alternatives have been suggested such as maple or lime.

In summary while additional planting would be always be welcome the proposed changes do secure a much improved frontage to the development and the use of appropriate hard surfacing would also help in this. There is still the need to agree on the exact planting details and for this reason conditions are recommended.

As well as a condition to ensure works take place in accordance with the submitted tree protection measures a condition is also recommended to secure a 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); together with details of tree pits to ensure these are large enough to allow trees to reach their full growth potential. In addition a condition is recommended to secure details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required, together with supporting schedule of proposed manufacturer products.

5.5 Transportation Issues

The development will use the existing access to Hampton Close, with the visibility play meeting modern standards. A new pedestrian footpath is follow around the access road.

The revised proposal will provide a total of 84 no. parking spaces with 8 visitor spaces included in this total. This is more than sufficient to meet parking standards. It should be noted that half of the existing properties have no dedicated parking spaces where cul-de-sac on street parking is limited. This is considered a betterment. Properties are all provided with sheds for cycle storage. Adequate storage for refuse/recycling is provided to accord with Council standards.

The proposal will involve the moving, by a few metres, of a bus stop and an appropriate condition is recommended to secure these works.

The Case Officer has attempted to secure a further 15 Electric Vehicle Charging Points (EVCPs) to supplement the five 7kw 32 amp points that have been offered for plots 1, 5, 29, 31 and 39 and included on the submitted plans. The applicant has cited the cost (said to be £18000) and that this should be seen in the light of the provision of affordable housing where electric car ownership is likely to be low for several years. While it is also the case that the current policy CS8 states that EVCP provision will be welcome rather than a requirement as is understood to be the position in emerging policy, this is considered disappointing.

Concern has been raised that the proposal will take away parking spaces through the demolition of the garages. It is a fact that the garages in Earlstone Crescent will be demolished. The applicant has undertaken a parking survey which has revealed that their use was minimal. Two of the garages were empty, four were being used for the storage of goods rather than cars and four were being used for car storage. This would result in limited increase in on-street parking in Earlstone where this can be accommodated. As indicated above overall the scheme will take vehicles off the street as only half existing properties have any off street parking spaces, but the impact upon the four garage users is noted.

Concern has been raised that construction traffic using Earlstone Crescent would be detrimental to the amenity of occupiers. The applicant has indicated that no construction vehicles or deliveries will use Earlstone Crescent but rather they would use Newton Road. It is considered appropriate within this quite dense urban environment to apply a Construction Management Condition to include hours of working.

The owner of a property raised a concern that proposed parking spaces would block access to their garage. This would not be the case as plans show.

Concern has been raised that the proposal would impact upon the ability of emergency vehicles to access Earlstone Crescent. It is considered by officers that the geometry of both Hampton Close and Earlstone Crescent are both suitable for emergency vehicles (and refuse vehicles).

Subject to the conditions as set out above the proposed development is considered acceptable in Transportation terms.

5.6 Residential Amenity

It is considered that the relationship between the proposed dwellings and the existing built form will not result in either loss of amenity to either existing or future occupiers. The development largely follows the building lines of the existing buildings to be demolished. Window to window distances ensure that privacy will be retained. At the southern corner of the site Plots 22 and 25 (flats) are located close to a projecting element of the neighbouring Care Facility (approx. 12 metres) however the windows in the facility at this closest point are to service areas. It is not considered that this relationship is unacceptable. It is not considered that the development would appear oppressive or overbearing to neighbouring occupiers given the scale and proximity of the development. The relationship between the proposed buildings is also considered acceptable.

External amenity space provision meets the standards set out in PSP43 (and as affordable housing there are standards to be met in the SPD). Limited space is available to the properties located at the southern edge of the site in particular Plots 23 and 24 but also 21 and 22 however the properties along this edge are the 8 no. 1 bed flats requiring 5 sq.m of space and that standard is met.

There should be no significant adverse impact on the residential amenity of future or neighbouring occupiers. The scheme is therefore considered to accord with policy CS1 of the Core Strategy (Adopted) December 2013, Policy PSP43 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov 2017 and the NPPF.

5.7 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbours during the development phase, this can be adequately addressed by imposing a condition to restrict the hours of working and a basic Construction Management Condition.

The site lies in Flood Zone 1. Negotiation has taken place with Lead Local Flood Authority to establish that the principle of development is acceptable in relation to drainage. Notwithstanding this a condition is required to ensure a full Sustainable Urban Drainage Scheme is secured so that the site can retain surface water to the maximum extent. Subject to the condition (with detailed advices) the proposal is considered acceptable in drainage terms.

The site is known to lie in an area of former coal mining (although part of the site including the additional part included through the resubmission lies outside the area). A Coal Mining risk assessment has been submitted to the Coal Authorities satisfaction. In the event of a consent being granted, a standard condition would be imposed to secure an intrusive investigation of the site and mitigation procedures should shallow coal workings be encountered.

5.8 Environmental Policy

PSP6 of the Policies Sites and Places Plan states that all development proposals will *“be encouraged to minimise end-user energy requirements over and above those required by the current building regulations through energy efficiency measures”*.

On Greenfield sites residential development will be required to reduce CO2 emissions by a further 20% via renewable and or low carbon energy regeneration source however this development is on a Brownfield site, notwithstanding this the policy indicates that *“the Council will take a positive account of and support development that provides further energy reduction, efficiency, renewable and low carbon energy measures on or near the site...”*

The applicant has submitted a “Sustainability/Energy Statement” that has been viewed by Officers and additional information has been sought during the assessment of this application, to enable an understanding of the measures that will be taken to address this issue. The information shows that a reduction in emissions is achieved compared to the building regulations through the fabric of the building and the heating systems, however there is a concern that future improvements post construction may prove difficult given the use of timber frames.

The applicant has been encouraged to use more renewable sources such as ground source heat pumps or more hybrid systems but without success. In addition the applicant has been encouraged to specify roof mounted PV on all dwellings. The request for further Electric Vehicle charging points is dealt with elsewhere in this report. In summary officers are generally happy that issues relating to fabric and ventilation are satisfactory but much more could be achieved in relation to heating and hot water, solar PV and the aforementioned electric vehicle charging points for which cost concerns have been raised.

The response to the use of onsite renewable and low carbon energy is disappointing however it is noted that under current policy PSP6 on non-greenfield sites such measures can only be “encouraged” rather than be required. It is not however possible to give a positive weighting on this issue in the overall planning balance.

5.9 **PLANNING OBLIGATIONS**

5.9.1 Affordable Housing

The proposal is for a 100% affordable housing scheme but the legal agreement can only secure the policy compliant position i.e. 35% at the appropriate tenure and design considerations. The following considers the provision within the S106.

Quantum

35% of 44 dwellings generates a requirement of 15 Affordable Homes to be provided on-site. As this is a 100% affordable housing scheme 35% affordable housing can be provided with public subsidy on the proviso all 44 dwellings are delivered as affordable housing as defined by the NPPF. Notwithstanding the fact this is a 100% affordable housing scheme, the Council will secure 35% affordable housing as it triggers the

affordable housing threshold. Affordable housing will be secured through a Section 106 agreement in line with the following requirements.

Tenure/Type

To meet identified housing need (Wider Bristol SHMA) the following tenures shall be provided with a range house types (Wider Bristol SHMA) sought:

- 76% Social Rent
- 3% Affordable Rent
- 21% Shared Ownership

However, at 3% only 0.45 of a unit for an affordable rented home is generated, so the Enabling Team will look to secure 15 units via an S106 based on a tenure split of 76% Social Rent and 24% Shared Ownership.

Following discussions with the applicant and given issues with specific requirements related to Homes England funding constraints around the Shared Ownership homes and local affordability levels, it has been agreed in this instance for the S106 secured quota for Affordable Housing be all for Social Rent. The agreed mix not only addresses our greatest housing need but also assists with the delivery of the scheme for 100% Affordable Housing and should enable the delivery & retention of more Affordable Housing overall.

The tables below reflect the SHMA requirement and the Affordable Housing proposal within this application:

Social Rent: x 15 homes

Percentage	Type	SHMA	New offer	+/- diff	Min Size m ²
22%	1 bed 2 person flats	2	4	+2	50.5 & 56
16%	2 bed 4 person flats	2	0	-2	70
29%	2 bed 4 person houses 2 storey	6	5	-	79
29%	3 bed 5 person houses 2 storey	6	6	-	93

The proposed design of the 44-home scheme as submitted does not include any 2-bed apartments. As such the Enabling Team accepts the over provision of 1-beds.

The house types & plot numbers proposed as the mix of units to be secured by the S106 are as follows:

Social Rent: total 15

- ? 2 x 1-Bed 2-Person Ground Floor 1-Storey Flat 50.5m² at plots 25 & 26
- ? 2 x 1-Bed 2-Person First Floor 1-Storey Flat 56m² at plots 27 & 28
- ? 5 x 2-Bed 4-Person 2-Storey House 79m² at plots 2, 3, 31, 32 & 33
- ? 6 x 3-Bed 5-Person 2-Storey House 93m² at plots 1, 4, 29, 30, 34 & 35

5.9.2 Affordable Housing Design Standards

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

All rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels

All properties to have vinyl/tiles on floors in wet areas

Ceiling height tiling to 3 sides of bathroom to be provided

Provide wall mounted shower (either electric or valve and kit)

Provide gas and electric points to cooker space (where gas is available)

Painted softwood curtain battens to each window (where construction is traditional as opposed to timber frame)

Wheelchair Provision

During further discussion with the Enabling Team and South Gloucestershire's Occupational Therapist it was agreed that the M4 (2) standard would be sufficient to meet wheelchair need in the area.

Delivery and Phasing

The Council to refer potential occupants to all first lettings and 75% of subsequent lettings. Affordable Homes to be built out with the market housing on site in line with agreed triggers within the S.106 Agreement.

Rent Levels and Affordability

The social rent homes will be let at rents in accordance with the Rent Standard April 2020 and the Policy statement on rents for social housing.

Shared Ownership homes to be sold at no more than 40% of market value, and annual rent on the equity retained by the RP should be no more than 1.5%.

Service charges will be capped at £650 per annum (base date to be date of resolution and linked to CPI) to ensure that all housing costs are affordable to future occupants.

Capital receipts on intermediate housing to be recycled as capital expenditure on approved affordable housing schemes in South Gloucestershire, with subsidy levels to increase by any capital appreciation.

5.10 **Public Open Space Provision**

Using current average occupancy data and the proposed number of dwellings, we estimate the proposed development of 44 dwellings (a net gain consisting of 36no. houses and 8no. one bed flats) would generate a population increase of 40.8 residents.

This is a new residential development and it is reasonable to expect the future residents to have access to a full range of open spaces. Where existing provision, in terms of quantity, quality and accessibility would be inadequate to meet the needs of future residents, then new provision and/or enhancement must be made in accordance with the appropriate local standards set out in Core Strategy Appendix 5. An audit of existing provision has demonstrated quantitative and or qualitative/ accessibility shortfalls in all typologies of open space accessible from the proposed development.

The following table shows the **minimum** open space requirements arising from the proposed development and shows the contributions that will be requested if open space is not proposed on site. Overprovision of one category of POS does not mitigate for an under provision of another category. Policy CS24 requires provision to be delivered on site unless it is demonstrated that partial or full

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount proposed on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space (IROS)	499.20	0.00	499.20	£14,195.05	£25,021.35
Natural and Semi-natural Open Space (NSN)	612.00	0.00	612.00	£9,643.71	£15,997.92
Outdoor Sports Facilities (OSF)	652.80	0.00	652.80	£36,915.97	£11,173.19
Provision for Children and Young People (PCYP)	72.00	0.00	72.00	£13,643.04	£14,345.76
Allotments	81.60	0.00	81.60	£846.21	£1,078.97

There is no on-site provision.

Justification:

Necessary to make the development acceptable in planning terms

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

Directly related to the development

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

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

Natural & Semi-natural Open Space- Common Connections project at various sites including Cock Road Ridge, Warmly Golf course, Bars Court, Payne Green Common, Coronation Park, Brook lea Amenity Space, Chiltern Close.

Informal Recreational Open Space - Tree planting at Stoneleigh Drive and Cock Road Ridge / Tarzan Park improvements / Cock Road Ridge access improvements / Tarzan Park improvements / Bars Court Moat improvements

Outdoor Sports Facilities - Coronation Park, Springfield Road playing field and Longwell Green Community Centre

Provision for Children & Young People – Coronation Park, Bars Court play area, Horse croft Gardens play area, Chubb Close

Allotments - Warmly Golf Allotments and potential for new allotment site at Tarzan Park

Fairly and reasonably related in scale and kind to the development:

Where provision in line with minimum policy standards is not provided on site, the amounts requested towards the provision and/or enhancement of off-site open space and future maintenance are directly in scale with the quantity of open space required to offset the effect of the proposed development on existing provision; this is demonstrated in our calculations.

All calculations are based on the expected future population of the proposed development calculated using Census 2011 data on household size and the net gain and mix of dwellings proposed.

The calculator used to give costs for provision/enhancement and maintenance is regularly updated and reflects the type of spaces and facilities that the Council would expect to see delivered based on examples that have been adopted from other new developments, which have taken place within South Gloucestershire.

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

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

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

As set out in Section 7 below therefore there is a requirement for £75,243.88 towards off-site public open space provision/enhancement and a further £67,617.19 towards its maintenance for the first 15 years.

5.11 Community Infrastructure Levy (CIL)

The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted 2021. The introduction of CIL charging commenced on 1st August 2015. As a scheme for affordable housing this development would be exempt from the CIL regime.

5.12 Consideration of likely impact on Equalities

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

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

5.13 Planning Balance

The proposed development as set out above will result in a small reduction in the number of garage spaces available, to balance this however overall the number of parking spaces available will increase (given that many of the existing properties in Hampton Close have no off street parking). The applicant has indicated that they will work with those who would be impacted.

As set out above it has not been possible to secure significant energy reduction measures with the applicant indicating cost as an inhibiting factor and the fact (which is correct) that there are at present no prescriptive targets or thresholds identified in relationship to brownfield development. It is therefore not possible to give the scheme a positive weighting in this regard as set out in the final paragraph of PSP6 as set out in 5.8 above.

The proposal would be of economic benefit in terms of employment during the construction phase and this is given some limited weight.

The proposed development will involve the provision of 44 modern units of accommodation, not only a net gain of 20 units but a gain in terms of the quality of the buildings over the dated structures that will be demolished. Most significantly the buildings will provide 44 units of socially rented properties (the highest need) of sizes (i.e. bed spaces) that fit with the strategic housing market assessment. This is given significant weight in the planning balance.

Enhancements to landscaping will take places that will improve the street scene (with off-site provision secured through the S106). In visual terms the design of the new buildings (as a result of negotiation and a condition attached to the decision notice) will be an improvement upon the existing street scene. Careful consideration will be given to the materials submitted in order to discharge that the “materials condition”.

Overall it is considered that the benefits of the proposal outweigh the harms and therefore subject to the signing of the legal agreement to secure the obligations set out above and the conditions set out on the decision notice the proposal is considered acceptable.

6. CONCLUSION

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

7. RECOMMENDATION

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

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

As set out in detail in 5.10.2 above, the following shall be provided:

- A contribution of £14,195.05 towards off-site provision of 499.20 sq.m of Informal Recreational Open Space and a maintenance contribution of £25,021.35.
- A contribution of £13,643.04 towards off-site provision of 72.00 sq.m of provision for children and young people (equipped children’s play areas, including provision for young people) and a maintenance contribution of £14,345.76
- A contribution of £846.21 towards the off-site provision of 81.6 sq.m of allotments and a maintenance contribution of £1078.97.

