

# 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: 24/22**

**Date to Members: 17/06/2022**

**Member's Deadline: 23/06/2022 (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](mailto:MemberReferral@southglos.gov.uk) identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral You may wish to consider the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

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

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

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

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

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

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

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

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

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

7) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officers recommendation from the Parish or Town Council within whose boundary the proposal lies wholly or in part.

8) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officer's recommendation from any Member of South Gloucestershire Council.

Applications that will not appear of the Circulated Schedule procedure as a result of representations received:

a. All applications, where approval is deemed to be granted upon the expiry of a defined period

b. All applications to be determined the lawfulness of a proposed or existing use of a site

c. All applications for non-material amendments

d. All applications to discharge planning conditions

e. All applications solely required because of the removal of Permitted Development Rights or Article 4 direction

f. Any footpath stopping up or diversion required to implement an approved scheme

### **Additional guidance for Members**

Always make your referral request by email to [MemberReferral@southglos.gov.uk](mailto: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](mailto:MemberReferral@southglos.gov.uk)

# CIRCULATED SCHEDULE 17 June 2022

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>P20/14646/O</b>	Approve with Conditions	Wynford Lodge 132 Down Road Winterbourne Down South Gloucestershire BS36 1DG	Winterbourne	Winterbourne Parish Council
2	<b>P21/03370/F</b>	Approve with Conditions	Land At Kilgobbin House Wotton Road Rangeworthy South Gloucestershire BS37 7NB	Frampton Cotterell	Rangeworthy Parish Council
3	<b>P21/04132/RVC</b>	Approve with Conditions	Colony Farm Hortham Lane Almondsbury Bristol South Gloucestershire BS32 4JW	Severn Vale	Almondsbury Parish Council
4	<b>P21/06953/RM</b>	Approve with Conditions	Land At Crossways Morton Way Thornbury South Gloucestershire	Thornbury	Thornbury Town Council
5	<b>P21/08172/F</b>	Refusal	Land Off France Lane Hawkesbury Upton South Gloucestershire GL9 1AS	Chipping Sodbury And Cotswold Edge	Hawkesbury Parish Council
6	<b>P22/01744/F</b>	Approve with Conditions	Morrisons Station Road Yate South Gloucestershire BS37 5PW	Yate Central	Yate Town Council
7	<b>P22/01756/ADV</b>	Advert Approve with Conditions	Morrisons Station Road Yate South Gloucestershire BS37 5PW	Yate Central	Yate Town Council
8	<b>P22/02131/HH</b>	Approve with Conditions	23 Orchard Rise Olveston South Gloucestershire BS35 4DY	Severn Vale	Olveston Parish Council
9	<b>P22/02225/HH</b>	Approve with Conditions	Bacon Cottage The Plain Hawkesbury Upton South Gloucestershire GL9 1AT	Chipping Sodbury And Cotswold Edge	Hawkesbury Parish Council
10	<b>P22/02457/F</b>	Approve with Conditions	Building At Pound Farm Townsend Lane Almondsbury South Gloucestershire BS32 4DY	Severn Vale	Almondsbury Parish Council



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 3no local residents and the Parish Council which is contrary to the Officer's recommendation.

## **1 THE PROPOSAL**

- 1.1 The application seeks outline permission for the demolition of an existing cottage and erection of a detached dwelling with scale, access, and layout to be determined. All other matters are reserved (appearance and landscaping)
- 1.2 The application site relates to Wynford Lodge, 132 Down Road, Winterbourne Down. The site is located within the defined settlement of Winterbourne.
- 1.3 The existing bungalow has already been demolished and site cleared, in accordance with the approved prior notification for demolition application, reference P21/00359/PND

## **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  
CS11 Distribution of Economic Development Land  
CS15 Distribution of Housing  
CS16 Housing Density  
CS17 Housing Diversity  
CS34 Rural Areas

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

PSP1 Local Distinctiveness  
PSP2 Landscape

PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
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)  
 Winterbourne Down Village Design Statement

## 3 RELEVANT PLANNING HISTORY

### 3.1 **P21/00359/PND**

Prior notification of the intention to demolish Wynford Lodge.  
 Prior approval granted: 23/02/2021

## 4 CONSULTATION RESPONSES

### 4.1 **Winterbourne Parish Council**

Objection- lack of detail in application. Concerns remain about scale, safe and unrestrained access for neighbours.

### 4.2 **Sustainable Transport**

Object- although we consider it unlikely the development would cause any significant highways or transportation issues, insufficient information about the sites access and parking arrangements have been provided.

*Following this, a parking provision plan was submitted by the application indicating sufficient space for off-street parking within the site boundary. The existing access would be utilised.*

### 4.3 **Tree Officer**

No objection, provided the trees are protected in accordance with the submitted arboricultural report.

### 4.4 **Ecology**

Appropriate survey work undertaken- conditions suggested.

### 4.5 **Lead Local Flood Authority**

No objection.



## **Other Representations**

### 4.6 **Local Residents**

Objection comments received from 3 no. local residents. One of which was not made public due to use of defamatory language.

- Replacing the bungalow with a 2-storey building would result in a lack of privacy for neighbouring properties.
- First windows at the rear would overlook living areas of 132 A.
- Telephone and electricity cables fly over the existing bungalow at a height lower than the proposed building.
- Height of new building would be imposing, overshadowing and out of character with neighbouring properties.
- Height estimate of neighbouring properties seems inaccurate.
- Application does not say what will be rebuilt, lot of uncertainty.
- Existing building is historic. It is a key character building of the village.
- No parking suitable for plant and machinery. Inevitable disruption to the very busy Down Road.
- Access is within a shared driveway with 4 other residencies. High risk of disruption of access and services.
- Roof ridge height should be no higher than the surrounding properties to maintain congruity with the neighbourhood.
- No detail of appearance.

## **5 ANALYSIS OF PROPOSAL**

### 5.1 **Principle of Development**

Outline planning permission is sought for the replacement of an existing bungalow with a new residential dwelling. The site is located within the defined settlement boundary of Winterbourne.

Policy CS5 of the Core Strategy outlines the locations at which development is considered to be appropriate. CS5 dictates that most new development in South Gloucestershire will take place within communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. As such, based solely on location of the site, the principle of development is acceptable.

However, the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm

### 5.2 **Scale of development**

Prior to demolition, the site consisted of a single storey, 4-bed cottage with painted stone elevations and a gable to gable roof design. The shape of the building was irregular due to a later extension at the rear. The submitted block plan shows the outline of the proposed replacement dwelling which would be a

simple rectangular shape and of a similar footprint to that of the cottage. As such, this is considered acceptable in terms of the width and length. The nearest properties to the south and southwest of the site are all bungalows and the site sits at a considerably lower gradient than those properties. No proposed elevation plans or sections have been provided with the application which makes it difficult to determine the acceptability of the height of the proposal, however given the limited separation distance and differing gradients, a two storey property is not thought to be acceptable due to significant concerns with inter-visibility and a resulting material loss of privacy. It would also appear disproportionately larger than the immediately surrounding dwellings. That said, a replacement single storey residential dwelling would be appropriate in this location. Given there are no proposed plans explicitly showing the height of the proposal, it is thought that the height of any proposed building could be controlled through an appropriately worded condition.

### 5.3 **Layout and Access**

The proposed dwelling would be sited on land previously occupied by a 4-bed cottage of similar footprint. The layout would be mostly unchanged from the existing; the proposed dwelling would sit adjacent to Down Road behind retained low stone walls. The existing shared vehicle access off Down Road would be utilised and an opening created into the site for 2 off-street parking spaces. A small garden area would be also be provided at the rear. The layout is not considered ideal, however, considering the constraints of the site, combined with the fact that this is a for a replacement dwelling, the proposed layout is not thought to have any significantly detrimental impact over that of the existing arrangement. It would therefore be unreasonable to refuse the application on these grounds. Furthermore, the proposed access would not cause any severe highway safety or transportation impact.

### 5.4 **Other Material Considerations**

#### **Appearance**

The appearance of the building is not being assessed at this stage and therefore only an indicative description has been provided within the Design & Access Statement. *The frontage would face south-west*; this is not acceptable as the property should have some relationship with the streetscene; a more suitable arrangement would be to have the front door facing south-east, fronting the access road. The property could then be visually read as a residential dwelling when travelling north-west on Down Road. The elevation abutting Down Road may be kept relatively blank given its proximity to the road, though some visual interest would be nice. We would expect a dual pitched roof design with gables as found on all surrounding properties.