- A contribution of £36,915.97 towards the off-site provision 652.80 sq.m of Outdoor Sports Facilities and a maintenance contribution of £11,173.19.
- A contribution of £9,643.71 towards the provision of 612.00 sq.m of Natural and Semi-Natural Open Space and a maintenance contribution of £15997.92

Reason:

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

b) Affordable Housing

- 35% of dwellings to be delivered as affordable housing, as defined by the NPPF. For the proposed development of 44 dwellings in total, this would equate to 15 dwellings for affordable housing.
- Tenure to comprise 100% Socially Rented properties. Shared Ownership:

Social Rent: total 15

- x 1-Bed 2-Person Ground Floor 1-Storey Flat 50.5m² at plots 25 & 26
- 2 x 1-Bed 2-Person First Floor 1-Storey Flat 56m² at plots 27 & 28
- 5 x 2-Bed 4-Person 2-Storey House 79m² at plots 2, 3, 31, 32 & 33
- 6 x 3-Bed 5-Person 2-Storey House 93m² at plots 1, 4, 29, 30, 34 & 35
- In all other respects the development shall comply with the requirements as set out in para 5.10.2 above

Reason:

To accord with Policy CS18 of the South Gloucestershire Core Strategy 2013 and the Affordable Housing and Extra Care SPD 2021

- 7.2 It is recommended that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.
- 7.3 It is recommended that should the Agreement not be completed within 6 months of the date of any consent being granted; that delegated authority be given to the Director or Environment and Community Services to refuse the application.

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. Planting Plan

Prior to the commencement of above ground works (excluding demolition works), a detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting together with details of tree pits to ensure these are large enough to allow trees to reach their full growth potential shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in the first available planting season following the completion of construction works.

Reason

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

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

3. Boundary and Hard Landscaping

Prior to the commencement of above ground works (excluding demolition works), full details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required, together with supporting schedule of proposed manufacturer products shall be submitted to and approved in writing by the Local Planning Authority. All works shall take place in accordance with the approved details.

Reason

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

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

4. Mitigation Measures (Ecology)

The development shall proceed in strict accordance with the Summary of Ecological Mitigation and Enhancement Document(The Landmark Practice, V5 November 2021).

Reason:

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

5. Lighting Design Strategy

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

Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason:

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

6. Coal Mining Legacy Risk

No development shall commence (excluding the demolition of existing structures) until;

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason:

In order to address the issue of ground stability as the site is in an area of high risk as a legacy from coal mining and of accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP22 of the South Gloucestershire Policies Sites and Places Plan 2017.

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

7. Coal Mining Legacy Risk

Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason:

In order to address the issue of ground stability as the site is in an area of high risk as a legacy from coal mining and of accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP22 of the South Gloucestershire Policies Sites and Places Plan 2017.

8. Prior to the commencement of above ground works (excluding demolition works), details/samples of the following elements shall be submitted (with a panel for facing bricks on site) to and approved in writing by the Local Planning Authority.

Facing bricks (2 X off-white bricks and 2 X red bricks) - A 1sq.m on-site sample panel to be available for inspection

Roofing materials

Rainwater goods

Vents

Barge Boards

The development shall be carried out in accordance with the approved details.

Reason

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

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

9. Sustainable Urban Drainage

No development (excluding the demolition of existing structures) shall commence until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.

For the avoidance of doubt we would expect to see the following details when discharging the above conditions:

The maximum overall discharge rate will be restricted to 18 l/s (This equates to 19.78 l/s/ha based on 0.91 ha, if the site is to have two or more catchment areas). Each catchment therefore being restricted in accordance with its contributing impermeable area).

Confirmation and acceptance of an agreed connection point and discharge rate for surface water disposal from Wessex Water.

A clearly labelled drainage layout plan showing the pipe networks and any attenuation features and flow control devices, where applicable.

There is to be no planting of trees over, or within close proximity (3 metres) of any existing or proposed drainage infrastructure.

Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance 40% up to and including the 10080 minute scenarios. (Preferably in the MicroDrainage format).

Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance.

The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.

The plan should also show any pipe node numbers referred to within the drainage calculations.

A manhole / inspection chamber schedule to include cover and invert levels.

Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation features and Flow Control Devices where applicable for the lifetime of the development.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

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

10. Tree Protection

The development shall be carried out fully in accordance with the submitted report by Hillside Trees Ltd January 2021 (Arboricultural Method Statement, Arboricultural Impact Assessment and Tree Protection Plan)

Reason:

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

11. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided prior to the first occupation of each buildings and thereafter retained for that purpose.

Reason:

To ensure the satisfactory provision of the Bus Stop and to accord with Policy CS8 of the South Gloucestershire Local Plan Core Strategy 2013.

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

12. Prior to the commencement of above ground works (excluding demolition works) hereby approved, details of a unique site specific integrated scheme of Public Art (including artists brief, commissioning strategy and/or longlist of artists, budget and timescales) to be implemented within the development site shall be submitted to the Local Planning Authority for approval in writing. 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. Thereafter the public art scheme shall be delivered in accordance with the details and timescales so agreed.

Reason:

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

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

13. The hours of working on site during the period of construction shall be restricted to
Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays.
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason:

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

A pre-commencement condition is required as the plans need to be produced prior to commencement to ensure that public art is considered at the outset of design to develop a scheme which is fully integrated into the site.

14. Construction Management Plan

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

The CMP shall address the following matters:

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

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

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

15. Affordable Housing

Affordable Dwellings on plots 1, 2, 3, 4, 25, 26, 29, 30, 31, 32, 33, 34 and 35 shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2).

Reason

To facilitate adaption as tenants needs change, to facilitate mixed balanced communities in accordance with policy PSP18 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

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

Received 15th September 2021

6234-P-01C	SITE LOCATION PLAN
6234-P-05B	EXISTING SITE PLAN
6234-P-12H	PROPOSED SITE LAYOUT

6234-P-15 C	DEMOLITION PLAN
6234-P-20	PROP FLOOR PLANS PLOTS 1-4
6234-P-21A	PROP FLOOR PLANS PLOTS 5-6
6234-P-22	PROP FLOOR PLANS PLOTS 7-8
6234-P-23	PROP FLOOR PLANS PLOTS 9-11
6234-P-24	PROP FLOOR PLANS PLOTS 12-14
6234-P-25	PROP FLOOR PLANS PLOTS 15-16
6234-P-26	PROP FLOOR PLANS PLOTS 17-18
6234-P-27	PROP FLOOR PLANS PLOTS 19-20
6234-P-28	PROP FLOOR PLANS PLOTS 21-24
6234-P-29	PROP FLOOR PLANS PLOTS 25-28
6234-P-30	PROP FLOOR PLANS PLOTS 29-30
6234-P-31	PROP FLOOR PLANS PLOTS 31-33
6234-P-32	PROP FLOOR PLANS PLOTS 34-35
6234-P-34	PROP FLOOR PLANS PLOTS 38-39
6234-P-35	PROP FLOOR PLANS PLOTS 40-41
6234-P-36	PROP FLOOR PLANS PLOTS 42-44
6234-P-40A	INDICATIVE PROPOSED SITE SECTIONS
6234-P-70B	PROP ELEVATIONS PLOTS 1-4
6234-P-71C	PROP ELEVATIONS PLOTS 5-6
6234-P-72B	PROP ELEVATIONS PLOTS 7-8
6234-P-73B	PROP ELEVATIONS PLOTS 9-11
6234-P-74B	PROP ELEVATIONS PLOTS 12-14
6234-P-75B	PROP ELEVATIONS PLOTS 15-16
6234-P-76B	PROP ELEVATIONS PLOTS 17-18
6234-P-77B	PROP ELEVATIONS PLOTS 19-20
6234-P-78B	PROP ELEVATIONS PLOTS 21-24
6234-P-79B	PROP ELEVATIONS PLOTS 25-28
6234-P-80B	PROP ELEVATIONS PLOTS 29-30
6234-P-81B	PROP ELEVATIONS PLOTS 31-33
6234-P-82B	PROP ELEVATIONS PLOTS 34-35
6234-P-83B	PROP ELEVATIONS PLOTS 36-37
6234-P-84B	PROP ELEVATIONS PLOTS 38-39
6234-P-85A	PROP ELEVATIONS PLOTS 40-41
6234-P-86A	PROP ELEVATIONS PLOTS 42-44
6234-P-90B	PROP STREET SCENES 01
6234-P-92B	PROP STREET SCENES 02
6234-P-91B	EXISTING STREET SCENES

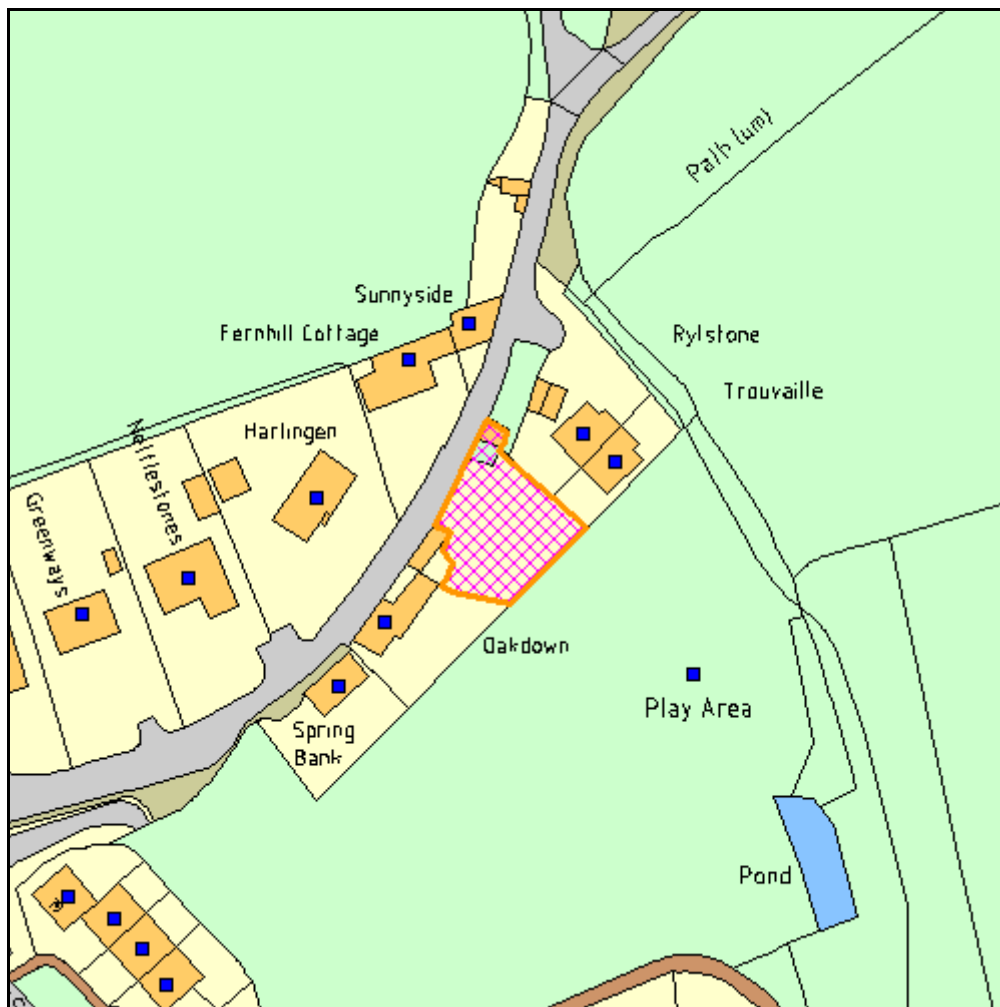
Reason:

For the avoidance of doubt

Case Officer: David Stockdale
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 28/22 -15th July 2022

App No.:	P21/05877/F	Applicant:	Mr and Mrs Clarke
Site:	Land Adjacent To Oakdown Vicarage Lane Olveston South Gloucestershire BS35 4BT	Date Reg:	1st September 2021
Proposal:	Demolition of existing garage and glass house. Erection of 1 no. detached dwelling with associated works (Resubmission of P20/23533/F).	Parish:	Olveston Parish Council
Map Ref:	360406 187309	Ward:	Severn Vale
Application Category:	Minor	Target Date:	22nd October 2021



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N.T.S.

P21/05877/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 DEVELOPMENT MANAGEMENT CIRCULATED SCHEDULE

This application has been referred to the Development Management Circulated Schedule as a result of an objection from the Parish Council and over 3 objection comments made by local residents, contrary to the officer recommendation below.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the demolition of existing garage and glass house, and the erection of 1 no. detached dwelling with associated works (Resubmission of Withdrawn Application: P20/23533/F).
- 1.2 The site is located within the settlement boundary, and is washed over by the Bristol and Bath Green Belt. In terms of the Olveston Conservation Area, whilst this covers a large proportion of the village, the application site is located outside of the designated area and is suitable distance away to not impact upon its setting. No other restrictive policies apply. It is noted that the host dwelling has received planning permission for a replacement dwelling.
- 1.3 The previous application was withdrawn concerning matters of access and parking. This revised application has removed the previously proposed garage in an attempt to overcome this concern. In addition, a revised redline plan which includes the access to the highway, and an associated Certificate B has been provided to the council with supporting advert publication evidence.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS2 Green Infrastructure
CS3 Renewable and Low Carbon Energy Generation
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP3 Trees and Woodland

PSP6 Onsite Renewable and Low Carbon Energy

PSP7 Development in the Green Belt

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP19 Wider Biodiversity

PSP20 Flood Risk, Surface Water, and Watercourse Management

PSP21 Environmental Pollution and Impacts

PSP38 Development Within Existing Residential Curtilages

PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Landscape Character Assessment SPD (Adopted) November 2014

CIL and S106 SPD (Adopted) March 2015

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

Olveston Design Statement (2004)

3. **RELEVANT PLANNING HISTORY**

3.1 P20/23533/F, Decision: Withdrawn, Proposal: *Subdivision of the existing site at Oakdown and construction of a new dwelling. Demolition of existing garage and glass house with a replacement garage that adjoins the proposed dwelling.*

3.2 *The neighbouring site - P20/23525/F, Decision: Approved 25-MAR-21: Proposal: Demolition of existing dwelling and adjoining outbuilding. Replacement dwelling with a new drive and parking provision.*

4. **CONSULTATION RESPONSES**

4.1 Olveston Parish Council – Objection

“OPC Object to this application due to the aesthetics of the proposed, it is adjacent to Olveston Conservation area and does not take this into account. We are also concerned that the development is at the narrowest point in the road and could cause major disruption to traffic movement in the area.”

4.2 Highways – No comment.

4.3 Tree officer – No objection – works to accord with arb report

4.4 Sustainable Transport – No objection subject to condition. (Finished surface, EV charging)

- 4.5 Archaeology – No comment received. However, as per the comments on the previously withdrawn application, as a result of the sites location, any development should be subject to submission of an archaeological watching brief.
- 4.6 Ecology – No objection, conditions recommended.
- 4.7 Flooding and drainage – No objection
- 4.8 Public Rights of Way – Public footpath OOL35 will be affected. Public Diversion Order required to formalise the route.
- 4.8 Members of the public – 17no objection comments and 5no support comments have been received from local residents. Multiple comments from the same individuals are only included as forming 1no comment, however all relevant material considerations are included. The key points have been summarised below.

Objection:

- Loss of privacy;
- Overbearing;
- Overshadowing;
- Loss of light;
- Disturbance from construction;
- Safety issues from construction;
- Lack of parking;
- The gravelled area to the side of the existing building does not belong to the owners so this cannot be used for parking;
- Contrary to local development plan policies;
- Poor design;
- Excess height and mass;
- Too close to road;
- Result in an oppressive quality of life;
- Overdevelopment;
- Construction should be at the same time as the adjacent development so to minimise disruption;
- Does not integrate with the immediate vicinity;
- Does not provide sufficient private amenity space;
- Out of character;
- No consideration for neighbours;
- Loss of residential amenity;
- No improvement for pedestrians;
- Increase of light pollution;
- Does not comply with Olveston Design Statement;
- Is not of a low density;
- Higher ridge line than Springbank;
- No details of plant and waste products discharging towards neighbours garden;
- No accessible shower room;
- Area of red line plan overlapping with the Oakdown application;
- No drainage details;

- No ground testing;
- Fails to comply with building regulations;
- No detail on carbon reduction;
- No benefits to community;
- Harm to village heritage;
- For financial gain;
- Opinions at committee for P20/23525/F were not absorbed or comprehended;
- The planning committee should be refreshed with professionally competent members and that they take the time to fully understand the details of this application, together with P20/23525/F;
- There should be a single construction management plan for both applications; and
- Developments should make good to damage to road surfaces.

Support:

- Well designed and sympathetic;
- The single floor element allows the homes behind to keep their views in the this clever design featuring the green roof planting;
- The entrance by Oakdown continues to open up the lane to allow much better driving views that I'm sure we will all be grateful for, either when driving or allowing a safe place to step off the lane too;
- The environmental elements have been considered and used;
- The application will transform the current derelict site and will enhance the street scene;
- Light traffic on road which benefits from a 20mph zone;
- Would comply with Local Plan Policies and the Olveston Design Statement;
- Well balanced density;
- In keeping
- Access has not been amended from the existing access and therefore the impact upon the public highway is not changed;
- The proposal has considered the site and its environment and reflects the historic pattern of development more clearly than many of the neighboring properties that follow a more suburban layout not common to the historic pattern of Olveston;
- The proposal still confidently sides onto the lane and maximises the functional use of the land beyond- the traditional building/curtilage layout common to the heart of Olveston and following on from the more recently built property to the South;
- The use of materials is well considered and gives a contemporary use of traditional materials. The lower layer of local stone facing onto the road frontage helps to ground the building within the environment;
- The thoughtful high quality design is contemporary yet cognisant of the heritage it is set within. The elevational treatment is articulate and juxtaposes the use of a simple palette to inform the composition, utilising glass, stone and render.

5. ANALYSIS OF PROPOSAL

Principle of development

5.1 The proposal is sited within the Green Belt, where the fundamental aim is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. As per para 138 of the NPPF, the Green Belt serves five purposes:

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

5.2 Whilst development in the Green Belt is strictly controlled, the NPPF provides a number of exceptions where new buildings in the Green Belt may not be inappropriate. Paragraph 149 of the NPPF lists the exceptions, for which the most relevant exception being '*limited infilling in villages*'. This is reciprocated within policy CS5.

5.3 The proposal is located within the Settlement Boundary of Olveston, and as such is in accordance with policy CS5. The proposed development is for the erection on 1no dwelling, this quantum of development is considered '*limited*' and would comply with the definition as provided within the Green Belt SPD. Concerning the development being '*infilling*', the proposed building would site be located in the private amenity land north of the host dwelling. This space forms a relatively narrow gap between the properties to the north, and would continue the linear pattern of development along Vicarage Lane. As such, the proposed development is considered to fall under the '*limited infilling*' exception category in line with para 149 of the NPPF and policy CS3 of the South Gloucestershire Core Strategy.

Design and Visual Amenity

5.4 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. Further guidelines are set within the Olveston Design Statement which seeks to protect the existing character and ensure the highest standards of design.

5.5 It is noted that the neighbouring site, referred to as 'Oakdown', has recently been granted planning permission (Ref. P20/23525/F) for a replacement dwelling. Whilst development has yet to commence, a discharge of conditions application has been approved

5.6 In consideration to the above, the previously approved application for the host dwelling included the subdivision of the existing plot, with the intention of constructing an additional dwelling on land previously part of the garden of Oakdown – for which now forms the subject of this application. Whilst that application is considered on its own merits, this application must consider whether the subdivision of the property is acceptable. Although the proposal would result in a reduced garden size for the future occupiers, the resultant size

will not be dissimilar to surrounding properties and would comply with the provisions of PSP43; notably it will be comparable to the garden of the immediately adjacent property. The resultant site is considered to be acceptable in plan form in this location, as per the previous sister application P20/23525/F.

- 5.7 Concerning the physical design, the existing elevations include reference to the approved replacement dwelling of Oakdown. The approach undertaken has been modernistic, whilst incorporating elements which are portrayed positively in the area. The area surrounding the site is predominately in residential use, consisting of mainly two-storey detached and semi-detached properties, finished in render and/or stone, with red pantiles and pitched steep pitched roofs. Nonetheless, there are a number of later dwellings finished with slacker roof slopes and slate tiles. It can therefore be said the immediate area surrounding the site has a mixed character.
- 5.8 The front elevation incorporates a mix of random rubble stone work and render, with both these materials providing prominence within the vicinity. The solid to void (window to wall) ratio when viewed from the front is well thought, and does not impose oversize glazed elements as often associated with modernistic designs. Whilst the ground floor window facing the highway is edging towards the larger side, for the most part it would be well screened by the existing stone wall (to be retained), hedgerow planting, and setback from the highway. No regrading of the land would be required. The proposed roof would incorporate a steep pitch and be finished with a standing seam zinc, pre-weathered to a dull grey lustre, with integrated solar panels.
- 5.9 To the rear, the footprint would expand back within the plot, to form an 'L' shaped ground floor. The rear protrusion would raise to a height of 3.6m and to a depth of 12m. The majority of the roof would be planted, with a timber clad segment towards the garden.
- 5.10 Overall, the proposal is considered to respect the characteristics of the site and its context, and is a good example of modern design which reflects the positive defining characteristics of the area. The application is therefore in accordance with policies PSP1, PSP38 and CS1 and CS9. Should the development be approved, permitted development rights should be removed to ensure a high standard of design is retained in accordance with policy CS1.

Residential Amenity

- 5.11 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.
- 5.12 Concerns have been raised regarding the potential loss of light and privacy that could be caused by the proposal, specifically in relation to the properties the adjacent properties (Harlingen and Fernhill Cottage) and the pair of semi-detached properties to the north (Rylstone and Trouvaille).

- 5.13 Concerning Fernhill Cottage and Harlingen, these properties are located between ~12m and ~15m away from the proposed front elevation, to the adjacent side of the lane for which rises above the application site. As per the Householder SPD, *“there are no minimum separation distances where dwellings front one another across the public realm, for example a street, as the land is usually already subject to overlooking. However, consideration will be given to the prevailing separation distances in the locality. Proposals that fail to respect the existing development pattern are unlikely to be considered to meet the highest possible standards of design”*.
- 5.14 In this instance, the separation distances between Fernhill and Harlingen would be representative of those further along the lane. Whilst the proposed dwelling would be visible from the front windows of the neighbouring properties, any direct window inter-visibility and overbearingness would be limited as a result on the level change and point of outlook. Further to this point, the windows on the proposed dwelling have been designed as high level and thus preventing window to window viewing of living accommodation.
- 5.15 Concerning a loss of privacy to Rylstone and Trouville, it is noted that 2no. windows are on the NE elevation which could provide window to window viewpoints. However, one window is set to be fully obscure glazed and the other would be fitted with louvers, thus preventing views to the neighbours property. This would further be enforced due to the conditioning of the plans. As such, the proposed development would not result in a loss of privacy to the neighbours.
- 5.16 In regards to overbearingness, Rylstone, would be approximately 9.8m from the closest corner of the 2 storey side elevation of the proposed development, which would be located to western corner of Rylstone’s rear garden. In this instance the top of the fence level serving the gardens of Rylstone and Trouville are approximately 2.6m higher when compared to the ground level of the proposed building, thus reducing the impact of the main volume, which measures 7.1m to ridge height, 4.6m to eaves, and 6.2m in width. The single storey return would be angled with a green roof towards Rylstone, and due to the change in ground levels, the substantial planted boundary, and single storey height of the structure, it would unlikely be visible, and not be intrusive or overbearing. Therefore, when taking into account the separation distance and scale of the proposed development when compared to the neighbouring property, is not considered to result in an unreasonable overbearing impact or impact outlook to an unreasonable degree. A shadow analysis has been provided, and whilst there would be a slight degree of overshadowing to the rear section of garden of Rylstone in the evening, it would not be significant, and would not directly impact upon windows to primary living accommodation or result in an unreasonable level of harm to the private amenity space.
- 5.17 The rear garden area of the proposal would provide an area of c170m², which exceeds the recommended standards in policy PSP43, and would also be sufficiently private. The host property of Oakdown would retain an external area of c138m². Whilst a number of mature trees boarder the garden, sufficient direct light and shade would be provided.

Transport

- 5.18 Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards, and PSP11 requires appropriate and safe access to proposals. Concerns have been raised regarding the impact of the proposal upon the single track access road, particularly upon other road users such as pedestrians, cyclists and horse riders.
- 5.19 The application site is located within an existing settlement, hence compliance is met with the requirements of Policy PSP11. Moreover, officers do not consider that this development would create a significant amount of new traffic, nor will it produce any highways or transportation issues which could be considered to be severe or unacceptable. Therefore, officers do not raise a highways or transportation objection to this proposal.
- 5.20 Concerning the minimum domestic car parking requirements, as set out in the Residential Parking Standards SPD adopted in December 2013 and Policy PSP16 of the Policies, Sites and Places document relate the number of off-street parking spaces required to the number of bedrooms present in any property. In this case, the proposed dwelling would have 3 bedrooms and so it is necessary to provide at least 2 spaces. This development is correctly provided with these spaces and that further space is available on the common surface with the adjoining property for vehicles to turn round before leaving the site on. This is considered to be satisfactory. No objections are raised in relation to the visibility from the proposed parking spaces. Subject to the provision of one electric vehicle charging point so to promote sustainable forms of transport, no objections are raised and the development would not have a severe impact upon the highway network or its users, and complies with PSP11 and PSP16.
- 5.21 Given the proximity to the road, the previously approved redevelopment of the host dwelling, and limited parking opportunities, it is considered necessary for a Construction Management Plan to be in place prior to commencement of development. Conditions will also be required for the provision of the parking area before the dwelling comes into use, and for the retention of the parking area in perpetuity.

Drainage

- 5.22 The Drainage Team have raised no objections to the scheme, however the applicant should note that no surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.

Ecology

- 5.23 The proposal would not impact upon any designated sites, and a Bat and Nesting Bird Survey has been submitted as part of the application. Three emergence surveys were undertaken for the property and the outbuilding with one emergence survey being undertaken for the garage. Due to the age of the survey, a site walkover has been undertaken which confirmed no material changes have occurred.
- 5.24 No bats were found to emerge from the property concluding that it is unlikely to be used currently as a bat roost. There were low levels of activity during the

surveys. A sparrow nest was recorded during the survey within the western elevation of the main dwelling. Sufficient mitigation has been recommended. Removal of any vegetation is also to be undertaken under the same mitigation measures as the buildings. Hedgehogs may use the site and consideration is required.

- 5.25 It is considered that sufficient survey works have been undertaken, and there are no objections provided an inspection of potential habitats is undertaken prior to any demolition or development and that the findings are submitted to the local authority for review. Further to this, any excavations created as part of the development should be backfilled or covered overnight, checked regularly and installed with a ramp to provide an escape route for any species. Provided the development proceeds in strict accordance with the proposed mitigation measures, provision of a lighting strategy, and evidence is provided of ecological enhancement measures, the proposal is considered to accord with policies PSP18, PSP18 of the policies, Sits and Places Plan, and policies CS9 and CS2 of the Core Strategy.

Trees

- 5.26 The existing site includes some mature trees along the read boundary which are proposed to be retained. A Tree Report will be required, including Tree Protection Measures, prior to the commencement of development to ensure no damage occurs during demolition or construction. Subject to this condition, no objections are raised.

Public Right of Way

- 5.27 Comments have been received regarding public footpath OOL35, which runs through the garden of this property and that of Spring Bank. It appears at some point the gardens have been extended over the adjacent land but the footpath has never been diverted to accommodate this, with the exception of the north-east end which was diverted to allow for the erection of two never dwellings. As the adjacent playing field has been available for walkers the enforcement of the legal line of the footpath has not been a priority.
- 5.28 The area where the footpath officially runs remains as garden area. The applicant is aware that the enforcement of the legal line of the footpath is always a possibility, and it is understood that the applicant is in discussions with the PROW team regarding an official diversion.

Archaeology

- 5.29 The site lies in an area of archaeological significance with evidence of domestic / farming use from the mid C19th. Although the presence of the current domestic and out buildings of the property will have impacted on some below ground deposits, it is not considered that these would have been entirely removed by previous historic development of the site. An archaeological watching brief should be undertaken on any ground works including the provision of services and utilities to the new building as a condition of any permission granted on this site.

Consideration of likely impact on Equalities

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

6. CONCLUSION

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

7. RECOMMENDATION

- 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.

Received by the council on 27th August 2021: Proposed Roof Plan (Rev B), Proposed First Floor Plan (Rev B), Proposed Site Plan (Rev C), Proposed NW and SE Elevations (Rev B), Proposed NE and SW Elevations (Rev B). Received by the council on 6th June 2022: Site Location Plan (Rev C), Proposed Block Plan (Rev D), Proposed Ground Floor Plan (Rev D).

Reason

To define the terms and extent of the permission.

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

approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure a satisfactory standard of external appearance and private amenity space, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

4. Prior to first occupation, the provision of one electric vehicle charging point (Type 2 standard, 7kw) must be fully installed and be readily available for the future occupier. The charging point must be retained for the life of the development unless otherwise approved by the council.

Reason

To promote sustainable forms of transport and to comply with policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

5. Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

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

6. The development shall proceed in strict accordance with the Mitigation Measures provided in the Bat and Nesting Bird Survey Report (Acer Ecology, October 2020) (In addition to any other measures in any ecological updated report), this includes demolition and removal of vegetation outside of bird nesting season and where this not practical a suitably qualified ecologist is to undertake a check prior to any commencement of development.

Reason

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

7. Prior to commencement of demolition or construction, an inspection is to be undertaken on all potential bat habitats which are to include internal inspections of the existing garage for demolition. This is to include using an endoscope to inspect of all crevices suitable for bats. If evidence of bats or crevices are deemed to be suitable for roosting bats, further surveys are to be undertaken in line with the BCT guidelines. It is

expected that if a bat roost is recorded, a total minimum of three emergence / re-entry surveys is expected to characterise the roost and inform mitigation. All findings are to be submitted to the council for approval.

Reason

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

8. Prior to first occupation, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason

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

9. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the Bat and Nesting Bird Survey Report (Acer Ecology, October 2020) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to bird boxes and bat boxes.

Reason

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

10. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, site opening times, wheel wash facilities and site compound arrangements. Reference should also be made in relation to any other ongoing development under the same site ownership. The development shall thereafter be undertaken in accordance with the approved details.

Reason

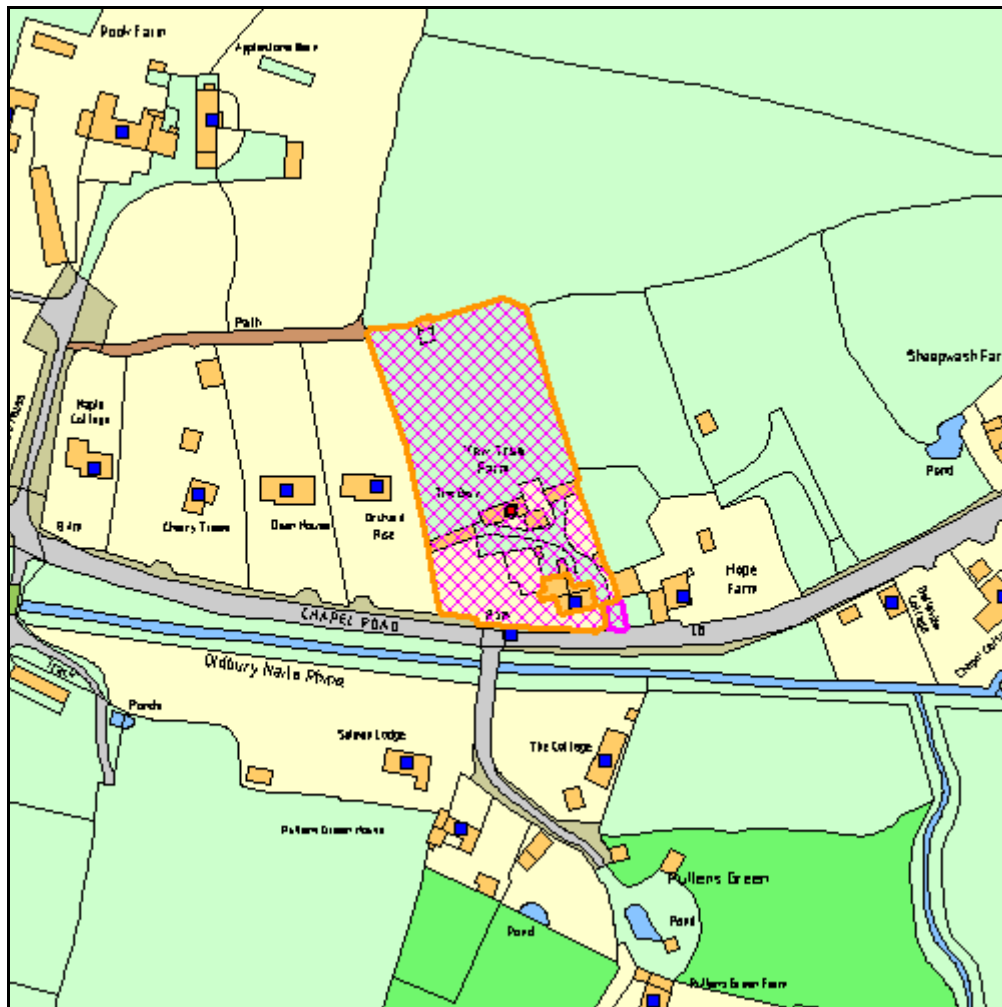
To ensure that safe operation of the highway and in the interests of protecting residential amenity. This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