- 5.5 Little detail of proposed materials has been provided, though it is noted that the north-east roof would re-use tiles from the demolished cottage. This would be acceptable, though should be continued throughout the entirety of the roof structure as a inconsistent mismatch of tiles would result in an unattractive

appearance. The only other information regarding materials is the suggestion that the north-east road facing elevation could '*resemble a traditional roadside barn wall*'. How this would be achieved is unclear and not entirely appropriate given the property is not located within a rural agricultural setting. As expressed within the Winterbourne Village Design Statement the use of Pennant sandstone was historically used in Winterbourne Down and it is this that provides the best examples of building within the area. The property is in a prominent location on Down Road and to retain the character of the area the road facing elevations of the proposal should be constructed of stone; rendered block work would be appropriate on the other elevations. However, brickwork should be avoided as it is generally out of character within the village.

#### 5.6 Landscape

Landscape is not being assessed at this stage. However, an arboricultural report and a horticultural statement have been provided which give some indication of what is proposed. On the boundary along the access road there is a line of mature Cedars and on the south-east boundary a mixture of shrubs. These are all to be retained, which is welcomed. A number of other shrubs have been cleared from the site. At reserved matters stage we would expect to see a detailed landscaping plan indicating the proposed soft and hard landscaping works, as well as any boundary treatments. The amount of hardstanding area at the rear should be reduced as far as possible and a grassed area for use by the future occupants is also expected.

#### 5.7 Residential Amenity

As noted above, concerns have been raised in regard to any 2-storey dwelling at the site creating an unacceptable level of intervisibility, particularly from proposed first floor windows at the rear. However, a condition is to be imposed to restrict the new dwelling to a single storey bungalow, thus removing the above concerns. A single storey bungalow in this location would not result in any unacceptable residential amenity impact over that currently afforded to any of the neighbouring occupiers.

5.8 Given the small and awkward shape of the site, a private residential amenity space in accordance with the area requirements of PSP43 is unrealistic. However, the policy states that as a minimum the space should be able to accommodate a table and chairs, provide bin storage space, an area for drying washing and an area for children to play in. Although a small area would remain at the rear, an appropriate amenity space is thought to be feasible and, given the existing bungalow layout, in this case a below standard garden is not thought to be a suitable reason to refuse the application.

5.9 However, in the interest of protecting the residential amenity of neighbouring and future occupiers, it is considered necessary to restrict Permitted Development rights.

5.10 Ecology

A preliminary ecological assessment was submitted in support of the application with suitable mitigation measures provided. Since the submission of this application, a prior notification of demolition was approved, and demolition commenced on site. However, the proposed mitigation measures are still applicable and as such an appropriate condition will be imposed.

5.11 Drainage

Following submission of an updated drainage plan, sufficient clarification on the method of surface water drainage and foul sewage disposal has been provided. The Lead Local Flood Authority raised no objections in this regard.

5.12 Equalities

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

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

5.14 Other Matters

It is accepted that there would be a degree of disruption to local residents during the construction period, however this is not a material planning consideration and would be for a limited amount of time, it therefore cannot form a reason for refusal. That said, it is hoped that the applicant and contractor would be considerate to local residents during that period.

5.15 It is the responsibility of the applicant to ensure any necessary access agreements are put in place. This permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant.

## **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.

### **1. Reserved Matters**

Approval of the details relating to the appearance of the development and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Plans and particulars of the reserved matters relating to scale and landscaping, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

#### **Reason**

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

### **2. Submit within 3 years**

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

#### **Reason**

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

### **3. Time Limit for Outline**

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

#### **Reason**

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

### **4. Scale**

The proposed dwelling shall be single storey and shall not exceed a total height of 4.5 metres from ground level. Works are to be carried out in accordance with the approved elevation plans to be agreed at Reserved Matters stage.

## Reason

To protect the character and appearance of the area, and to protect the residential amenity of neighbouring occupiers, to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policies PSP1 and PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

## 5. Landscape

As part of the reserved matters application, details of all hard and soft landscape works shall be submitted. For the avoidance of doubt these should include details of planting, a grassed amenity area, hardstanding for the proposed parking and boundary treatments. Works are to be carried out in accordance with the approved details.

## Reason

To protect the character and appearance of the area, and 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 (Adopted) November 2017; the National Planning Policy Framework.

## 6. Works shall be carried out in accordance with the approved Arboricultural Report and Tree Protection Plan compiled by Silverback Ltd, Jan 2021.

## Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the trees, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

## 7. Works shall be carried out in accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal, compiled by Abricon, September 2020.

## Reason

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

## 8. Notwithstanding the provisions of Schedule 2 of the Town &amp; 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, C and E), 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 protect the residential amenity of the occupiers of the proposed dwelling and neighbouring occupiers, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan; and the National Planning Policy Framework.

9. Prior to the commencement of above grounds work, details of the external facing materials, including the roof, shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the details so approved.

Reason

In the interests of the appearance of the proposed development and the surrounding area and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

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

Received by the Council on 21st September 2021:

The Location Plan

Site & Other Plans

Block Plan

Additional Plans

Parking Provision Plan

Received by the Council on 132th January 2021:

Drainage Plan

Reason

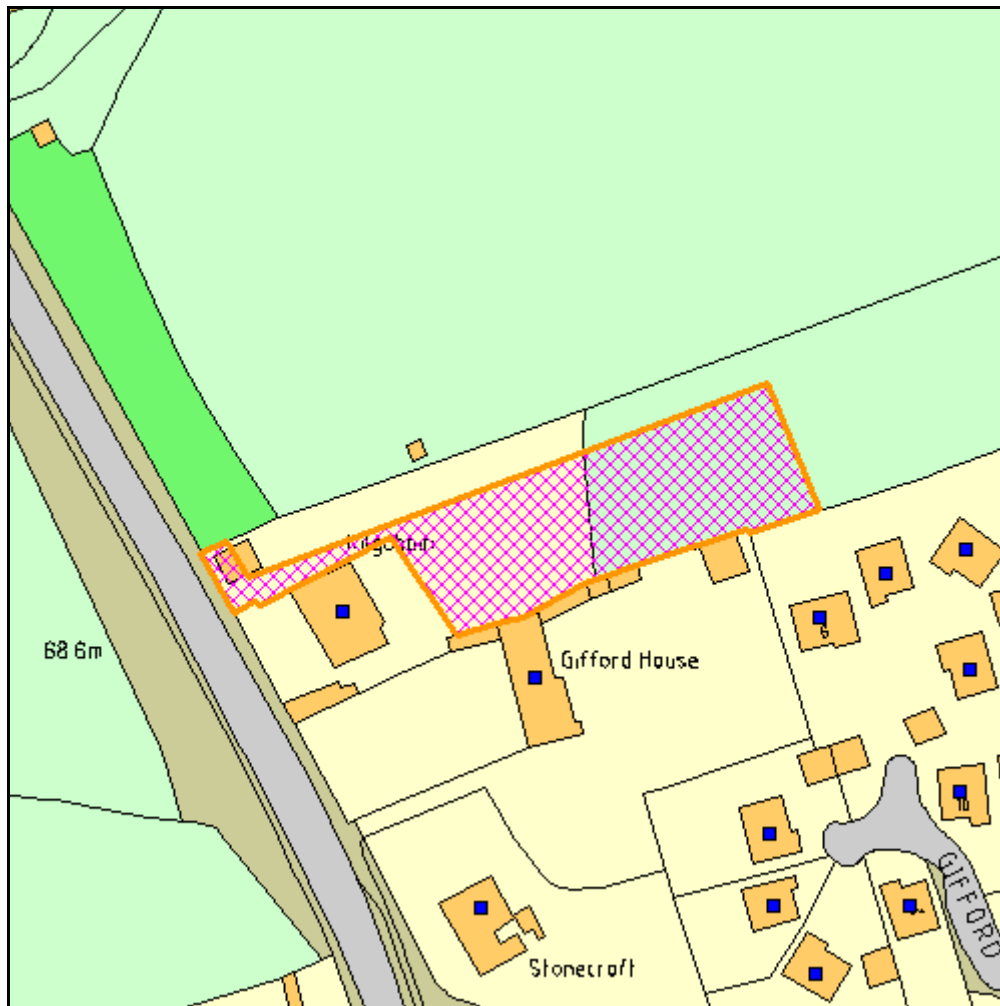
To define the terms and extent of the permission.

**Case Officer: James Reynolds**

**Authorising Officer: Suzanne D'Arcy**

**CIRCULATED SCHEDULE NO. 24/22 -17th June 2022**

<b>App No.:</b>	P21/03370/F	<b>Applicant:</b>	Mr Charlie Leflaive Greenfield Gospel Hall Trust
<b>Site:</b>	Land At Kilgobbin House Wotton Road Rangeworthy South Gloucestershire BS37 7NB	<b>Date Reg:</b>	19th May 2021
<b>Proposal:</b>	Erection of 2 no. detached dwellings with associated garages, parking and associated works.	<b>Parish:</b>	Rangeworthy Parish Council
<b>Map Ref:</b>	369120 185914	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Minor	<b>Target Date:</b>	9th July 2021



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

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application has been reported to the Circulated Schedule due to the objections raised by Rangeworthy Parish Council and because 3 or more objection comments have been received from local residents.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the erection of 2no. detached dwellings with associated garages, parking and associated works on Land at Kilgobbin House, Wotton Road, Rangeworthy.
- 1.2 The application site comprises part of the rear garden of Kilgobbin House, a large two storey detached dwelling. The application site is located within the defined Rangeworthy settlement boundary.
- 1.3 The site lies off the east side of the B4058 Wotton Road to the north of Gifford House and no.6 Gifford Close. The access road and parking area of the Brethren Meeting Hall lie to its north and east respectively with agricultural fields beyond.
- 1.4 The proposed dwellings would be two storey with 4 and 5 bedrooms each. They would be accessed via a driveway lying parallel to the southern edge of the existing driveway serving the meeting hall.
- 1.5 A group of Category C trees lie within the centre of the site, which will be removed to accommodate the development, with the Category B Silver Birch within the SE corner of the site retained together with the Hazel coppice to its west.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework July 2021  
National Planning Practice Guidance

#### 2.2 Development Plan

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

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

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

PSP1	Local Distinctiveness
PSP2	Landscape

PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

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

### 3. **RELEVANT PLANNING HISTORY**

- 3.1 None

### 4. **CONSULTATION RESPONSES**

#### 4.1 Rangeworthy Parish Council

Objection for the reasons set out below:

- Although within the established settlement boundary, it is immediately adjacent to boundary. Further development this close to the boundary could be perceived as a 'green card' to expand outside the established boundary;
- This development does not enhance or respect the distinctiveness and character of Rangeworthy and would result in a modern cul-de-sac type of development which is completely out of character for the rest of the village and would intrude into semi-open countryside;
- SGC has achieved their five-year land supply, therefore there is no specific housing need within the parish of Rangeworthy for this additional development, especially large four-bedroomed dwellings;
- This development would add to traffic movements on and off the busy Wotton Road and increase the possibility of road traffic accidents; and
- Seven mature trees that would be required to be felled in order to accommodate the new dwellings. All but one of those seven trees are considered to be in good/fair condition. The felling of these trees would have an adverse impact on the immediately adjoining countryside, as well as being a loss of natural habitat.

#### 4.2 Archaeology Officer

The application site is within the boundary of the historic settlement of Rangeworthy, which may have Medieval origins. As such a condition for a programme of archaeological work should be applied to any consent granted.

#### 4.3 Ecology Officer

No objection subject to the inclusion of conditions.

#### 4.4 Flood and Water Management Team

No objection

4.5 Highway Structures Team

No comment

4.6 Landscape Officer

Further information is required to fully assess the application, namely an updated landscape plan. This can be secured via condition.

4.7 Sustainable Transport Team

No objection subject to the inclusion of conditions.

4.8 Tree Officer

An Arboricultural report is submitted as supporting evidence for this proposal. There are a total of 7 trees proposed for removal on this site. 6no. cat 'c' and 1no. cat 'u'. Trees of low value. The remaining trees will be retained and protected in accordance with BS:5837:2012. No objection subject to the inclusion of conditions.

4.9 Local Residents

2 support comments from local residents have been received making the following points:

- Proposal looks secluded and helps the housing need in the area.
- Prefer small developments rather than large scale developments that have a noticeable impact on the infrastructure.
- Proposal would not expand or strain the village in any significant way, unlike some of the other large scale applications in Rangeworthy, as they are outside the settlement boundary.

5 objection comments from local residents have been received making the following points:

Design and Visual Amenity

- Kilgobbin House is historically important to Rangeworthy and further development with the removal of trees would not enhance the village of Rangeworthy.

Residential Amenity

- The development would lead to a loss of privacy for the neighbouring property to the south and intervisibility between the proposed house 1 and the neighbouring property.
- A fence is proposed to run along the boundary with southern neighbour. This would block all light to the neighbouring property's ground floor side window creating a right to light issue.

Highway Safety and Transport

- Wotton Road is already dangerous and this development would add to that.

Ecology, Trees and Landscape

- Wildlife has declined in the village over the last couple of years and this development would not help.
- There is an inconsistency across the submitted documents with regards to impacts on existing trees. Trees that run along the southern boundary of the site, and offer considerable amenity benefit, would be removed.
- TPO trees would be removed that offer great amenity value that cannot be addressed by planting (presumably) smaller trees in different locations.
- The conclusion within the Biodiversity Survey and Report regarding Great Crested Newts has failed to consider the pond located within the garden of Gifford House, c.12m from the application site.

#### Other Issues

- Additional homes would put significant strain on the community and local amenities such as the primary school.
- There are inaccuracies in the plans, specifically the true extent of the neighbouring property to the south and the information relating to the retention and removal of trees.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Planning permission is sought for the erection of 2no. dwellings at a site in Rangeworthy. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is situated within defined Rangeworthy settlement boundary. As such, based solely on the location of the site, the principle of the development is acceptable.

- 5.2 The development is acceptable in principle under the provisions of Policy CS5, and it is acknowledged that the provision of a new dwelling towards housing supply would have a modest socio-economic benefit. However the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm. For this type of development at this location, the further areas of assessment are: impacts on visual amenity; impacts on residential amenity; impacts on the surrounding transport network; impacts on archaeology; impacts on ecology; and impacts on trees and landscape.

### 5.3 Design and Visual Amenity

Policy CS1 of the Core Strategy and Policy PSP1 and PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.4 The proposed development can be considered 'backland' development as it would be in the rear garden of an existing dwelling. As noted by the Parish

- Council this would result in a modern cul-de-sac type development that they say *“is completely out of character for the rest of the village”*. This is not considered to be true as there are a number of examples in the surrounding area of cul-de-sac type developments including: Gifford Close, The Grove, Berrows Mead, Kings Field, and more recently Harford Close.
- 5.5 Regarding the scale of the proposed dwellings, they would both be 2 storey detached dwellings with attached side garages. The surrounding area is characterised by large detached dwellings along Wotton Road and smaller detached dwelling in Gifford Close. The proposed dwellings are considered to be in keeping with their surroundings.
- 5.6 Regarding the design of the proposed dwellings, they would both have a gabled linear main roof with a set down front projecting gable. They would both be finished predominantly in painted render but with a coursed rubble stone finish to the front projecting gable. Both roofs would be finished in concrete double roman tiles. This design and choice of finishing material takes its inspiration from dwellings immediately surrounding the site.
- 5.7 To protect the visual amenity of the site and its context Permitted Development Rights for extensions should be removed for the two proposed dwellings.
- 5.8 On the basis of the assessment set out above, it is considered that the proposed development would represent high quality design and site planning that is informed by and respects the character, distinctiveness and amenity of both the site and its context.
- 5.9 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.
- 5.10 The proposed dwellings have been located and orientated within the site to minimise intervisibility between windows. The rear elevation of House 1 would be located approximately 21 metres from the rear elevation of the existing dwelling on the site, exceeding the minimum back to back distance suggested in the Assessing Residential Amenity TAN. The front elevations of House 1 and House 2 would be approximately 19 metres apart and slightly angled away from each other to minimise any potential overlooking. The rear elevation of House 2 would face the Meeting Hall and not a residential property.
- 5.11 The number of first floor side windows proposed in the dwellings has been minimised and where proposed they would be obscure glazed and non-opening below 1.7 metres above floor level. House 1 has no first floor side window proposed in its southern elevation ensuring that the privacy of the neighbouring property to the south would be protected. The proposed first floor side window in the southern elevation of House 2 would serve a bathroom and would be