Case Officer: Thomas Smith

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 28/22 - 15th July 2022

App No.:	P21/06062/F	Applicant:	Mrs Laura Day
Site:	The Barn Yew Tree Farm Chapel Road Oldbury On Severn South Gloucestershire BS35 1PL	Date Reg:	20th September 2021
Proposal:	Erection of 2no. single storey rear extensions and erection of front porch to existing dwelling to form additional living accommodation	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	361349 192376	Ward:	Severn Vale
Application Category:	Householder	Target Date:	11th November 2021



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P21/06062/F

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

INTRODUCTION

This application appears on the circulated schedule due to comments received, relating to the separate use of the barn, from the Parish Council, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection of 2 no. single storey rear extensions to form additional living accommodation and the erection of a front porch to an existing dwelling. To clarify, unlike the original description, this application is no longer being assessed as a subdivision and legal advice has been sought in this respect.
- 1.2 The property is an independent, detached converted barn building within the settlement boundary of Oldbury on Severn. The barn originally stood within the curtilage of Yew Tree Farm, but the site has been split to form 2 separate units each with their own curtilage. This occurred without the granting of planning permission but is now exempt from enforcement action due to the passing of time.
- 1.3 A Flood Risk Assessment has been provided with the application.
- 1.4 Is the existing barn a dwelling in its own right?
A breach of planning control becomes immune from enforcement action once the time period for enforcement has elapsed and then it becomes lawful. It is therefore not necessary for a LDC application to be made in order to “prove” that a development is lawful. In light of the circumstances of this case and to help clear up the issued the applicant was asked to submit and LDC but they do not have to agree to do so (neither are they obliged to)
- 1.5 The consideration is whether the applicants have reasonably demonstrated that the barn has been a separate dwelling for the prescribed period and as such whether it would be considered lawful in lieu of any formal LDC. If a LDC application had been submitted then the burden of proof would lay with the applicant to show that the use had occurred continually for the last 4 years on the "the balance of probability". The applicant's own evidence does not need to be corroborated by "independent" evidence in order to be accepted. The same approach has been taken to this application and is discussed further in paragraphs 5.3 to 5.5.
- 1.6 The application was fully reconsulted on this basis.

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
CS8	Access/Transport

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

PSP1	Parking Standards
PSP8	Residential Amenity
PSP38	Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.

South Gloucestershire Parking Standards SPD

South Gloucestershire Householder Design Guidance SPD (Adopted 2021)

3. RELEVANT PLANNING HISTORY

None relevant

4. CONSULTATION RESPONSES

4.1 Oldbury On Severn Parish Council

The Parish Council does not object to the proposed extensions to the outbuilding/ barn, but that the outbuilding/ barn continues to be used as part of the dwelling house (as it has been in over the years) and that it is not made into a new separate dwelling.

No further comments were received upon reconsultation

Sustainable Transportation

No objection

No further comments were received upon reconsultation

Lead Local Flood Authority

No objection

Upon reconsultation it was confirmed that the original comments remain

Conservation Officer

Both Yew Tree Farmhouse and the converted barn subject to this application are not listed, locally listed or located within a conservation area. While due to their age of construction and style they may be considered to be non-designated heritage assets, the considered impact of the proposals on the character and appearance of both the subject building and its surroundings is left for the case officer to consider in light of the relevant policies and adopted guidance.

Upon reconsultation it was confirmed that the original comments remain

Other Representations

4.2 Local Residents

Two letters have been received, as follows:

1. The first generally offers support to the proposal but only on the basis that the rainwater runoff from is not diverted, as has been suggested to a field ditch within their (adjacent) land.

Doing so would significantly impact our land as the ditch mentioned is regularly overwhelmed without this additional water. Additional water would cause surface flooding and damage to our land and adjoining land in the wetter months.

The ditch currently ends at the narrow boundary of the adjoining paddock. Here the water has no exit, and so it tends to flood this area of our field.

A photo and map were also provided.

2. The second letter states support for the proposals, raising no objections

No further comments were submitted following reconsultation, and the comments above therefore remain.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Extensions to dwellings within residential curtilages are acceptable in principle subject to detailed development control considerations in respect of local amenity, design and transportation; as set out in policy PSP38. The issues for consideration in this respect therefore are the status of the barn in lieu of a lack of available planning history, whether the proposals have an adverse impact on the amenities of nearby occupiers and whether the design of the proposal is sufficiently in keeping with the site and surroundings.

5.2 The comments of the Parish Council, above, are noted. There appears to be no available relevant planning history to the site or the barn, its conversion, any works to it or its separate residential use. Notwithstanding this the Council have deemed that the building is not currently an annex and that its lawful status is a separate independent dwelling (notwithstanding its unconfirmed planning status).

5.3 In this respect the applicants have sought to provide evidence and support regarding the barn, its history and its separate residential use. To this end aerial photographs have been provided showing works and elements associated with a conversion, extensions and residential use from 2008 onwards. It is stated that the building was first converted to self-contained residential accommodation in 2009 and there are Building Regulations Notices in relation to these works. It is stated that the Barn, which has its own address is Council tax rated individually as a separate dwelling, and has separate utilities. Evidence is also provided on it being let out and internal and external photographs illustrate residential conversion and use. Recent sales particulars

refer to the building both as an annex and a detached single storey self-contained barn conversion which was converted in 2009. It is also stated that the Barn has separate utilities including water, main sewer, electric and oil tank. It is stated by the applicants that the barn is self contained (Kitchen/living/dining room; 2 bedroomed, office and large utility/bathroom and detached 4 bay open fronted outbuilding, parking, turning and access (shared with Yew Tree farm) and has existed in its current physical form for more than 4 years. Key aspects of the information/evidence provided are considered to be:

-Building Regulation Notices BT08/01519/FP for the initial refurbishment and internal alterations and BT16/00253/BN for a subsequently added utility room.
- aerial photos appear to confirm coinciding works to the barn and domestic use of the barn

-The two properties have separate and different Council Tax bandings on the Governments HMRC records (the Barn being registered in 2011)

-The Barn, Yew Tree Farm and Yew Tree Farm appear as separate addresses on the Royal Mail post code finder

- 5.4 On the basis of the information provided it is reasonable to conclude that the barn has been previously converted and is in separate residential use, and has been for a considerable time, and that the use of the barn as separate residential accommodation is on the balance of probability lawful, and as such exempt from enforcement. There is no significant evidence to the contrary or any evidence of substantial periods of vacancy or any intervening use that may alter this consideration. These factors and considerations are considered sufficient to enable determination of this planning application for extensions to said property. Revised red (and blue) line planning unit plans have been submitted that illustrate the relevant separate units and their associated curtilages. These provide for acceptable access, off –street parking opportunity and private curtilage in each case.
- 5.5 Notwithstanding the above considerations in terms of the history of the site, the site is located within the settlement boundary and within the curtilage of Yew Tree Farm and it is considered that the principle of a dwelling would be acceptable in broad policy terms, subject to detailed development control consideration.
- 5.6 Design
The extensions proposed are unquestionably big but they do allow the character and scale of the existing building to remain. proposed single storey extensions are 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.
- 5.7 Residential Amenity
Due to the location of the extensions and the distance and separation from neighbouring dwellings, no impact on existing levels of residential amenity is anticipated. Sufficient private amenity space is available for both dwellings.
- 5.8 Transportation.
There is sufficient space within the curtilage of both properties to provide off

street parking space in accordance with the Councils requirements. There are no proposed changes to the existing access which serves the site as a whole.

5.9 Drainage

The comments above are noted. It appears that some of the drainage solution may be on land outside of the applicants control. The applicants have stated that if discharging surface water into the existing system surrounding of rhines is problematic, alternatives are viable and can be looked into. On this basis a condition is recommended securing a drainage scheme.

510 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, as it would not positively or negatively impact upon protected characteristics.

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Existing Plans and Elevations (Refs 3075-P-001 Rev E and 003), received by the Council on the 8th September 2021, Proposed Plans and Elevations (- excluding 1:500 Block Plan) (Ref 3075-P-002 Rev J), received by the Council on the 29th October 2021 and revised Location Plan (and red and blue line boundaries) (Ref. 3075-P-003) received by the Council on the 11th February 2022.

Reason

To define the terms and extent of the permission.

3. The tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

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.

4. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS for surface water drainage shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

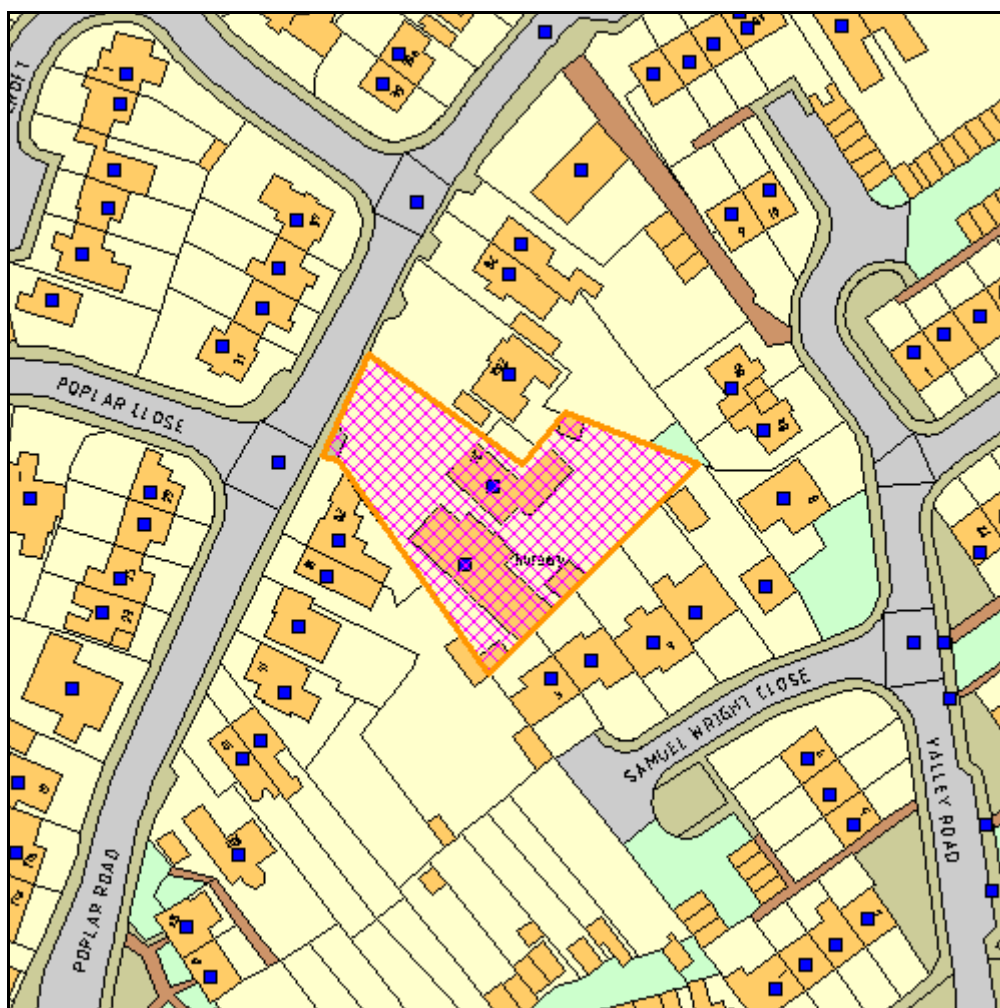
Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Case Officer: Simon Ford
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 28/22 - 15th July 2022

App No.:	P21/08129/F	Applicant:	Mr Mark Heywood-BriggsPhoenix Childcare Limited
Site:	24 Poplar Road Warmley South Gloucestershire BS30 5JU	Date Reg:	23rd December 2021
Proposal:	Erection of 3m fencing and 4no. gates (retrospective).	Parish:	Bitton Parish Council
Map Ref:	367522 172517	Ward:	Bitton And Oldland Common
Application Category:	Minor	Target Date:	15th February 2022



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P21/08129/F

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

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application is for the Erection of 2.4m fencing and 4no. gates. This application is retrospective as the works have begun.
- 1.2 This application site is a detached property, that received consent as a Special Educational Needs and Disability (SEND) School (see history below), on a road containing a mix of residential properties, within the residential area of Warmley.
- 1.3 Revised plans were received during the application to accurately show the red line area of the proposal and follow what development has occurred on site. Appropriately, re-consultations of consultees and neighbours have been carried out.
- 1.4 During the course of the application revised plans were requested and received to change the height of fencing around the boundaries to ones that lessened the impact on neighbouring properties.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS23 Community Infrastructure and Cultural Activity

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

3. RELEVANT PLANNING HISTORY

- 3.1 P20/11873/F - Erection of a single storey link extension and associated works to facilitate a change of use from Use Class C3 (residential) to Use Class D1 (day school). Approved 16.10.20

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish/Town Council fully support the comments made by the local residents and object to this application. No fence should be higher than 2 metres. Attention should also be brought to the easy climbing options situated around the fencing perimeter that young people could easily scale.

4.2 Other Consultees

The Highway Structures team - no comment
Lead Local Flood Authority - No objection
Sustainable Transport - Transportation DC – No comment
Tree Officer – No comment

Other Representations

- 4.3 Local Residents - 5.no letters of objection have been received from local residents raising the following concerns:

- Impacts on residential amenity
- Overbearing
- Fence is too high
- Not screened in parts with feather board fencing
- Concerns over the retention of trees

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As illustrated in the planning history above, permission was granted for the use as a school in 2020. This scheme seeks further permission to add boundary fencing up to a height of 2.4m with a mix of feather edged timber fencing & green security mesh fencing, 4 security gates and new hedgerows.

- 5.2 Although no longer a residential property, the surrounding area is predominately residential in nature and Policies CS1 of South Gloucestershire Local Plan Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 are relevant to this application. Policy CS1 ensures that development should take into account personal safety and security. Policy PSP8 indicates that proposals 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. Although the new

security fencing is not a type found in the local area, the mesh design does not create a solid screen, reducing its impact and effect on residential amenity.

- 5.3 The boundary fences to the rear are a mix of 2.4m high security fencing, some of which is screened with 2.4m high feather edge timber fencing, and a large be conifer hedgerow. There is also a small section on the eastern side of the site with 2.4m metal security fencing screened with 2.4m high feather edge timber fencing, although there changing ground levels in this part of the site causing the fencing to be higher. To the front is a 2.4m feather edge timber fencing on the eastern side of the site, with the original front western fence retained. New hedging will be planted along the boundary with the properties on Poplar Road. There will also be 4 gates installed, 3 of which are 3m maglock security gates.
- 5.4 On the basis of the above and taking into account the requirement to provide a secure environment for the SEND School, the new boundary treatments are similar to other schools / education facilities and enables the operator to provide a safe & secure environment; whilst the proposed design lessens the impact on surrounding properties. As a result of the above, the development is deemed to comply with policies CS1 and PSP8.
- 5.5 Residential Amenity Policy PSP8 of the Policies, Sites and Places Plan relates specifically to residential amenity in which it states development proposals are acceptable, provided that they do not create unacceptable living conditions or result in unacceptable impacts on the residential amenities of occupiers of the development or of neighbouring properties. These are outlined as follows (but not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light.
- 5.6 The main amenity consideration for the proposed development at this site is the potential overbearing impact on the adjoining properties. The properties to the rear of the site, Nos. 4 & 5 Samuel Wright Close have an existing 1.7m fence that sits on a retaining wall that is to be retained, behind this a 2.4m security fence is proposed, but due to the land drop of 40cm approximately on the school side, the new 2.4m high fence will only be 2-2.1m high within these properties, so rising 30-40cm above the existing fence. The open mesh design is transparent and does not restrict light or appear overbearing.
- 5.7 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

1. The fencing hereby permitted shall be brought into strict accordance with Revised Fencing Block Plan - 2060 - PL03A (received 8 June 2022) within 3 months of the decision date.