- obscure glazed and non-opening below 1.7 metres above floor level to protect the privacy of the neighbouring properties to the south.
- 5.12 Proposed House 2 would be located approximately 17 metres from, and at an angle to, the rear elevation of no.6 Gifford Close. It is considered that the proposed development would not have a significant detrimental overbearing or dominant impact on the residential amenity of properties in Gifford Close.
- 5.13 Concern has been raised regarding the impact of the proposed development on a ground floor side window in the neighbouring property to the south at Gifford House. This window is situated along the shared boundary with the application site and looks into the rear garden of the existing dwelling (Kilgobbin House). It can reasonably be expected that the occupiers of the existing dwelling (Kilgobbin House) would want to ensure their privacy by erecting a standard 1.8 metre high fence along this shared boundary under Permitted Development Rights without the need for planning permission. The proposed detailed landscape plan includes such a fence. It is therefore considered that whilst the proposed development, and specifically the proposed 1.8 metre high fence, would have a significant impact on the neighbouring window it would not warrant refusal of the application.
- 5.14 Policy PSP43 of the Policies, Sites and Places Plan outlines the Councils minimum standards for private amenity space for new residential units. PSP43 states that private amenity space should be: functional and safe; easily accessible from living areas; orientated to maximise sunlight; of a sufficient size and functional shape to meet the needs of the likely number of occupiers; and designed to take account of the context of the development, including the character of the surrounding area.
- 5.15 The proposed dwellings would both have 4+ bedrooms each so under PSP43 they would both be expected to provide a functional private amenity space of at least 70 square metres. Both dwellings would benefit from generous rear gardens that meet this requirement. The existing dwelling on site also has 4+ bedrooms so would be expected to provide a functional private amenity space of at least 70 square metres. The dwelling would meet this requirement.
- 5.16 To protect the residential amenity of neighbouring properties Permitted Development Rights for extensions should be removed for the two proposed dwellings.
- 5.17 On the basis of the assessment set out above, it is not considered that the proposed development would create any unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties.
- 5.18 Highway Safety and Transport  
Vehicular access to the proposed dwellings would be provided via a driveway running parallel with the existing driveway serving the meeting hall and utilising the existing access into the highway. The sites access is fully conformant with the required visibility requirements and it is surfaced in a satisfactory bound

material which will prevent it being dragged onto the public highway by vehicle tyres.

5.19 In terms of parking, it has been indicated that 2no. parking spaces would be provided on-site for House 1, 3no. parking spaces for House 2, and the substantial parking area to the front retained for the existing dwelling. This provision would be sufficient to serve both the existing 5 bedroom and proposed 4 and 5 bedroom dwellings, in accordance with Policy PSP16 of the Policies, Sites and Places Plan.

5.20 On the basis that sufficient on-site parking is provided, it is not considered that the development would directly lead to additional vehicles parking on the highway. However for the avoidance of doubt, a condition should be attached to any consent requiring the 5 parking spaces to be provided prior to the first occupation of the new dwelling, and thereafter retained as such. A condition should also be attached to secure electric vehicle charging pints for each new dwelling.

5.21 Archaeology

The application site is within the boundary of the historic settlement of Rangeworthy, which may have medieval origins. As such, a condition for a programme of archaeological work should be applied to any consent granted.

5.22 Ecology

A Preliminary Ecological Appraisal (Abricon, March 2021) has been submitted in support of the application. Its findings are detailed below:

Bats

5.23 The building onsite was deemed as having negligible potential, if bats are found during any part of the proposal, works are to cease immediately and a suitably qualified ecologist is to be consulted. The site offers some foraging habitats and the trees did not support potential roost features for bats. Sensitive lighting strategy will be required to ensure bats are not deterred from using the surrounding landscape.

Great Crested Newt (GCN)

5.24 The site offers some terrestrial habitat for GCN, the nearest pond that is not separated from the site by dispersal barriers was assessed and it was recorded as having poor suitability for GCN, therefore it is unlikely they will be present, however mitigation has been provided for site clearance which will be applicable.

Birds

5.25 There is some nesting opportunities for birds and suitable mitigation and enhancements have been recommended which are acceptable.

Reptiles

5.26 The site offers some habitat for reptiles, however due to the size of the site further surveys were deemed unnecessary and mitigation has been provided for site clearance.

- Badgers
- 5.27 Some snuffle holes were recorded on site, no other signs for badgers were recorded. Due to the mobility of badgers, a pre-commencement check will be required immediately prior to works commencing.
- Hedgehog
- 5.28 Suitable habitat is present for hedgehogs, suitable mitigation and enhancements have been provided.
- 5.29 It is considered that sufficient survey has been undertaken so there is no ecology objection to the application subject to the inclusion of conditions requiring: strict accordance with the suggested mitigation measures; the submission of a lighting design strategy for biodiversity; and evidence of ecological enhancements.
- 5.30 Trees and Landscape  
An Arboricultural Report (Silverback arboricultural consultancy ltd, March 2021) has been submitted in support of the application. There are a total of 7 trees subject to tree preservation orders proposed for removal on the site: 6no. category 'c' trees and 1no. category 'u' tree. All 7 trees are of low value. The remaining trees subject to tree preservation orders on the site would be retained and protected in accordance with BS:5837:2012.
- 5.31 It is noted that there are a number of smaller ornamental trees and shrubs on the site. These are not the subject of Tree Preservation Orders so could be removed from the site without the need for planning permission.
- 5.32 A detailed landscaping plan has been submitted with the application for the mitigation of the trees removed. 9no. replacement trees are proposed along with hedging and structural shrubs. Revisions to this plan are required so a pre-commencement condition requiring the submission of a Detailed Landscape Plan should be applied to any consent granted.
- 5.33 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.
- 5.34 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 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:

The Location Plan (Received 14/05/2021)

1051-16/1000 - Existing Block Plan (Received 14/05/2021)

1051-16/1300 - Existign Site Section Plan (Received 14/05/2021)

1051-16/2100 - House 1 Floor Plan (Received 14/05/2021)

1051-16/2101 - House 2 Floor Plan (Received 14/05/2021)

1051-16/2200A - House 1 Elevation Plans (Received 14/05/2021)

1051-16/2201A - House 1 Side Elevation Plans (Received 14/05/2021)

1051-16/2202A - House 2 Elevation Plans (Received 14/05/2021)

1051-16/2203A - House 2 Side Elevation Plans (Received 14/05/2021)

1051-16/2300 - Proposed Site Section (Received 14/05/2021)

1051-16/2000A - Proposed Block Plans (Received 14/05/2021)

Preliminary Ecological Appraisal (Abricon, March 2021) (Received 14/05/2021)

Arboricultural Report (Silverback arboricultural consultancy ltd, March 2021) (Received 14/05/2021)

#### Reason

To define the terms and extent of the permission.

3. Prior to the occupation of the dwellings hereby permitted, and at all times thereafter, the proposed first floor windows on the north elevation of House 1, and the north and south elevations of House 2 shall be glazed with obscure glass to level 3 standard or

above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north or south elevations of House 1 or House 2.

Reason

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

5. 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, AA, B, C, D, E, F, G and H), 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 the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

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

Reason

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

7. The dwellings shall not be occupied until a 32amp/7Kw electric vehicle charging point has been provided for each dwelling, and retained thereafter.

Reason

To promote sustainable travel choices and to accord with the SGC Supplementary Planning Document on residential car parking and Policy CS8.

8. 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

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

9. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Abricon, March 2021).

Reason

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

10. Prior to the installation of any external lighting, 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 ensure the works are carried out in an appropriate manner and in the interests of ecology and wildlife protection, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

11. Prior to occupation of the dwellings hereby permitted, evidence of ecological enhancements detailed within Preliminary Ecological Appraisal (Abricon, March 2021) are to be submitted to the local authority these include but not limited to native planting, hedgehog holes and bat and bird boxes.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of ecology and wildlife protection, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19

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

12. The development hereby approved shall be carried out in strict accordance with the protection measures contained within the submitted Arboricultural Report prepared by Silverback arboricultural consultancy ltd, dated March 2022.

**Reason**

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

13. Prior to the commencement of development a detailed landscape plan specifying the location of retained vegetation; 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 all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required shall be submitted to the LPA for written approval. Development shall proceed in accordance with approved details.

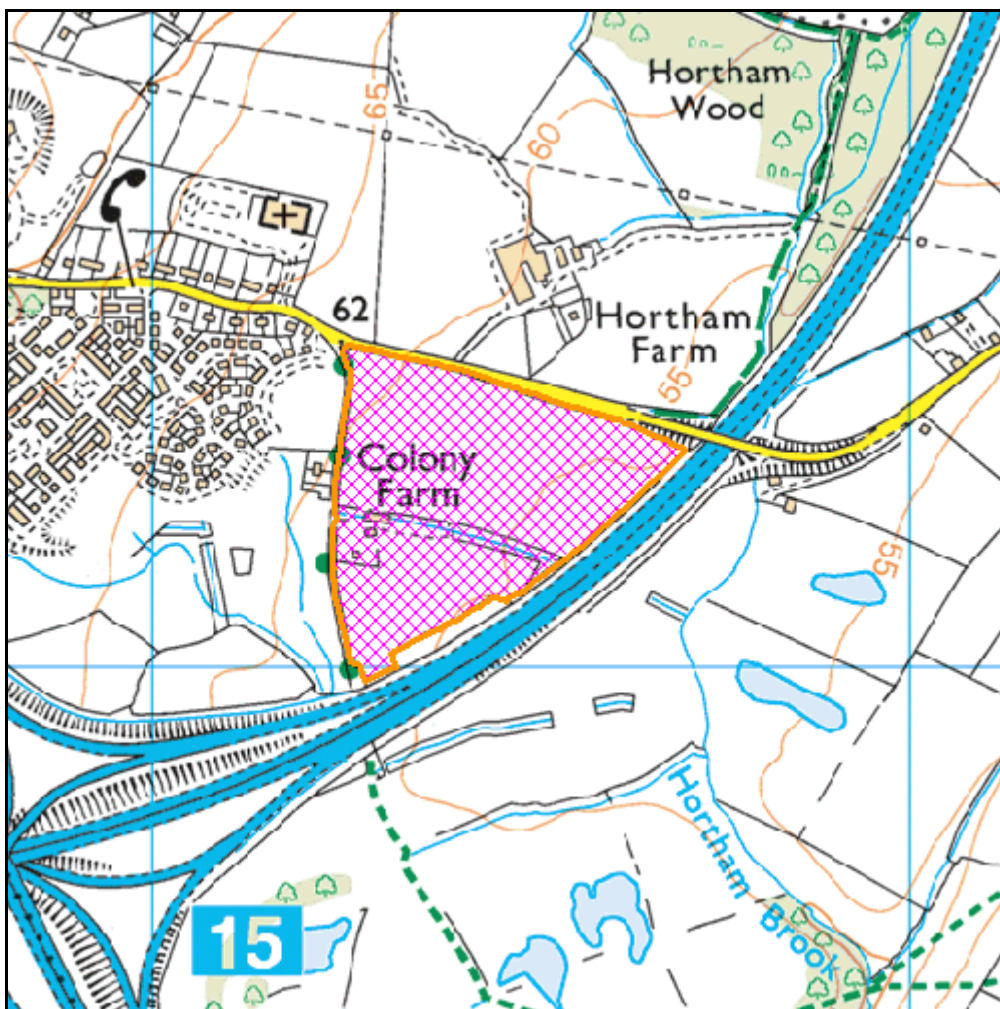
**Reason**

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

**Case Officer: Oliver Phippen**  
**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 24/22 -17th June 2022**

<b>App No.:</b>	P21/04132/RVC	<b>Applicant:</b>	Mr Shaun Roberts Bristol Rovers Football Club
<b>Site:</b>	Colony Farm Hortham Lane Almondsbury Bristol South Gloucestershire BS32 4JW	<b>Date Reg:</b>	10th June 2021
<b>Proposal:</b>	Variation of condition 12 attached to planning permission P21/02570/RVC to amend the approved plans to introduce a phased development and provide an internal footpath (Erection of clubhouse, floodlights and store. Construction of vehicular and pedestrian access and car park.)	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	362469 184542	<b>Ward:</b>	Severn Vale
<b>Application Category:</b>	Major	<b>Target Date:</b>	6th September 2021



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N.T.S.

P21/04132/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 APPEARING ON CIRCULATED SCHEDULE**

This application appears on the Council's Circulated Schedule procedure following the receipt of objection comments from residents and the Parish Council contrary to the officer recommendation below.

### **1. THE PROPOSAL**

- 1.1 This application seeks a variation of condition 12 (plans) attached to planning permission P21/02570/RVC to introduce a phased development and to provide an footpath along the site frontage inside the site rather than outside the site.
- 1.2 Application P21/02570/RVC was for the variation of condition 12 (plans list) in order to extend the clubhouse.
- 1.3 The original permission for the site was under P92/2483, which has subsequently been renewed and varied a number of times.
- 1.4 The site is currently used by Bristol Rovers as a training facility. The site is located within the Bristol/Bath Green Belt and is outside of any settlement boundary.
- 1.5 The application has been revised several times to define the extent of the works proposed. Items such as a proposed bungalow on site, which would require a new permission, have been removed. The third phase has also been removed as there is currently no development planned.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity
CS24	Green Infrastructure, Sport and Recreation
CS34	Rural Areas

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

PSP2	Landscape
PSP7	Development in the Green Belt
PSP11	Transportation
PSP16	Parking Standards
PSP17	Heritage
PSP19	Wider Biodiversity
PSP20	Flood Risk
PSP44	Open Space, Sport and Recreation

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P92/2482 - Change of use of 11.3 hectares of land (27.92 acres) from agriculture to sports playing fields (in accordance with the amended plans received by the council on 12 February 1993) – Approved 28.04.1993
- 3.2 P92/2483 - Erection of clubhouse, store and floodlights. Construction of vehicular and pedestrian access and car park. (In accordance with the amended plans received by the council on 12 February 1993) – Approved 28.04.1993
- 3.3 P97/2404 - Change of use of 11.3 hectares of land (29.92 acres) from agriculture to sports playing fields (renewal of planning permission P92/2482 dated 11 May 1993) – Approved 14.01.1998
- 3.4 P97/2743 - Erection of clubhouse, store and floodlights. Construction of vehicular and pedestrian access, and car park. Renewal of planning permission P92/2483 dated 12.5.93) – Approved 09.04.1998
- 3.5 PT01/2726/F - Erection of clubhouse store and floodlights construction of vehicular and pedestrian access and car park. (renewal of planning permission P97/2743 dated 9th April 1998) – Approved 13.11.2001
- 3.6 PT03/3371/F - Change of use of agricultural building for use as sports clubhouse. – Withdrawn 03.12.2003
- 3.7 PT16/4965/RVC - Erection of clubhouse, floodlights and store. Construction of vehicular and pedestrian access and car park. Removal of conditions 7 and 13 attached to planning permission PT01/2726/F dated 13.11.01, (which relate to building opening hours and the personal, non-professional and specific users of the site by Bristol Combination Trustees.) – Approved 20.12.2016
- 3.8 DOC20/00244 - Discharge of condition 1 (materials) attached to planning permission PT16/4965/RVC – Discharged 06.10.2020
- 3.9 P20/22225/NMA - Non-material amendment to planning permission PT16/4965/RVC to list the plans as a condition. – Approved 03.12.2020
- 3.10 P21/02570/RVC - Variation of condition 12 attached to planning permission PT16/4965/RVC (added by NMA P20/22225/NMA) to substitute plan numbers B92084 01-03 and B92084 01-04 with plan numbers 201092 - 1008 P02, 201092 1010 P03 and 201092 1009 P02. Erection of clubhouse, floodlights and

store. Construction of vehicular and pedestrian access and car park. Removal of conditions 7 and 13 attached to planning permission PT01/2726/F dated 13.11.01, (which relate to building opening hours and the personal, non-professional and specific users of the site by Bristol Combination Trustees.) – Approved 03.11.2021

#### **4. CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council – Objection – *“The application contains no good reason why condition 12 should be varied.”*
- 4.2 Public Open Space – No comment
- 4.3 Landscape – No objection subject to knee rail being raised
- 4.4 Transportation DC – No objection
- 4.5 Sport England – No objection, recommendations made for pitches

#### **Other Representations**

##### 4.6 Local Residents

4no. objection comments have been received, summarised as:

- Training times should not be extended
- Extra noise and traffic movement from extended times
- Fencing and floodlights would impact on amenity
- Increase in parking offsite
- Pitches nearest to houses
- Existing noise disturbance
- Site should not be used for more teams
- Footpath is inside site contrary to previous condition
- No direct benefit to community
- Gate in proximity to residential properties
- No information on proposed footfall
- Little information on future plans
- Overdevelopment
- Disruption to local businesses

2no. support comments have been received, summarised as:

- Ball retention nets have been installed
- Site should be used for the community

#### **5. ANALYSIS OF PROPOSAL**

##### Extent of the application

- 5.1 Due to the nature of the application, i.e. a variation of an application that has already been varied and extended a number of times, the description is lengthy and includes references to other applications that have already received permission.



- 5.2 For clarity, this application relates to the replacement of the plans given consent under P21/04132/RVC, for the purposes of introducing a phased approach for the implementation of the hard and soft landscaping, and for the provision of an internal footpath.
- 5.3 The number of pitches has been reduced from 8 to 3 since the original application, as a result of the changing needs and requirements of the club.