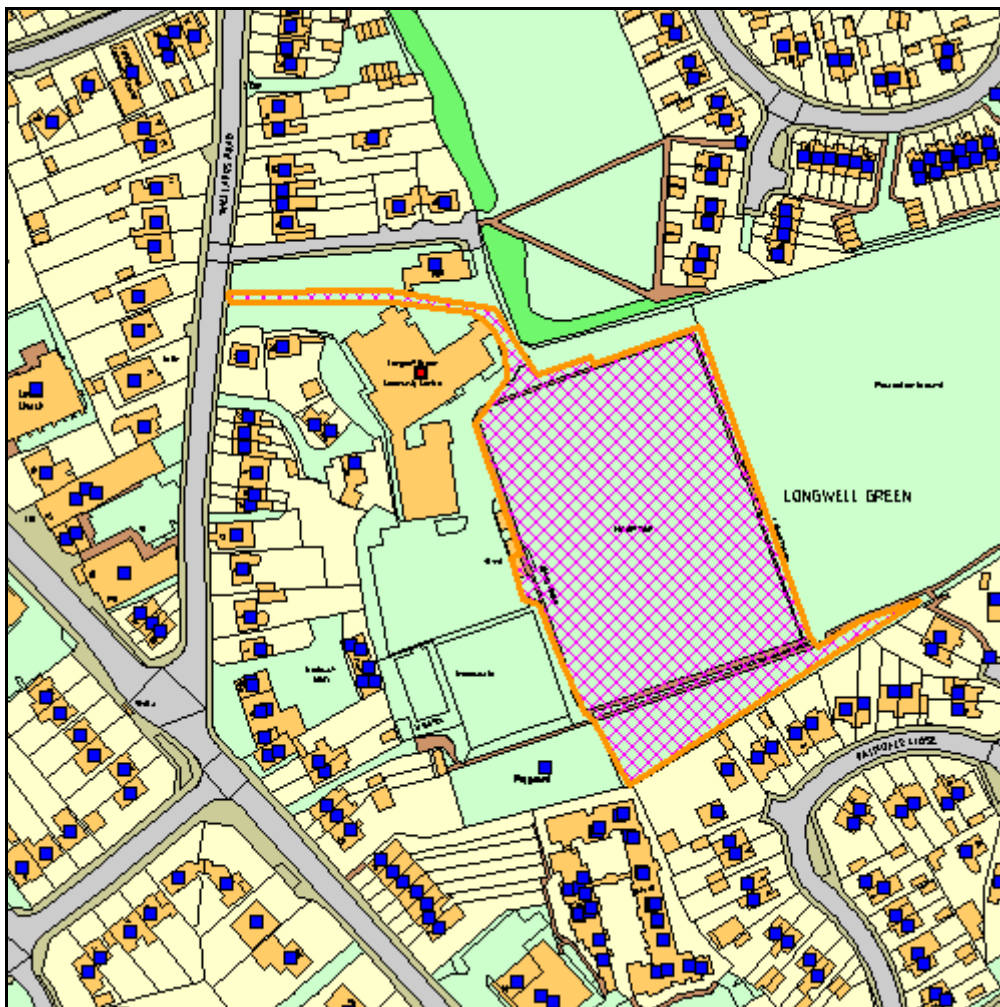
Reason:

To protect the residential amenity of the local residents to accord with Policy CS1 of South Gloucestershire Local Plan Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

Case Officer: Marc Elliott
Authorising Officer: Dawn Russell

CIRCULATED SCHEDULE NO. 28/22 - 15th July 2022

App No.:	P22/01743/RVC	Applicant:	Mr John Gibbs
Site:	Longwell Green Community Association Shellards Road Longwell Green South Gloucestershire BS30 9DU	Date Reg:	19th March 2022
Proposal:	Variation of condition no. 11 attached to planning permission P20/07175/F to replace columns on approved drawing AGP Floodlights (Drawing no. 19-0620 BM25583 0531 08 REV 01) to be replaced by Design: Musco Design - Longwell Green vE, file ref 206784AP_E 18-Feb-22	Parish:	Oldland Parish Council
Map Ref:	365905 171178	Ward:	Longwell Green
Application Category:	Minor	Target Date:	11th May 2022



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P22/01743/RVC

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received from the Parish Council and 5no.local residents which is contrary to the Officer's recommendation.

1 THE PROPOSAL

- 1.1 This application is made under Section 73 of the Town and Country Planning Act 1990 (as amended). Applications made under this section of the Act seek to develop land without compliance with conditions previously attached to the relevant planning permission.
- 1.2 Planning application P20/07175/F granted permission for the installation of an Artificial Grass Pitch (AGP), erection of 4.5m fencing and gates, installation of replacement floodlights and spectator stands, and associated works.
- 1.3 In this instance, the applicant seeks to vary condition 11 attached to approval P20/0717/F, to replace the approved floodlight columns (drawing no. 19-0620 BM25583 0531 08 REV01) with ref206784AP_E prepared by Nick Rohrer, Musco Lighting, 18th February 2022.
- 1.4 The floodlights are being amended in order to reduce the amount of obtrusive light pollution. The initially installed floodlights, following approval, were not in line with the approved design and exceeded the IPL's obtrusive light guidance. After discussion with the council's planning enforcement officer and lighting engineer the issue was resolved, with acceptable light meter readings taken on site. This application is effectively looking to regularise the implemented lights and changes made from the initial installation.
- 1.5 As set out in section 5 below, this application only seeks to vary condition 11 although as with all Section 73 applications there is an opportunity to review and update all the conditions attached to the original consent (although it is not possible to extend the implementation period or description of development).

2 POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure and Cultural Activity
CS24 Green Infrastructure, Sport and Recreation Standards
CS29 Communities of the East Fringe of the Bristol urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP4	Designated Local Green Spaces
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP44	Open Space, Sport and Recreation

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

3 RELEVANT PLANNING HISTORY

3.1 **DOC21/00110**
Discharge of conditions 4 (Neoprene Isolators), 5 (Drainage), 6 (Construction Traffic Management Plan), 7 (Construction Environmental Management Plan), 9 (Cycle Parking), 10 (Landscaping), attached to planning permission P20/07175/F Installation of Artificial Grass Pitch (AGP), erection of 4.5m fencing and gates, installation of replacement floodlights and spectator stands, creation of acoustic mounds and associated works.

Discharge of condition decided: 18/05/2021

3.2 **P20/07175/F**
Installation of Artificial Grass Pitch (AGP), erection of 4.5m fencing and gates, installation of replacement floodlights and spectator stands, creation of acoustic mounds and associated works.

Approved with conditions: 23/10/2020

4 CONSULTATION RESPONSES

4.1 **Oldland Parish Council**

Objection- appears to increase the light intensity experienced by two nearby properties and exceeds the ILP recommended levels by some margin.

4.2 **Sport England**

No objection

4.3 **Environmental Protection**

No objection subject to comments from the Council's lighting engineer.

4.4 **Lighting Engineer**

The LED floodlighting would comply with the threshold set out by ILP's guidance for the reduction of obtrusive light.

Other Representations

4.5 **Local Residents**

Objection comments received from 5 local residents, summarised as follows;

- After installation light pollution to back of our house, back bedroom unusable until light were tuned off.
- Will be light trespass onto the backs of houses backing onto the field.
- Will cause stress and devalue properties.
- No need for brighter lights.
- Will be extra spillage of light onto my property.
- Light intrusive to back bedrooms.
- Will negatively impact ability to use and enjoy garden
- Light intensity would exceed the maximum 2500 Candela for Environmental Category E2.
- Fail to understand why the change is necessary as the lighting levels are intense and the pitch extremely well lit.
- Lighting poles are not in optimum position for the new pitch, neighbouring residents should not be subjected to increased and unacceptable levels of light pollution as a consequence of cost cutting by the applicant.
- With each planning application, the environmental health protections have been eroded.
- Condition 8 not discharged.
- Not clear what the diagrams represent.
- Already endured months of issues affecting quality of life.
- Not true representation of light spill, false representation.
- Tree planting inappropriate for shelter from lights.

1no. further comment received from a local resident, neither objecting nor supporting the proposal, summarised as follows;

- Please make sure all down lighter hoods/reflectors are tightened up and unable to flap around in the wind.

5 **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

Applications made under section 73 of the Town and Country Planning Act 1990 seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.

5.2 **Analysis of Proposal**

The application seeks to substitute approved plan 19-0620 BM25583 0531 08 REV01, listed under condition 11 attached to approval P20/07175/F with floodlighting set out in ref206784AP_E prepared by Nick Rohrer, Musco Lighting, 18th February 2022.

5.3 As a result of the alteration to the approved floodlights, an assessment of the environmental and residential amenity impact is required.

5.4 **Environmental and Residential Amenity Impacts**

Policy PSP21 of the Policies, Sites and Places Plan seeks to avoid unacceptable levels of pollution adversely impacting the users of the site and surrounding area. In this instance, the potential sources of pollution include light pollution; any adverse impacts will be expected to provide an appropriate scheme of mitigation.

Light impact

A number of objections have been received from local residents regarding the proposed floodlight overspill and its impact on the living conditions of neighbouring residents, particularly from the properties backing onto the site from Palmdale Close. However, the Council's lighting engineer and environmental protection officers have raised no objections to the change in floodlights. The submitted plans 04 Blanket Spill- Horizontal and 05 Blanket Spill- Vertical, detailed as part of ref206784AP_E, show that that the proposed LED floodlighting would comply with the threshold set out by Institute of Lighting Professional's (ILP's) most recent guidance notes for the reduction of obtrusive light, in agreement with the site being located in environmental zone E3 (suburban). The lux levels at local residential properties would be below the guidance level and would be no more intrusive than the lighting scheme approved under P20//07175/F.

As per the existing conditions, the times of use of the floodlights will be restricted. It should be noted that there was an error in the wording of condition 3 attached to P20/07175/F which currently reads:

Between May to August (inclusive) the floodlights shall only be switched on between the following times;

*Monday to Saturday:
May- 16:00 to 21:00
June and July- 16:00 to 21:30
August- 16:00 to 20:30*

*Saturdays and Bank Holidays- 14:45 to 18:00
No use on Sundays*

Notwithstanding the above, for two unspecified weekdays during each month (May to August) the floodlights shall be switched on between the hours of 16:00 to 20:00

Between September to April (inclusive) the floodlights shall only be switched on between the following times;

*Weekdays- 16:00 to 22:00
Saturdays and Bank Holidays- 14:45 to 20:00
Sundays- 16:00 to 18:00*

It is clear that the paragraph in bold, restricting two unspecified weekdays use of the floodlights until 20:00 was an error given that the normal use during weekdays is for use allowed until 20:30 at the earliest. This application will therefore amend the wording of condition 3 to include;

Notwithstanding the above, for two unspecified weekdays during each month (May to August) the floodlights shall be switched on between the hours of 16:00 to 22:00

This is necessary and reasonable in order for the football club to fulfil league game commitments.

5.5 **Conditions**

A S73 application provides an opportunity to revise/amend or even add conditions as appropriate. Many of the conditions attached to the original consent are no longer applicable and those that remain relevant require revisions given the approved discharge of conditions application.

Condition 1:

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

Given the scheme has been implemented, this is no longer relevant.

Condition 2:

The use of the proposed Artificial Grass Pitch (AGP) hereby approved, shall be restricted to the hours of;

*09:00 to 22:00 Monday to Friday;
09:00 to 20:00 on Saturdays and Bank Holidays;
and 09:00 to 18:00 on Sundays*

This compliance condition is reapplied.

Condition 3:

The wording of this compliance condition has been altered as per paragraph 5.4 above and will now read:

Between May to August (inclusive) the floodlights shall only be switched on between the following times;

Monday to Saturday:

May- 16:00 to 21:00

June and July- 16:00 to 21:30

August- 16:00 to 20:30

Saturdays and Bank Holidays- 14:45 to 18:00

No use on Sundays

Notwithstanding the above, for two unspecified weekdays during each month (May to August) the floodlights shall be switched on between the hours of 16:00 to 22:00

Between September to April (inclusive) the floodlights shall only be switched on between the following times;

Weekdays- 16:00 to 22:00

Saturdays and Bank Holidays- 14:45 to 20:00

Sundays- 16:00 to 18:00

Condition 4:

Prior to first use of the Artificial Grass Pitch hereby approved, details of the perimeter fencing with neoprene isolators, as stated within the Noise impact Assessment (carried out by Acoustic Consultants Ltd, August 2020), shall be submitted to and approved in writing by the local planning authority. The proposed fencing shall be implemented in accordance with the agreed details and subsequently maintained satisfactorily thereafter.

Following the submission of the fencing and neoprene isolators details, and the discharge of condition 4 (DOC21/00110), this reverts to a compliance condition.

Condition 5:

No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakways if ground conditions are

satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the local planning authority. This should include a detailed development layout showing the location of surface water proposals along with results of percolation tests and infiltration calculations. Development shall be carried out in accordance with the approved details.

Following the submission of the drainage details, and the discharge of condition 5 (DOC21/00110), this reverts to a compliance condition.

Condition 6:

No development shall take place, including any works of demolition, until a construction management plan or construction method statement has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to throughout the construction period.

For clarity, the statement shall provide details of the following:

- Parking of vehicle of site operatives and visitors*
- hours of operation*
- routes for construction traffic*
- method of prevention of mud being carried onto the highway*
- pedestrian and cyclist protection*
- proposed temporary traffic restrictions*
- arrangements for turning vehicles*

Following the submission of the Construction Traffic & Environmental Management Plan, and the discharge of condition 6 (DOC21/00110), this reverts to a compliance condition.

Condition 7:

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the local planning authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison*
- arrangements for liaison with the council's pollution control team.*
- all works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the local planning authority, shall be carried out only between the following hours: 08:00 and 18:00 hours on Monday to Fridays and)8:00 and 13:00 hours on Saturdays and ; at no time on Sundays and Bank Holidays.*
- deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.*

- *mitigation methods as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.*
- *Procedures for emergency deviation of the agreed working hours.*

Following the submission of the Construction Traffic & Environmental Management Plan, and the discharge of condition 7 (DOC21/00110), this reverts to a compliance condition.

Condition 8:

Prior to the first use of the Artificial Grass Pitch hereby approved, a 'Travel Plan' comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the local planning authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the council.

This condition has not been discharged and is re-applied.

Condition 9:

Prior to the first use of the Artificial Grass Pitch hereby approved, a plan showing the details of secure and undercover cycle parking in line with the council's cycle parking standards shall be submitted and approved in writing by the council. Cycle parking shall be provided in accordance with the approved plan and subsequently maintained satisfactorily thereafter.

Following the submission of the Landscape Plan, and the discharge of condition 9 (DOC21/00110), this reverts to a compliance condition.

Condition 10:

Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with a tree protection plan in accordance with BS5837:2012 to ensure their protection during the course of the development, shall be submitted to the local planning authority for written approval. Development shall be carried out in accordance with the agreed details prior to the first use of the Artificial Grass Pitch.

Following the submission of the Landscape Plan, Tree Detail Plan and Planting Schedule, and the discharge of condition 10 (DOC21/00110), this reverts to a compliance condition.

Condition 11:

Plans condition re-applied with the substitution of AGP Floodlights (Drawing no. 19-0620 BM25583 0531 08 REV 01) and the additional plans included.

5.6 **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.

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

6 **CONCLUSION**

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

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

7 **RECOMMENDATION**

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

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from 23rd October 2020.