#### Phasing

- 5.4 The club is proposing to provide the pitches and landscaping over 2 phases of construction.
- 5.5 Phase 1, to be completed by 2023, is for the provision of gates to the site entrance, visibility splay, pedestrian access gates, internal footpath, temporary car park, the clubhouse as approved under P21/02570/RVC, electrical substation and gas meter, modified perimeter fencing, water storage tank, pump and borehole, swale, track and culvert crossing and cycle parking, and two pitches to the west of the site.
- 5.6 Phase 2, to be completed by 2025, is for the provision of the completed permanent car park and one pitch to the east of the site.
- 5.7 The proposed phasing approach is considered to be appropriate to the development that is being carried out.
- 5.8 The proposed phasing approach will require some changes to existing conditions.
- 5.9 Condition 2 of P21/02570/RVC relates to the provision of landscaping following the first use of the buildings. This will be separated into two conditions, requiring the landscaping highlighted in pink on the landscape phasing plan to be carried out within the first planting season of the building and pitches within phase 1 being brought into use, and then the landscaping highlighted in blue to be carried out within the first planting season of the pitch within phase 2 being brought into use.
- 5.10 Condition 3 of P21/02570/RVC requires the permanent car parking to be implemented prior to the buildings being brought into use. The proposal is now to retain the current temporary car park during phase 1, and for the car park to be completed during phase 2. This is to prevent damage to the car park occurring during the construction phase, which is considered acceptable.

#### Cycle Parking

- 5.11 Condition 8 of P21/02570/RVC required the submission of cycle parking details. These have been submitted, and provide secure, covered cycle parking for 8no. cycles, with Sheffield stands housed within a Stratford shelter. The cycle provision is considered to be in accordance with PSP16, and will be provided prior to the use of the clubhouse commencing.

### Footpath

- 5.12 Condition 10 of P21/02570/RVC required the provision of a footpath to be provided on Hortham Lane, from the west side of the Woodlands Lane junction, along the site frontage to the main entrance.
- 5.13 The submission now proposes for this footpath to run wholly within the site, with a pedestrian gate at the entrance which will remain unlocked from 7am to 7pm every day, in addition to any periods the Clubhouse is in operation outside of these hours.
- 5.14 Although the location of the footpath differs in location, it will provide a similar path the one outside the site. The justification provided by the applicant is to provide a safer route to path users. A S278 footpath crossing application has been submitted to provide access over the grass verge. The footpath is 2m wide. Transportation DC have raised no objection to the provision of an internal footpath.
- 5.15 Due to the location of the site it is unlikely that pedestrians other than those visiting the site would make use of the footpath, and in any event the footpath would terminate at the site entrance. The intention of the path was to provide safe pedestrian access to the site, as opposed to a wider public benefit.
- 5.16 It is noted that objections have been raised in regards to users congregating at the gate entrance and causing a disturbance to local residents. Given that the footpath would start in roughly the same location, it is not considered that the presence of the gate would increase any impact on amenity.
- 5.17 The internal footpath is therefore considered to be acceptable.

### Other matters

- 5.18 The Landscape Officer has requested a more detailed planting plan, however the landscaping plan as proposed is considered to be sufficient.
- 5.19 The Landscape Officer has also raised concerns regarding the 0.3m knee rail as they consider it to be a potential trip hazard, and the proposed post and rail fencing as it may encourage falls should anyone seek to climb it. These are considered to be matters for the club, and go beyond the scope of planning legislation.
- 5.20 In relation to the received objection comments, this proposal does not extend training time, does not propose new floodlighting, does not propose pitches closer to housing, does not increase the teams using the pitches, and does not increase the potential footfall to the site.

### Consideration of likely impact on Equalities

- 5.21 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is

unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application it is considered to have a neutral impact on equality.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 It is recommended that planning permission is GRANTED.

### **CONDITIONS**

1. All external walling and roofing materials to be used shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

#### 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.

2. All planting, seeding or turfing required under drawing Soft Landscape Strategy (1452-01), to the extent shown as Phase 1 on drawing Soft Landscaping Phasing (1011 P01) shall be carried out during the first planting and seeding seasons following the first use of the buildings and pitches identified as Phase 1 of the development on drawings Site Phasing Diagram (1007 P06) and Proposed Site Layout Phase 1 (1004 P09). Any trees or plants which die, are removed or become seriously damaged or diseased within 5 years of planting shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

#### Reason:

To ensure the provision of an appropriate landscape setting to the development in accordance with PSP2 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

3. All planting, seeding or turfing required under drawing Soft Landscape Strategy (1452-01), to the extent shown as Phase 2 on drawing Soft Landscaping Phasing (1011 P01) shall be carried out during the first planting and seeding seasons following the first use of the pitches identified as Phase 2 of the development on drawings Site

Phasing Diagram (1007 P06) and Proposed Site Layout Phase 2 (1005 P08). Any trees or plants which die, are removed or become seriously damaged or diseased within 5 years of planting shall be replaced in the next planting season with others of similar size and species, unless the Council gives written consent to any variation.

Reason:

To ensure the provision of an appropriate landscape setting to the development in accordance with PSP2 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

4. The proposed car parking area shall be installed prior to the use of the pitch shown on drawings Site Phasing Diagram (1007 P06) and Proposed Site Layout Phase 2 (1005 P08) commencing. The car parking shall be installed in accordance with the details shown on Proposed Site Layout Phase 2 (1005 P08) with a bound and compacted surface. The facilities so provided shall not be used thereafter for any purpose other than the parking of vehicles.

Reason:

In the interests of highway safety, in accordance with PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

5. No external lighting shall be installed within the car park without the prior written consent of the Local Planning Authority.

Reason:

In the interests of highway safety and the visual appearance of the area, in accordance with PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 and CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

6. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting those Orders with or without modification) the premises shall not be used for any purpose other than that hereby authorised.

Reason:

The use of the premises for any other purpose will require further consideration to assess the impact on highway safety and residential amenity; to comply with Policies PSP8 and PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 and Policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy.

7. The Clubhouse building hereby approved shall be used solely in conjunction with the surrounding land as sports fields and shall not be severed or sold off to form a separate unit.

Reason:

Any such changes will need to be assessed in terms of the impact on the openness of the Green Belt, highway safety and residential amenity, to accord with Policies PSP8

and PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 and Policies CS1 and CS5 of the adopted South Gloucestershire Local Plan: Core Strategy.

8. The pitch floodlights shall be implemented only in accordance with the details that have previously been approved under application P97/2404 by the Local Planning Authority.

Reason:

In the interests of visual and residential amenity and to accord with Policy PSP8 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 and Policies CS1 and CS5 of the adopted South Gloucestershire Local Plan: Core Strategy.

9. The cycle parking facilities shown on drawing Proposed Site Layout Phase 1 (1004 P09) shall be installed prior to the first use of the buildings and pitches identified as Phase 1 of the development on drawings Site Phasing Diagram (1007 P06) and Proposed Site Layout Phase 1 (1004 P09) commencing.

Reason:

In the interests of sustainable travel, in accordance with PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

10. The opening hours of the clubhouse bar facilities hereby approved shall be restricted to 6pm to 12pm midnight on Mondays to Fridays, and 8pm to midnight at weekends only.

Reason:

In the interests of residential amenity and to accord with Policy PSP8 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 Policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy.

11. The footpath shown on drawing Proposed Site Layout Phase 1 (1004 P09) shall be installed prior to the first use of the buildings and pitches identified as Phase 1 of the development on drawings Site Phasing Diagram (1007 P06) and Proposed Site Layout Phase 1 (1004 P09) commencing. The access gate shall remain unlocked between 7am and 7pm every day, in addition to any periods the Clubhouse is in operation outside of these hours.

Reason:

To ensure the satisfactory provision of pedestrian facilities to the site, in accordance with PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017.

12. The site the subject of this application (within the red line) shall not be used for first team professional league or cup matches nor shall it be used for games/matches for which there is ticketed/paid admission.

Reason:

Any such changes will need to be assessed in terms of the impact on the openness of the Green Belt, highway safety and residential amenity, to accord with Policies PSP8

and PSP11 of the adopted South Gloucestershire Policies, Sites and Places DPD (Adopted) November 2017 and Policies CS1 and CS5 of the adopted South Gloucestershire Local Plan: Core Strategy.

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

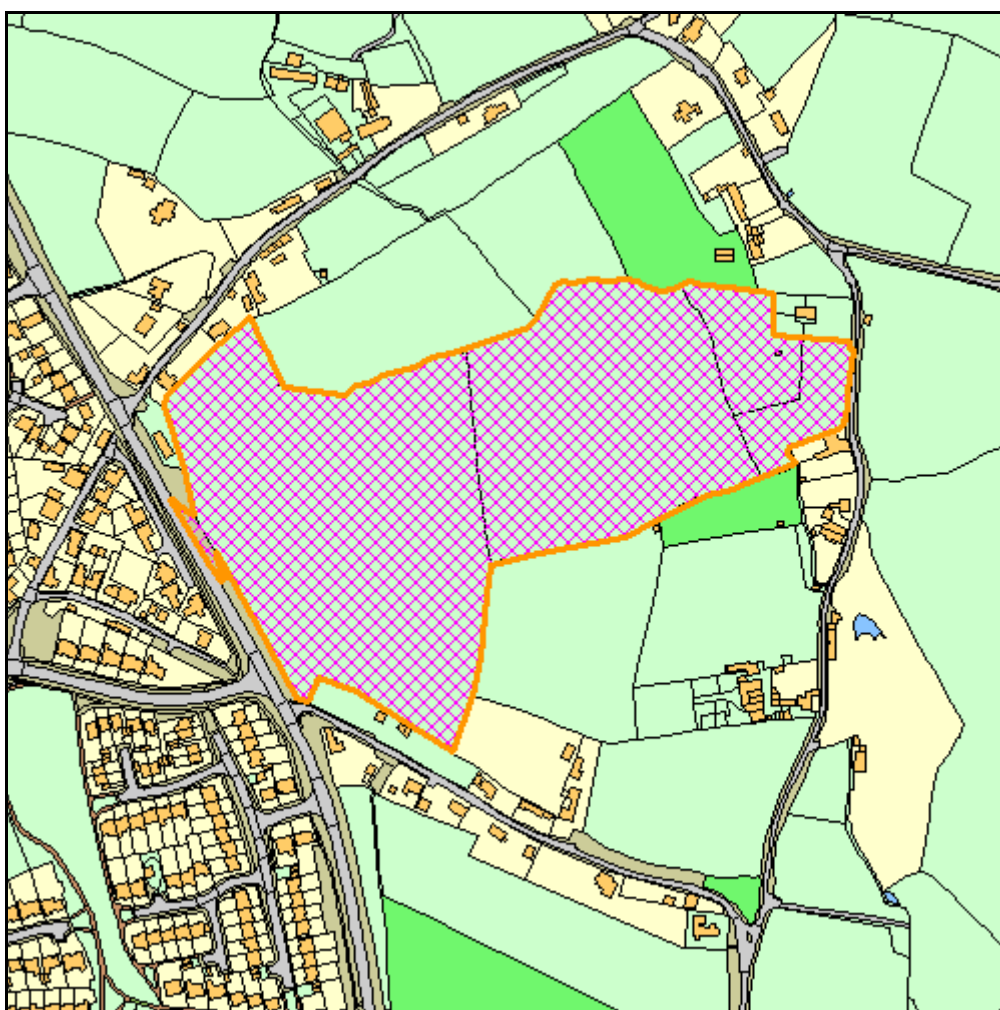
3000 13 01 - PROPOSED LANDSCAPING LAYOUT  
B92084 01-06 - PROPOSED GROUNDSMAN STORE AND COMPOUND  
201092-1002 P01 SITE LOCATION PLAN  
201092-1008 P02 CLUBHOUSE GROUND FLOOR PLAN  
201092-1009 P02 CLUBHOUSE ROOF PLAN  
201092-1010 P03 CLUBHOUSE ELEVATIONS  
201092-1004 P09 Proposed Site Layout Phase 1  
201092-1005 P08 Proposed Site Layout Phase 2  
201092-1007 P06 Site Phasing Diagram  
1452-01 Soft Landscaping Layout  
201092-1011 P01 Soft Landscaping Phasing

Reason: To define the terms and extent of the permission

**Case Officer: Rae Mepham**  
**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 24/22 -17th June 2022**

<b>App No.:</b>	P21/06953/RM	<b>Applicant:</b>	Bloor Homes (South West) Ltd
<b>Site:</b>	Land At Crossways Morton Way Thornbury South Gloucestershire	<b>Date Reg:</b>	11th November 2021
<b>Proposal:</b>	Erection of 69 no. dwelling, infrastructure, public open space, allotments, and associated works with appearance, landscaping, layout, and scale to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission P19/8659/O).	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	365241 190395	<b>Ward:</b>	Thornbury
<b>Application Category:</b>	Major	<b>Target Date:</b>	9th February 2022



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 100023410, 2008. N.T.S. P21/06953/RM

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 because objections have been received from members of the public and Thornbury Town Council contrary to the officer recommendation.

## **1. THE PROPOSAL**

- 1.1 This application seeks reserved matters consent for the erection of 69.no dwellings with infrastructure, public open space, allotments, and associated works. The reserved matters to be determined, which consists of appearance, landscaping, layout, and scale should be read in conjunction with outline permission P19/8659/O. This outline consent included details of access into the site off Morton Way.
- 1.2 The application site comprises approximately 7 hectares of agricultural land to the east edge of Thornbury. The site consists of 3 agricultural fields divided by hedgerow and hedgerow trees. The site is irregular in shape and slopes gently from north (42m AOD) to south (50m AOD). The site boundaries consist of hedgerow to the north associated with field boundaries and properties at Crossways Lane; Clay Lane to the east; hedgerow to the south partly abutted by land associated with properties along Hackett Lane; hedgerow to the west abutting Morton Way. Whilst the majority of the site falls within Flood Zone 1, there are areas of the site which fall within Flood Zones 2 and 3 to the west and east of the site. The grade II listed buildings Crossways House and Woodbine Farmhouse are located to the northeast and south of the site respectively.
- 1.3 Through negotiation, improvements have been made to the scheme, which includes the following:
  - More block paving provided to the lanes and courtyard parking areas;
  - Increased level of tree planting to the edges of the scheme;
  - Retention of an existing B grade Oak tree;
  - Edge drives amended to be more 'low-key';
  - A mix of hoggin and tarmac with buff colour chippings rolled into surface proposed for footpaths within POS;
  - Traffic calming added to the spine road;
  - Amendments to pavement design to ensure pedestrian priority at junctions;
  - Electric vehicle charging provided for plots;
  - Urban design improvements;
  - Amendments and clarification regarding proposed materials;

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework July 2021



## 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

CS16 Housing Density

CS17 Housing Diversity

CS18 Affordable Housing

CS24 Green Infrastructure , Sports and Recreation Standards

CS32 Thornbury

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP3 Trees and Woodland

PSP6 Onsite Renewable and Low Carbon Energy

PSP8 Residential Amenity

PSP10 Active Travel Routes

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP17 Heritage Assets and the Historic Environment

PSP19 Wider Biodiversity

PSP20 Flood Risk, Surface Water and Watercourse Management

PSP21 Environmental Pollution and Impacts

PSP37 Internal Space and Accessibility Standards for Affordable Dwellings

PSP43 Private Amenity Space Standards

## 2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

The South Gloucestershire Residential Parking Standards SPD  
(adopted)

Waste Collection: Guidance for New Developers SPD (adopted)

Extra Care and Affordable Housing SPD (adopted)

## 3. RELEVANT PLANNING HISTORY

- 3.1 P19/8659/O, Development of up to 80 dwellings, up to 1.0 ha of B1/B2/B8 employment land (Outline) with access to be determined. All other matters reserved. Approved on 29<sup>th</sup> September 2021.
- 3.2 P22/01806/NMA, Non Material Amendment to P19/8659/O to alter wording to condition no. 32 as follows: The Reserved Matters submitted pursuant to Condition 1 shall include details of a public art plan for a unique site specific

integrated scheme of Public Art (including timescales and triggers) to be implemented within the development site with detailed designs to be submitted to and approved in writing by the Council prior to the occupation of 50% of the dwellings. 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 artwork/s shall be installed in accordance with the details so agreed and retained as such. Approved on 19<sup>th</sup> May 2022.

#### **4. CONSULTATION RESPONSES**

##### **4.1 Thornbury Town Council**

Following revised plans: objection stands. Must ensure that landscaping to the southern and north western boundaries is in line with outline permission. The northern end of the Western Gateway still has an inappropriately high building for the location. The affordable housing is distinguishable from other properties and not in line with South Glos policy. We disagree with the Transport Officer's view to tarmac all the paths on green space; we would like to see them surfaced with a material giving a less urban appearance.

##### **4.2 Conservation Officer**

Overall, subject to the agreement of the Council's Landscape and Urban Design Officers that the outline application is compliant with the design and scale parameters of the outline application, then the considered impacts of the development proposals on the setting of the designated heritage assets identified above would be as considered and approved at outline stage and so there would be no basis for an objection.

##### **4.3 Urban Design Officer**

I can confirm that all the remaining Urban Design amendments have been made accordingly. I agree with the conditions below. Therefore, I have no objection.

##### **4.4 Environment Agency**

The Environment Agency can now WITHDRAW its objection as we accept the results of the blockage testing in the updated model report (ref: Revision C, dated 13/05/2022), which shows there is no increase in flood risk from the new road up to the 0.5% Annual Event Probability (AEP) and minimal impact for the 0.1% AEP.

However, this is subject to the following condition being included within the Decision Notice.

#### **CONDITION:**

The development shall be carried out in accordance with the submitted Operation and Maintenance Strategy (ref 15295-OMS-02, dated 16/05/2022).