Reason

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

2. The use of the proposed Artificial Grass Pitch (AGP) hereby approved, shall be restricted to the hours of;

09:00 to 22:00 Monday to Friday;

09:00 to 20:00 on Saturdays and Bank Holidays;

and 09:00 to 18:00 on Sundays

Reason

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

3. Between May to August (inclusive) the floodlights shall only be switched on between the following times;

Monday to Saturday:

May- 16:00 to 21:00

June and July- 16:00 to 21:30

August- 16:00 to 20:30

Saturdays and Bank Holidays- 14:45 to 18:00

No use on Sundays

Notwithstanding the above, for two unspecified weekdays during each month (May to August) the floodlights shall be switched on between the hours of 16:00 to 22:00

Between September to April (inclusive) the floodlights shall only be switched on between the following times;

Weekdays- 16:00 to 22:00

Saturdays and Bank Holidays- 14:45 to 20:00

Sundays- 16:00 to 18:00

Reason

To avoid causing unacceptable disturbance to neighbouring residents, and in the interests of conserving the local biodiversity, to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP8, PSP19 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The proposed fencing and shall be implemented in accordance with the agreed sound/vibration reduction details received by the Council on 8th April 2021 (drawing no. BL-RUBBER-01 and D00024-30) and shall be subsequently maintained satisfactorily thereafter.

Reason

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

5. The development shall be carried out in accordance with the following approved drainage documents, received by the Council on 8th April 2021:

- Drainage Detail Plan (drawing no. 02)
- Drainage Maintenance and Management Plan
- Engineering Layout Plan (Drawing no. SK01 P6)

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

6. The development shall be carried out at all times in accordance with the Construction Traffic & Environmental Management Plan (Verde Recrero, received by the Council on 8th April 2021).

Reason

In the interests of highway safety and to protect the amenity enjoyed by those living in the locality to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP8 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

7. The development shall be carried out at all times in accordance with the Construction Traffic & Environmental Management Plan (Verde Recrero, received by the Council on 8th April 2021).

Reason

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

8. Prior to the first use of the Artificial Grass Pitch hereby approved, a 'Travel Plan' comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the local planning authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the council.

Reason

To deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling, to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017

9. Cycle parking shall be provided in accordance with the approved Landscape Plan, received by the Council on 8th April 2021 (drawing no. 3397_L_GA_0_01) and subsequently maintained satisfactorily thereafter.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

10. Development shall be carried out in accordance with the following details, prior to the first use of the Artificial Grass Pitch and maintained as such thereafter:

Received by the Council on 8th April 2021:

- Landscape Plan
- Tree Detail Plan
- Tree Planting Schedule

Reason

To protect the character and appearance of the area and to ensure the works are carried out in an appropriate manner in the interests of the health and visual amenity of the tree, to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan; and the National Planning Policy Framework.

11. The development shall be carried out in accordance with the plans identified below;

Received by the council on 22nd April 2020;

Location Plan (Drawing no. 19-0620 BM25583 0531 01)
Existing Site Plan (Drawing no. 19-0620 BM25583 0531 03)
Grandstand Elevations (Drawing no. LT EX 01)
Area Sports Stand (Drawing no. S-75)

Received by the council on 10th August 2020;

Site Plan (Drawing no. 19-0620 BM25583 0531 02 REV02)
Proposed Site Plan (Drawing no. 19-0620 BM25583 0531 04 REV02)
AGP Plan (Drawing no. 19-0620 BM25583 0531 005 REV02)
AGP Layout (Drawing no. 19-0620 BM25583 0531 06 REV01)
AGP Elevations (Drawing no. 19-0620 BM25583 0531 09 REV01)
AGP Elevations (Drawing no. 19-0620 BM25583 0531 10 REV01)
Elevations (East and West) (Drawing no. 19-0620 BM25583 0531 14A REV01)
Elevations (South and North) (Drawing no. 19-0620 BM25583 0531 14B REV01)

Received by the Council on 8th April 2021:

Drainage Details Plan (Drawing no. 02)
Engineering Layout Plan (Drawing no. SK-01 P6)
Landscape Plan (Drawing no. 3397_L_GA_0_01)
Tree Detail Plan (Drawing no. 3397_L_SW_3_01)
Sound/Vibration Reduction Details (Drawing no. BL-RUBBER-01 & D00024-30)

Received by the Council on 16th March 2022:

Additional Lighting Plans (Drawing no. 206784AP_E)

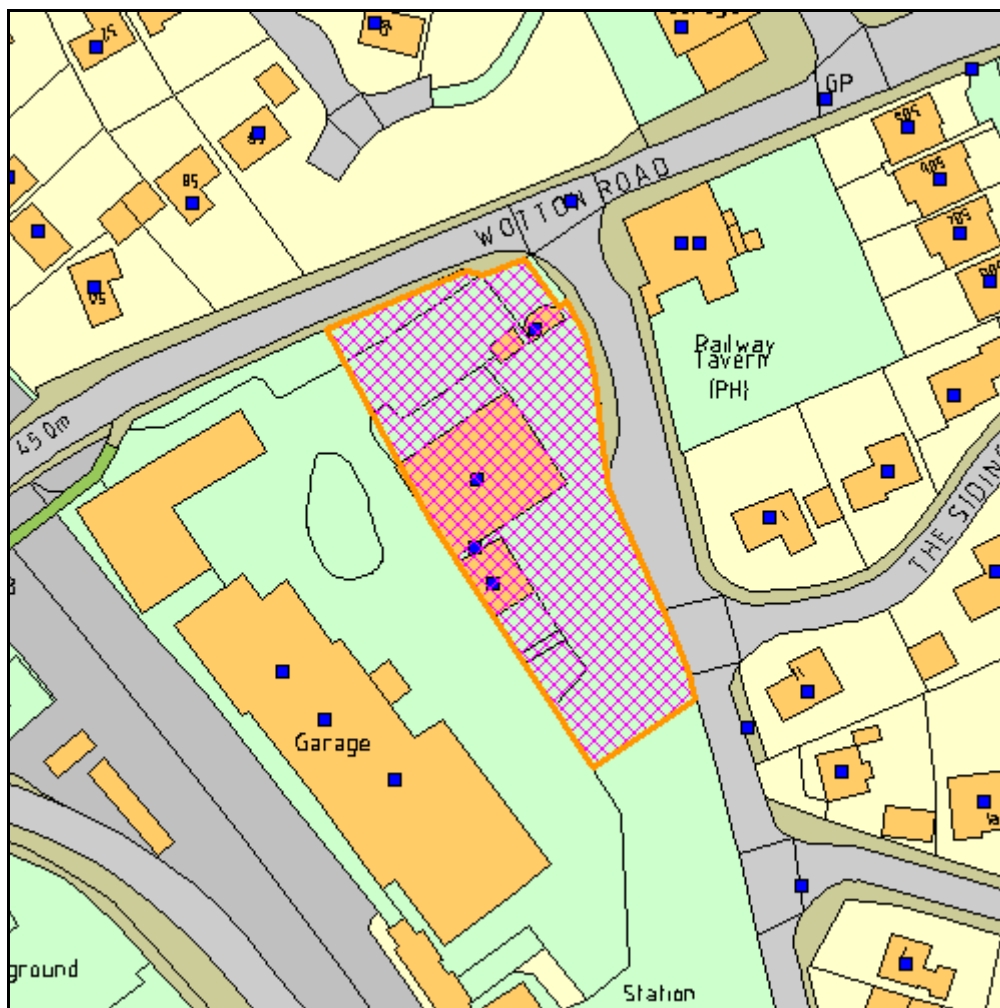
Reason

To define the terms of the permission.

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

CIRCULATED SCHEDULE NO. 28/22 - 15th July 2022

App No.:	P22/02116/ADV	Applicant:	Co-operative Group Food Ltd
Site:	The Old Station Wotton Road Charfield South Gloucestershire GL12 8SR	Date Reg:	25th April 2022
Proposal:	Display of 2 no. internally illuminated fascia signs; 2 no. non-illuminated fascia signs; 1 no. double sided internally illuminated (logo only) totem sign; 5 no. non-illuminated post-mounted signs, 4 no. wall-mounted directional signs, and 3 no. wall-mounted banner frames.	Parish:	Charfield Parish Council
Map Ref:	372411 192259	Ward:	Charfield
Application Category:	Minor	Target Date:	17th June 2022



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.

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

THE PROPOSAL

1.1 Advertisement consent is sought for the display of the following signage:

- Item 1 - Logo lettering of width 755mm, height 800mm and depth 75mm. Blue acrylic faces with silver aluminium returns and mounting plate RAL 9006. Static illuminated to 300 cd/m²
- Item 2 - Fascia sign of width 4,210mm and height 370mm, dark grey wood and slat effect, non-illuminated.
- Item 3 - Fascia sign comprising white lettering of width 3,220mm, height 234mm, and depth 20mm, affixed to item 2, non illuminated
- Item 4 – Wall mounted directional sign of width 600mm, height 600mm and depth 3mm, aluminium composite with applied vinyl, non-illuminated
- Item 5 – 2no. Post mounted signs of width 600mm, height 600mm and depth 3mm, aluminium composite with applied vinyl, non-illuminated. Affixed to grey galvanised steel posts of diameter 60mm and height 1,200mm.
- Item 6 – 2no. Wall mounted directional signs of width 600mm, height 600mm and depth 3mm, aluminium composite with applied vinyl, non-illuminated
- Item 7 - Wall mounted directional sign of width 600mm, height 600mm and depth 3mm, aluminium composite with applied vinyl, non-illuminated
- Item 8 – Circular post-mounted sign of width 450mm, height 450mm and depth 3mm, aluminium composite with applied vinyl, non-illuminated. Affixed to grey galvanised steel post of diameter 60mm and height 2,100mm.
- Item 10 - 3no. wall mounted banner frames with perspex fronts of width 1,820mm, height 920mm and depth 50mm, non-illuminated

- Item 11 – 2no. Post mounted signs of width 1,000mm, height 1,000 mm and depth 3mm, one sign affixed each side to posts of height 1,300mm.
 - Item 12 – Double sided Totem sign of width 1,050mm, height 3,505mm and depth 244mm, grey with the logo lettering only to each side static internally illuminated to 300 cd/m².
 - Item 13 - Logo lettering of width 755mm, height 800mm and depth 75mm. Blue acrylic faces with silver aluminium returns and mounting plate RAL 9006. Static illuminated to 300 cd/m².
- 1.2 Details of a further wall mounted sign (Item 9) were also provided within the submitted details for completeness as will be displayed at the site, but is considered to fall within limits of deemed consent class 2A, therefore does not form part of the assessment for this application.
- 1.3 The application site comprises a new shop at Station Road, Charfield, for which outline planning permission was granted in 2019 and reserved matters details approved in 2020. It is adjoined by commercial properties to the north, west and south. To the east lies a public house and residential properties.
- 1.4 The application is supported by site location, proposed layout plan, elevations, signage detail drawings, cover letter including Design and Access Statement and a Heritage Statement. Amended drawings and additional signage details table (as addendum to the application form) were submitted during consideration of the application following which, as increased the scope of consideration, the application was re-publicised.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
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

The Charfield Neighbourhood Plan Adopted January 2021

(No policies within the neighbourhood plan are relevant to this application)

- 2.3 Supplementary Planning Guidance
Shopfronts and Advertisements SPD (Adopted) April 2012

3. RELEVANT PLANNING HISTORY

- 3.1 PT17/4923/O - Demolition of existing industrial unit and erection of 1no. building to form retail unit (Class A1) (Outline) with access, layout and scale to be determined; all other matters reserved.
Approved 17.05.19 subject to conditions
- 3.2 P20/00860/RM - Demolition of existing industrial unit and erection of 1no. building to form retail unit (Class A1) to include details of appearance and landscaping (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT17/4923/O)
Approved 28.08.20 subject to conditions
- 3.3 P20/08751/RVC - Variation of conditions 13 (Opening Hours) and 14 (Delivery Hours) attached to planning permission PT17/4923/O.
Demolition of existing industrial unit and erection of 1no. building to form retail unit (Class A1) (Outline) with access, layout and scale to be determined; all other matters reserved.
Approved 18.12.20 subject to conditions
- 3.4 DOC22/00197 - Discharge of conditions 3 (Materials) and 4 (Lighting) attached to planning permission P20/00860/RM. Demolition of existing industrial unit and erection of 1no. building to form retail unit (Class A1) to include details of appearance and landscaping (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT17/4923/O).
Conditions 3 and 4 Discharged 30.06.22

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
Object to installation of the 1 no. internally illuminated totem sign. Consider this sign totally inappropriate to the context and general character of the street scene within a village environment. The Parish Council insists that a planning condition be added to this application that the remaining illuminated signs must use low luminescence bulbs and not be overly bright, and the signs should not be illuminated outside of store opening times to avoid light pollution and nuisance to neighbouring dwellings. Objection repeated in response to consultation on updated application.
- 4.2 Conservation Officer
Agree with the submitted Heritage Statement. The signs will be read in conjunction with the new convenience store and will not compromise key views or the significance of the listed station buildings to the south of the site or the locally listed former bank building to the north. No further comments on additional signs.
- 4.3 Sustainable Transport

Do not believe that these signs will create any highways or transportation issues which could be considered severe or unacceptable, hence have no comments about this application. No issue with the additional signs.

4.4 The Tree Team

No Objection. No comment on additional signs.

Other Representations

4.5 Local Residents/ Neighbouring Occupiers

No written comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF in paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve with good design cited as a key aspect of sustainable development and thereby positively contributing to making places better for people. The NPPF stipulates in paragraph 136 that the quality and character of places can suffer when advertisements are poorly sited and designed. These should therefore be controlled in the interests of amenity and public safety, taking into account cumulative effects.

5.2 The application proposes signage to the building in connection with its use as a shop and is therefore acceptable in principle subject to amenity and public safety considerations below.

5.3 Visual and Neighbouring Amenity

Core Strategy Policy CS1 requires the siting, form, colour and materials of proposals to be informed by and respect and enhance the character, distinctiveness and amenity of both the site and its context. The shopfronts and Advertisements SPD states illumination should be appropriate to the context and general character of the street as well as being discreetly sited.

5.4 The site forms part of a group of industrial buildings which has been re-developed to provide a shop. Grade II Listed Buildings from the former Charfield Train Station lie to the south and locally listed 'The old Bank' to the north. The Railway Tavern PH lies to the north-east and residential properties to the south-east.

5.5 The application is supported by a Heritage Assessment which sets out the proposed signage being viewed as part of the modern redevelopment of the site and responding to the overall design for which planning permission was previously approved. It acknowledges the totem sign being more prominent but also reading as part of the redevelopment as well as the wider industrial estate it is part of. Comments received from Charfield Parish Council however object to the proposed totem (sign 12) stating it being inappropriate to the context and general character of the street scene within a village environment, and also seek planning conditions to restrict other signs to have low luminescence bulbs and be not overly bright.

- 5.6 The signage proposed is of the type to be expected for a modern shop development the appearance of which, and correspondingly its impact upon the area's character, has been accepted through the planning approval. The signage proposed, reflecting that appearance, is therefore also accepted, and that it would be read in conjunction with the new shop, and not compromise key views or the significance of nearby listed and locally listed buildings, a view supported by comments from the Conservation Officer. With the site being developed upon part of the adjoining industrial estate this also assists the proposed signage to be viewed in that context, and the proposed siting, including the totem, is therefore appropriate. The proposed signs are also not considered to be overly dominant, nor create an unacceptable cumulative impact.
- 5.7 Where illuminated, the illumination levels proposed are confirmed on the signage detail drawings as 300 cd/m² which complies with the recommended limits set out by the Institution of Lighting Professionals (ILP) for illuminated advertisements. The submitted signage detail drawings have also been updated to confirm illumination would only be switched on during opening hours, As both the illuminance levels and timings are stated on the submitted drawings, compliance with this would be ensured through planning condition for approved plans, making further conditions to restrict illumination unnecessary, and the Parish Council's concerns regarding brightness of the signage have therefore been addressed.
- 5.8 The closest residential property lies approximately 16m to the south-east, however separation from the proposed advertisements is provided by Station Road as well as screening through boundary walls and planting, and due to the relative position of the application site to nearby properties is not considered impacts upon residential amenity would occur. The proposal is also not considered to impact the amenity of neighbouring commercial properties, with no comments having been received from residential nor commercial neighbours.
- 5.9 It is therefore considered that the proposed advertisements would not detract from visual nor neighbouring amenity of the area.
- 5.10 Transport matters
The main public safety consideration is that of highway safety. The signage would be positioned to the building and site curtilage and where illuminated would be static for which the planning condition recommended above would also safeguard from a highway safety perspective. It is therefore considered they would not cause unacceptable or severe highways or transportation issues, a view supported by comments received from Sustainable Transport.
- 5.11 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination;

advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

5.12 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.

5.13 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this advertisement consent application is considered to have neutral impact.

6. CONCLUSION

6.1 The recommendation to grant advertisement consent has been taken having regard to the provisions of the of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007; the policies and proposals in the local development plan, the NPPF and to all relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 It is recommended that advertisement consent is GRANTED subject to conditions written on the decision notice.

CONDITIONS

3. The advertisements shall be displayed in accordance with the following documents:

As received by the LPA 08.04.22:

Site Location Plan - 52036/00/001 Rev. C

As received by the LPA 10.06.22:

North-East and South-East Elevations - 28936v01_04 page 2 of 11

North-West and South-West Elevations - 28936v01_04 page 3 of 11

Item 1 Specification - 28936v01_04 page 4 of 11

Item 2 and 3 Specification - 28936v01_04 page 5 of 11

Item 4, 5, and 6 Specification - 28936v01_04 page 6 of 11

Item 7, 8, and 9 Specification - 28936v01_04 page 7 of 11

Item 10 and 11 Specification - 28936v01_04 page 8 of 11

Item 12 Specification - 28936v01_04 page 9 of 11

Item 13 Specification - 28936v01_04 page 10 of 11

Layout Plan - 28936v01_04 page 11 of 11

(For the avoidance of doubt Item 9 referenced on the above drawings does not form part of the advertisement consent)

Reason: To define the exact terms of the advertisement consent.

Case Officer: Michael Fishpool

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 28/22 -15th July 2022

App No.:	P22/02947/RVC	Applicant:	Mr R Jefferies
Site:	Land At Pibley Court Farmhouse North Stoke Lane Upton Cheyney South Gloucestershire BS30 6NG	Date Reg:	26th May 2022
Proposal:	Variation of condition 8 (approved plans) attached to planning permission P20/18526/F to substitute drawing no. 50349/10/001 Rev B with 50349/10/001 Rev C - Change of use of land from agricultural to glamping site (Sui Generis) with the stationing of 1 no. glamping pod.	Parish:	Bitton Parish Council
Map Ref:	369544 169631	Ward:	Bitton And Oldland Common
Application Category:	Minor	Target Date:	19th July 2022



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100023410, 2008.

N.T.S.

P22/02947/RVC

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Contrary view of Bitton Parish Council. Bitton Parish Council object to the proposed development saying there is no justification for the change of use of land in the AONB and Green Belt.

1. THE PROPOSAL

- 1.1 This planning application is made under Section 73 ("s73") of the Town and Country Planning Act 1990 (as amended) ("the Act"). Applications made under this section of the Act seek to develop land without compliance with conditions previously attached to the relevant planning permission.
- 1.2 The application is seeking to vary Condition 8 of planning permission P20/18526/F to substitute drawing no. 50349/10/001 Rev B with 50349/10/001 Rev C. The permission granted was for the change of use of land from agricultural to glamping site (Sui Generis) with the stationing of 1 no. glamping pod.

- 1.3 The proposed changes are limited to increasing the height of the proposed glamping pod from 3.3 metres to 4.5 metres and the installation of a first floor window in the east elevation. The proposed site boundary (as shown by the red line on the submitted Combined Plan) would not change.
- 1.4 The site is situated in the open countryside within the Bristol and Bath Green belt and the Cotswolds AONB. A public footpath PBN/73 runs along the access track and then across the fields directly to the north of the site.

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
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and cultural activity
CS24	Green Infrastructure, Sport and Recreation Standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP21	Environmental Pollution and Impacts
PSP28	Rural Economy
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Development in the Green Belt (Adopted) June 2007
Residential Parking Standard SPD (Adopted) December 2013
Revised Landscape Character Assessment SPD (Adopted) November 2014
Cotswolds Management Plan
Assessing Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

- 3.1 DOC21/00292
Discharge of condition 3 (planting plan) and 4 (waste storage) attached to planning permission P20/18526/F. Change of use of land from agricultural to glamping site (Sui Generis) with the stationing of 1 no. glamping pod.
Discharge of Condition Decided (19/10/2021)
- [Neither condition discharged]
- 3.2 P20/18526/F
Change of use of land from agricultural to glamping site (Sui Generis) with the stationing of 1 no. glamping pod.
Approve with Conditions (16/07/2021)

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Objection - There is no justification for the change of use of land in the AONB and Green Belt.
- 4.2 Landscape Officer
No objection
- 4.3 Public Rights of Way Officer
No objection
- 4.4 Sustainable Transport Team
No objection
- 4.5 Local Residents
2 objection comments have been received making the following points:
- Concern regarding the increase number of vehicles using North Stoke Lane.
 - Concern regarding noise and light pollution.
 - Impact on AONB and Green Belt.

5. ANALYSIS OF PROPOSAL

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

- 5.2 If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly. If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.
- 5.3 This application seeks to vary Condition 8 attached to permission P20/18526/F.
- 5.4 Condition 8 reads as follows:

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

*Proposed Floor Plan, received by the Council on 17 June 2021
Site location plan, Block Plan, Proposed Elevations, Drawing No. Jefferies 50349/10/001 Rev B, received by the Council on 17 March 2021.*

Reason

To define the terms and extent of the permission.

- 5.5 In effect, the variation of the plans condition seeks to substitute the approved plans for alterations. These alterations are limited to:
- Increasing the height of the proposed glamping pod from 3.3 metres to 4.5 metres; and
 - Installing a first floor window in the east elevation.

5.6 Analysis

As set out in paragraph 5.1, the principle of the development has already been established so the below analysis will only be assessing the minor alterations proposed.

5.7 Green Belt

The application site is located in part of the Bristol and Bath Green Belt, where development is restricted. The principle of the development in Green Belt terms (both the change of use of the land and erection of a new building) has already been established so only the minor alteration needs to be assessed. The proposed 1.2 metre increase in height and installation of a first floor window in the east elevation would not be significantly noticeable due to the character of the site and its surroundings and no increase in footprint is proposed.

- 5.8 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 openness and permanence of the Green Belt.

5.9 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.

- 5.10 Paragraph 176 of the National Planning Policy Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. The scale and extent of development within AONBs should be limited with planning permission being refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.
- 5.11 Policy PSP2 of the Policies, Sites and Places Plan seeks to ensure that great weight is given to the conservation and enhancement of the natural and scenic beauty of the landscape whilst taking account of the biodiversity interest and the historic and cultural heritage. Where development is proposed in a location which would affect the setting of the AONB it must be demonstrated that it would not adversely impact upon the natural beauty of the AONB.
- 5.12 The principle of the development in Green Belt terms (both the change of use of the land and erection of a new building) has already been established so only the minor alteration needs to be assessed. The proposed 1.2 metre increase in height and installation of a first floor window in the east elevation would not be significantly noticeable due to the character of the site and its surroundings and would not detrimentally impact the design or visual amenity of the building, site or its context.
- 5.13 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.
- 5.14 The nearest neighbouring properties to the proposed pod would be Piple Court Farm and Brockham House, which is over 100 metres away, and residents' concerns are noted. There are no other dwellings immediately adjacent to the proposed camping pod. Therefore the proposal would not cause material impact, in terms of overbearing or overlooking, given its modest scale and remote location. Also, this level of use would unlikely result in unacceptable levels of noise and disturbance to the detriment of neighbours over and above that already existing.
- 5.15 Highway Safety and Transport, and Public Rights of Way
Given its modest scale and the nature of the proposal, it is considered that the proposed change of use and the glamping pod would not result in a significant increase in traffic using the existing access which is considered adequate for the proposed use. Therefore, there is no highway objection to the proposal. A footpath runs along the existing access track, and the proposed use and building would not affect this public rights of way, therefore no objection in this regard.

5.16 Environmental Matters

The site is not subject to any high risk of flooding and the applicant confirmed that there is an existing package treatment plant already on site and it was installed in 2009 and there is an additional spur already in place to connect to. Given its modest use, there is no objection in this regard. From the ecological perspective, the proposed pod would sit on the existing hardstanding / foundation, it would not affect the existing vegetation, and therefore, there is no ecological objection.

5.17 New Condition Wording

Following the above assessment, officers consider the proposed amendment to be acceptable. As such, Condition 8 will need to be re-worded to take account of the amended plans. The new condition should be worded as follows:

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

50349/10/001 C - Combined Plan (Received 24/05/2022)

Reason

To define the terms and extent of the permission.

5.18 Other Conditions

As a decision under s73 has the effect of granting a new (revised) planning permission, the other conditions attached to P20/18526/F must be reviewed.

<i>No.</i>	<i>Brief Description</i>	<i>Discussion</i>	<i>Action</i>
1	Standard time limit	The condition will be varied to say the development hereby permitted shall be begun before the expiration of three years from the date of the original permission.	Vary
2	Tourist accommodation	Unaffected	Retain
3	Landscape plan	Unaffected	Retain
4	Waste storage	Unaffected	Retain
5	No external lighting	Unaffected	Retain
6	Parking provision	Unaffected	Retain
7	Noise restrictions	Unaffected	Retain

5.19 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between

people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 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 the original permission (ref. P20/18526/F).

Reason

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

2. The proposed glamping pod hereby approved shall only be occupied as a tourist accommodation and shall not be occupied as a residential dwelling at any time.

Reason

To ensure that the proposal supports the rural economy and to accord with Policy PSP28 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and the National Planning Policy Framework.

3. Prior to the first occupation of the proposed glamping pod hereby approved, a detailed planting plan including details of the location, species, stock size, planting centres and

quantities of all proposed tree and hedgerow planting, shall be submitted to and approved in writing by the Local Planning Authority. The approved planting plan shall be implemented in the first session following the stationing of the proposed glamping pod hereby approved.

The existing boundary tree and hedgerow shall be protected to accord with BS5837:2012 and a tree protective fence shall be in place prior to the stationing of the proposed glamping pod hereby approved.

Reason

To protect the landscape character of the area to accord with Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. Prior to the first use of the proposed development hereby approved, details of waste storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

5. No external lighting shall be installed on the proposed structure or the site at any time.

Reason

To protect the open countryside, minimise the light pollution, in the interest of wildlife and to protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8, PSP19, PSP21 and PSP28 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

6. Prior to the commencement of the use hereby approved, the vehicle and cycle parking area shall be completed in all aspects with the approved plans and retained as such thereafter.

Reason

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

7. No amplified or other music system or Tannoy shall be used within the site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

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

50349/10/001 C - Combined Plan (Received 24/05/2022)

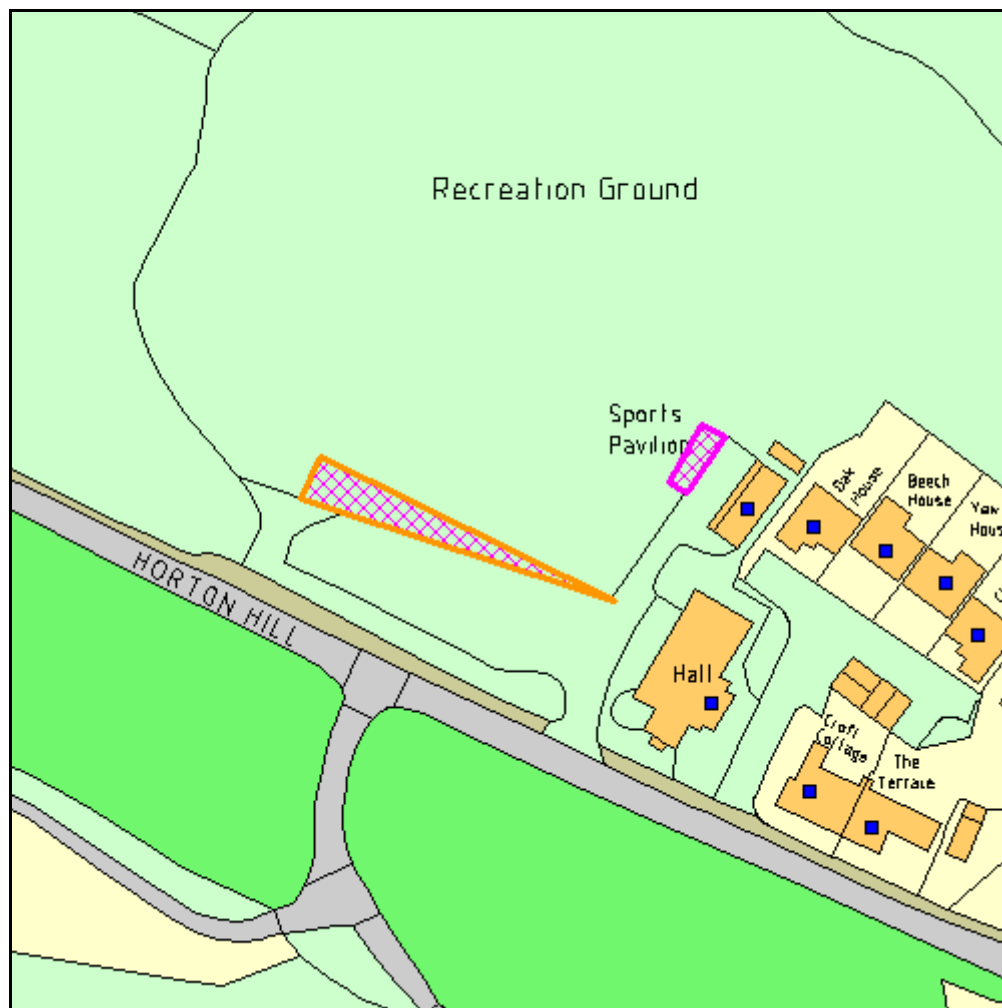
Reason

To define the terms and extent of the permission.

Case Officer: Oliver Phippen
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 28/22 - 15th July 2022

App No.:	P22/02974/F	Applicant:	Mrs Katharine Lea-WilsonHorton & Little Sodbury Village Hall & Recreation Ground
Site:	Horton Village Hall Charity Group Horton Hill Horton South Gloucestershire BS37 6QN	Date Reg:	10th June 2022
Proposal:	Alteration and extension to existing car park with associated works	Parish:	Horton Parish Council
Map Ref:	375897 184446	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Minor	Target Date:	4th August 2022



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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the alteration and extension to existing car park with associated works at Horton Village Hall, Horton.
- 1.2 The application site is outside, although borders the settlement boundary, and is washed over by an Area of Outstanding Natural Beauty. No other restrictive designations apply.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 South Gloucestershire Local Plan Core Strategy (Adopted) 2013

CS1	High Quality Design
CS5	Location of Development (inc. Green Belt)
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP11	Transport
PSP16	Parking Standards
PSP19	Wider Biodiversity

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. CONSULTATION RESPONSES

3.1 Horton Parish Council – Spit Comment

“Horton Parish Council had no objection to phase 1 of the plan to square off the main car park making it 16.5m wide all along.

“Horton Parish Council does however, object to phase 2 of the plan to extend the area in front of the pavilion as this will take away too much of the village field, the only green community space in the village. It was felt that it would not stop people from parking on the road.”

3.2 Sustainable Transport – No objection, conditions recommended.

3.3 Landscape Officer – No objection, conditions recommended.

3.4 Lead Local Flood Authority – Question method of surface water disposal.

3.5 Archaeology – No comment.

3.6 Sport England – No objection.

Public Response

3.7 One letter objecting the development has been received in response to the period of statutory consultation. The key points are summarised below:

- Support phase 1 provided works carried out outside of school term to avoid disruption in the local area;
- Object to phase 2 as the size of the field will be too small and will not reduce roadside parking.
- Parking spaces should be identified by white lines

4. **ANALYSIS OF PROPOSAL**

4.1 Principle of Development

Policy CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 (CS) seeks to enhance existing community infrastructure. The proposed car park extension would provide the Horton & Little Sodbury Village Hall & Recreation Ground an increase to its parking capacity in order to cater for the 100 person's capacity the site currently provides. Following consultation with Sports England, the development would not result in any impact to the current functionality of the playing field. As such, the proposed development would improve the existing use and not result in any harm by the loss of the outer sections of field. The principle of development is therefore established.

4.2 Impact to landscape

Policies PSP2 of the Policies, Sites, and Places Plan (Adopted) 2017 (PSPP) seek to conserve and enhance landscapes. Further to this, paragraph 176 of The Framework attached great weight to the conservation in Areas of Outstanding Natural Beauty (AONB). The enlargement of the main car park will involve the removal of an existing grass bank, but the intention is to reinstate this feature along its new northern edge – reusing the excavated strata.

Similarly, a new grass bank will be located along the western edge of the secondary. Whilst the heights and gradients have not been provided, it is not considered to be significant or to result in a material change to the existing character. The surface of the extended parking area would be "MOT type 1" with various gravels added on top, as per the existing car park. The scope of the works are not considered extensive and would not result in any harm to the landscape character, or that of the AONB.

4.3 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal has been carefully assessed and has found to be in compliance with this policy. Whilst a request has been made for the parking spaces to be outlined, for which would aid improved parking for its patrons, it is not considered necessary to make the development acceptable in planning terms. Whilst the applicant would also be advised to install electric vehicle charging points, the condition of such is not considered to be reasonably related in scale. Concerning the requests for the proposal to be undertaken outside of school term, it is understood from the applicant this would be the case – however as no historical conditions tie the use of the land to association with the school, to condition such restrictions would be unreasonable.

4.4 Consideration of likely impact on Equalities

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

5. CONCLUSION

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

6. RECOMMENDATION

6.1 It is recommended that planning permission is GRANTED.

CONDITIONS

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

Reason

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

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

Received by the council on 25th May 2022: the Location Plan, Site Plan.

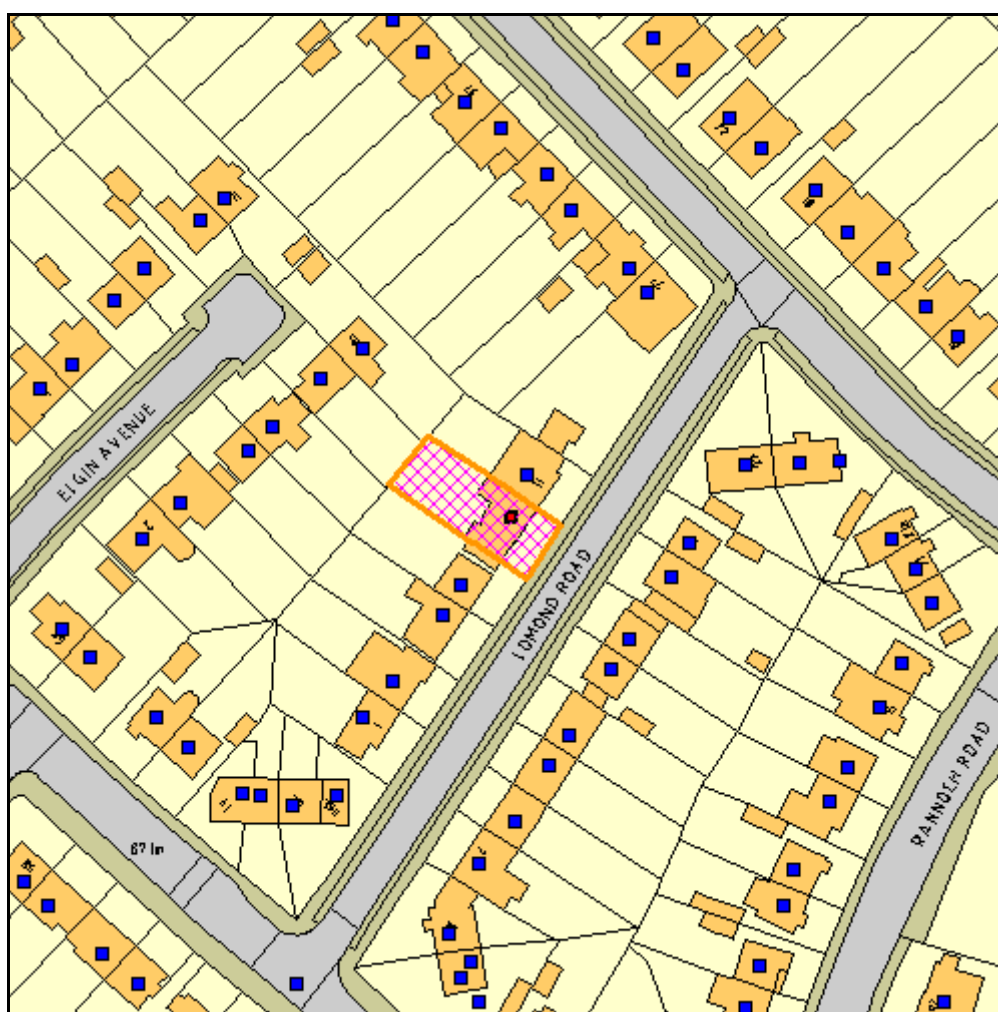
Reason

To define the terms and extent of the permission.

Case Officer: Thomas Smith
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 28/22 - 15th July 2022

App No.:	P22/03166/HH	Applicant:	A'Hearne
Site:	9 Lomond Road Filton South Gloucestershire BS7 0SD	Date Reg:	13th June 2022
Proposal:	Demolition of existing garage and conservatory. Erection of two storey side and single storey rear extension to provide additional living accommodation.	Parish:	Filton Town Council
Map Ref:	359649 178441	Ward:	Filton
Application Category:	Householder	Target Date:	5th August 2022



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P22/03166/HH

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of an existing garage and conservatory, and the erection of a two storey side and single storey rear extension to provide additional living accommodation.
- 1.2 The application site relates to 9 Lomond Road, Filton which consists of a two-storey semi-detached property, located in the built-up residential area of Filton.
- 1.3 During the course of the application revisions were sought to amend the design of the proposed side and rear extensions.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

- CS1 High Quality Design
- CS2 Green infrastructure
- CS4a Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS25 Communities of the North Fringe of Bristol Urban Area

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

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP3 Trees and Woodland
- PSP8 Residential Amenity
- PSP11 Transport Impact Management
- PSP16 Parking Standards
- PSP20 Flood Risk, Surface Water and Watercourse Management
- PSP38 Development within Existing Residential Curtilages
- PSP43 Private Amenity Standards

2.3 **Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Waste Collection SPD (Adopted) 2015 (Updated 2017)
Householder Design Guide SPD (adopted) March 2021

3. **RELEVANT PLANNING HISTORY**

3.1 None relevant.

4. **CONSULTATION RESPONSES**

4.1 **Filton Town Council**

Objection to second storey due to overdevelopment. Not in keeping with other properties.

4.2 **Sustainable Transport**

Clarity on parking provision requested.

Other Representations

4.3 **Local Residents**

Objection comment received from 2no local residents, summarised as follows:

- Excessive height and projection of the proposed rear extension.
- Overall height compounded by flat roof from front to back.
- Extra depth over neighbouring extension of 1.53m
- Overshadowing
- Two storey side extension would cause overshadowing to no.7.
- No two storey extensions present on the road.
- Out of character- Uniqueness of the house design along this road should be preserved.

Support comments received from 2no. local residents, summarised as follows:

- In keeping with the style of properties in Lomond Road.
- More people working from home since covid, fully support need for additional living space.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. The proposal accords with the principle of development subject to the consideration below.

5.2 **Design and Visual Amenity**

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards

of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.3 ***Proposed side extension***

It is noted that objections have been received in relation to the addition of a second storey at the side of property causing harm to the visual amenity of the streetscene. The street is made up of pairs of semi-detached dwellings of uniform appearance with single storey attached garages. The dwellings are attractive in appearance, consisting of hipped roofs, white render finishes and include curved bay window and porthole features.

5.4 In accordance with the adopted Householder Design Guide SPD, the proposed side extension would be set back from the principal elevation and set down from the main roof ridge. It would also appear proportionate in width to the main dwelling, overall providing an acceptably subservient appearance which can be visually read as a later addition. The roof pitch would match the existing, as would the proposed materials. Although there are currently no second storey extensions present on Lomond Road, the addition of such an extension with the correct proportions and visual appearance is not considered to result in any significant harm to the streetscene.

5.5 ***Proposed Rear Extension***

The proposed single storey rear extension would replace an existing rear conservatory and sit on an existing decking area. Although larger than the existing conservatory, it is considered to be a proportionate addition that sits comfortably on the rear elevation. The design takes a more contemporary approach with a standing seam, shed-style roof design, large expanse of glazing and a combination of brickwork and rendered walls. Given the siting at the rear, the proposal would cause no harm to the amenity of the area, and is considered to be an acceptable addition to the existing dwelling. As such, no objections are raised in terms of the design.

5.6 The decking area would not be altered in depth or height and the proposed frameless glass balustrade is considered acceptable.

5.7 **Residential Amenity**

Some concern has been raised in regard to potential overshadowing of neighbouring properties from both the proposed side and rear extensions.

5.8 ***Proposed Side Extension***

It is acknowledged the host dwelling sits at a higher gradient than the neighbouring property, no.7 Lomond Road. That said, the proposal would not extend beyond the rear building line of either the host or neighbouring dwelling and the proposal would be separated from the side elevation windows by the existing garage. Furthermore, the neighbouring first floor window serves the staircase and would not severely impact on living conditions. No windows are proposed on the side elevation of the development. No.7 sits to the south-west of no.9 and given the path of the sun throughout the day, would not result in any significant loss of light impact or overshadowing. The application is also not thought to result in any harmful overbearing or loss of privacy to any neighbouring occupiers.

5.9 ***Proposed rear extension***

The originally submitted design included a flat roof extension which raised objections from the immediate neighbour in regards to its excessive height. The depth of the proposal was also a concern of the neighbour. However, during the course of the application, revisions were sought to alter the roof design; the eaves height closest to the neighbour has been dropped to match the existing extension of no.11. The sloping roof is thought to successfully overcome any issues with overbearing. Although the proposal would project further from the rear elevation than the adjacent extension, it is not considered to be excessive in size and would not result in any unacceptable loss of light or overbearing impacts to any neighbour.

5.10 **Transport**

The proposal would result in an increase in bedroom numbers from 3 to 4. Policy PSP16 of the PSP Plan requires 3 and 4 bedroom properties to provide 2 off-street parking spaces. The existing parking arrangements to the front of the property, accommodating 2 vehicles, would remain unaltered and as such the proposal would have a neutral impact on transport. Therefore, no objections are raised.

5.11 **Equalities**

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

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

CONDITIONS

1. 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 hereby approved shall be carried out in accordance with the following documents:

Received by the Council on 8th June 2022:

SITE LOCATION PLAN
EXISTING GROUND FLOOR PLAN
EXISTING FIRST FLOOR PLAN
EXISTING ELEVATIONS PLAN

Received by the Council on 7th July 2022:

EXISTING & PROPOSED SITE PLAN (drawing no. PL10 REV A)
PROPOSED GROUND FLOOR PLAN (drawing no. PL200 REV A)
PROPOSED FIRST FLOOR PLAN (drawing no. PL300 REV A)
PROPOSED ELEVATIONS (drawing no. PL500 REV B)

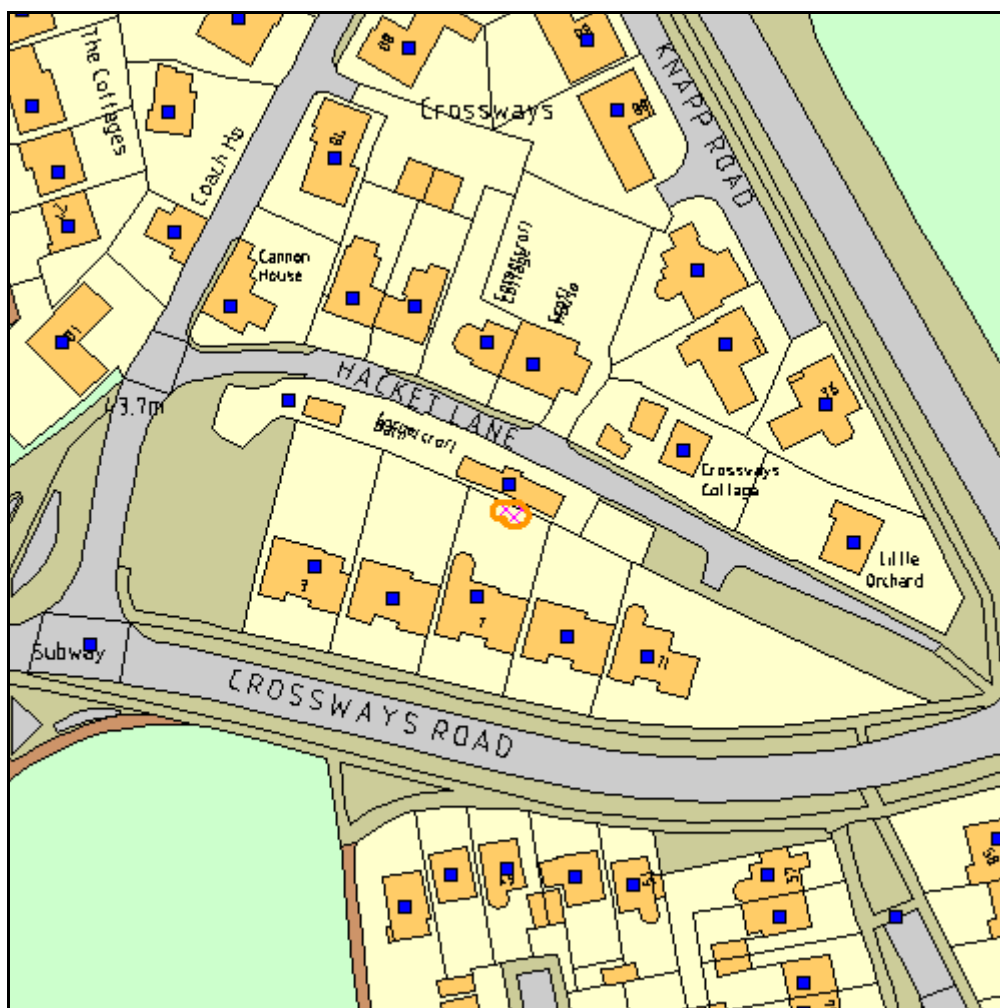
Reason

To define the terms and extent of the permission.

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

CIRCULATED SCHEDULE NO. 28/22 - 15th July 2022

App No.:	P22/03372/TRE	Applicant:	Parker
Site:	Cornercroft Barn Hacket Lane Thornbury South Gloucestershire BS35 2HH	Date Reg:	20th June 2022
Proposal:	Works to reduce 2no. English Oak trees back to previous points, and to crown thin overhanging crown by 20% covered by Tree Preservation Order TPO 305 dated 03/05/1978	Parish:	Thornbury Town Council
Map Ref:	364983 190321	Ward:	Thornbury
Application Category:		Target Date:	15th August 2022



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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection by the Town Council, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 Works to reduce 2no. English Oak trees back to previous points, and to crown thin overhanging crown by 20% at Cornercroft Barn, Hacket Lane, Thornbury

2. POLICY CONTEXT

2.1 National Guidance

- i. The Town and Country Planning Act 1990
- ii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. RELEVANT PLANNING HISTORY

- 3.1 PT17/2874/TRE, Proposal: Works to crown reduce 1no. group of 3no. oak trees by 2m (back to previous points), and crown lift by up to 5m to clear garden, and crown lift to clear neighbours roofline by 2m, Decision: COND, Date of Decision: 31-JUL-17

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

Objection. The Town Council would like to see the minimum work possible carried out to maintain the trees health (to be advised by the South Gloucestershire Council Tree Officer). The Town Council considers these trees to be a significant feature of the urban landscape.

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

- 5.1 Works to reduce 2no. English Oak trees back to previous points, and to crown thin overhanging crown by 20%
- 5.2 Principle of Development
The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.
- 5.3 Consideration of Proposal
The trees are growing in the garden of 7 Crossways Road. They overhang the boundary of the property to the rear, Cornercroft Barn. The trees appear to be in good health. They have been reduced and lifted in the past.
- 5.4 The proposal to reduce the trees back to the previous pruning points is acceptable as it is seen as on-going management where there has previously been work to the trees. Only the branches over-hanging Cornercroft will be reduced.
- 5.5 The 20 % thin to the overhanging branches is minimal and will lighten the weight of the branches in order to prevent the branches failing but will not be detrimental to the health of the trees.
- 5.6 There will be a temporary change to the amenity close up but the wider amenity the trees provide will not be altered.

6. RECOMMENDATION

- 6.1 That consent is **GRANTED** subject to the conditions detailed within the decision notice.

CONDITIONS

1. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

2. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

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

Case Officer: Lea Bending

Authorising Officer: Marie Bath