These measures shall be fully implemented and maintained thereafter throughout the lifetime of the development.

#### REASON:

To prevent the increased risk of flooding.

Please note the Water Framework Directive comments covered under separate correspondence dated 9 May 2022 remain relevant.

In addition, I would like to reiterate the importance of compliance with the following condition included within the outline application decision Notice, repeated for your information:

#### CONDITION:

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) [15295-FRA-v11 Jubb Consulting Engineers Ltd July 2019] and the following mitigation measures detailed within the FRA:

All residential and commercial development to be located within Flood Zone 1. Finished floor levels of the 'More Vulnerable' uses to be set 600mm above the 1 in 100 year plus 40% climate change flood level.

#### REASON:

To reduce the risk of flooding to the proposed development and future occupants.

- 4.5 Crime Prevention Design Advisor  
No Objection Subject to comments

4.6 Wessex Water

We are satisfied with the point of discharge for foul drainage and have a scheme of works to provide downstream capacity depending upon catchment growth and the success of a recent capacity scheme. The on-site foul drainage design will be appraised by Wessex Water or the incumbent sewerage undertaker once micro drainage calculations are submitted for checking to ensure self-cleansing velocities are maintained. There appear to be no significant issues.

The surface water strategy shows ultimate discharge to ditches on the boundaries of the site with attenuation provided on site through 2 basins. The system serves both drainage of buildings, yards appurtenant to buildings and the highway. We note the applicant's intention to offer primary piped systems for adoption with basins maintained by a management company. Basins can be adopted by Wessex Water if they have been predominantly (75%) constructed for the drainage of buildings and yards appurtenant to buildings and are designed and constructed in accordance with Sewerage Sector Guidance. Where adopting the upstream surface water sewers only Wessex Water will require a deed of grant to discharge to the basins. If we are not asked to adopt components we are unable to provide technical approval of said components.

The applicant must also note that there can only be one incumbent undertaker providing drainage services on site.

4.7 Landscape Officer

The amended layout and planting details are now acceptable and the layout secures the retention of the central hedgerow and tree. Adequate screen planting is now provided to the north and south boundaries of the site, whilst simplifications to the layout of the community garden will allow for easier maintenance.

4.8 POS Officer

All issues have now been addressed with the exception of the wording relating to the safeguarded bus route.

4.9 Public Art Officer

Given the high level of public interest in this site, I believe that residents' representation is highly appropriate and would strongly recommend the inclusion of a community representative in the process from an appropriate body such as the Town Council or a local group such as Sustainable Thornbury alongside community participation in the delivery of the scheme itself.

However, whilst the plan is largely an acceptable way forward, the condition also specifically asks for detailed designs as part of RM alongside the plan. There is a clear process and timetable for developing the detailed designs in the plan. These are currently due in May/July 2022, although it should be noted that the timetable is already behind schedule. I would recommend that the timetable to develop the detailed designs is not shortened as sufficient time is required to commission an artist and develop a quality scheme; in fact it needs revising as it is already out of date. The developers may need to formally apply to vary the condition to submit the detailed designs in line with the proposed schedule. If this is the case, then I would support the variation request.

4.10 Contamination Officer

The report Ground Conditions Report (Jubb Consulting Engineers Ltd, May 2021) has been reviewed. Widespread contamination was not identified on the site. Gas protection measures are recommended for the new buildings to be installed, but no details have been provided regarding specific measures to be used. Condition 37 requests an options appraisal for any remediation required, this information should therefore be submitted prior to discharging condition 37.

4.11 Transportation Officer

All transportation issues have been addressed with the exception of the following:

It is still my recommendation that the parking for plots 32 – 34 is relocated to the front of the dwellings which in turn should be provided with EVCP's. I do however accept that this may have an adverse impact on soft landscaping.

The Sheffield type cycle stands next to the LEAP should be 1m apart and not 0.6 as shown. This is a standard spacing so that cycles can be parked on both sides of the stand.

The POS path link to Morton Way just south of the Toucan crossing outside of the site and within the adopted highway on Morton Way is shown as a timber footbridge on the landscape drawing. This would not be an adoptable structure. The existing tarmac vehicle crossover with a culvert resurfaced as necessary should be used instead.

#### 4.12 Drainage Officer

The Flood and Water Management Team (Asset Group - Street Care) has no objection in principle to this application subject to the following comments and/or advice and/or informatives.

##### Surface Water Drainage System

We are now in a position to accept the design proposals that have been submitted in relation to the surface water drainage system that is to be constructed as part of the development at this site.

The surface water drainage system shall be constructed in accordance with the following listed documents:

Basin Section Details / 570 Rev A5 / dated 09/05/2022  
Drainage Layout Sheet 1 / 501 Rev A7 / dated 09/05/2022  
Drainage Layout Sheet 2 / 502 Rev A7 / dated 09/05/2022  
Drainage Layout Sheet 3 / 503 Rev A8 / dated 09/05/2022  
Drainage Layout Sheet 4 / 504 Rev A7 / dated 09/05/2022  
Drainage Layout Sheet 5 / 505 Rev A6 / dated 07/04/2022  
Drainage Details Sheet 2 / 551 Rev P5 / dated 09/05/2022  
Flood Exceedance Route Plan / SK09 Rev A2 / dated 08/04/2022  
Microdrainage Calculations / SW East Network v4  
Microdrainage Calculations / SW West Network v1  
SuDS Operation and Maintenance Strategy / 15295\_OMS\_1 / dated 09/05/2022

##### Flood Modelling Report

We note that the Environment Agency in their most recent set of comments dated the 8th of June 2022 have withdrawn their objection and have confirmed that they accept the results of the blockage testing in the updated model report (ref: Revision C, dated 13/05/2022), which shows there is no increase in flood risk from the new road up to the 0.5% Annual Event Probability (AEP) and minimal impact for the 0.1% AEP.

##### Access Road Culverts for Floodplain Flows

In relation to the Access Road Culverts for floodplain flows we are in a position to accept the proposal that have been put forward by the applicants. We also note that the Environment Agency in accepting the flood modelling report have accepted the proposals in relation to the Access Road Culverts.

##### Informatives

Ordinary Watercourse Consent: The application involves works, and/or structures to, in or affecting an ordinary watercourse/ditch. These works may require formal consent from South Gloucestershire Council. Application forms

and guidance can be obtained by emailing  
LeadLocalFloodAuthority@southglos.gov.uk

4.13 Tree Officer

I can confirm that provided that all works are in accordance with the submitted tree protection plan and Arboricultural method statement that there are no objections to this proposal. Please add the Arboricultural documents to the list of approved documents.

4.14 Archaeological Officer

A geophysical survey and subsequent evaluation have taken place on this site and revealed no significant archaeology. As such I see no need for further work.

4.15 Affordable Housing Officer

No Objection subject to accepting the above Heads of Terms

**Other Representations**

4.16 Local Residents

Objections have been received from six members of the public. The following is a summary of the reasons given for objecting:

Morton Way, Crossways Lane and Hackett Lane cannot sustain an increase in traffic;

There is already severe congestion on local roads;

Existing infrastructure cannot cope with more development;

No details of employment land;

What type of employment uses are planned?;

What speed restrictions will there be on Morton Way service road?;

Loss of green fields;

Concerns regarding flooding;

Proposal continues to say 'future bus link'.

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of the proposed residential development is acceptable by virtue of the approved outline application P19/8659/O, which was for the erection of up to 80 dwellings and up to 1.0 ha of B1/B2/B8 employment land. The proposal for 69 dwellings falls within the scope of the outline consent and is acceptable in principle. This application does not relate to the employment land which has permission in principle for B1 (office), B2 (industrial) and B8 (storage or distribution) uses.

5.2 Parameter Plans

Condition 5 on the outline consent requires applications for approval of reserved matters to be in accordance with Parameter Plans (Land Use and Access Parameter plan, Scale Parameter plan, Green infrastructure Parameter plan, Site Access plan and Concept plan) and the design principles within the Design and Access Statement (DAS).

- 5.3 The Land Use and Access Parameter Plan shows a single vehicular access off Morton Way leading to a main spine street that extends to almost the full extent of the site. It stops short of the eastern boundary with Clay Lane; however, a safeguarded bus route is required to be provided to allow connection, if required in the future, to the boundary of Clay Lane. A pedestrian and cycle access are required off Morton Way to connect to Clay Lane. Residential development is confined to the southern side of the spine road. The Scale Parameter Plan stipulates 2.5 storey (10m max) to the north, and 2 storey (9m max) to the south and eastern parts of the development. The Green Infrastructure Parameter Plan requires that the existing hedgerow to the perimeter, and extending through the site to be retained. The proposal is considered to be adequately in accordance with the parameter plans. The level of compliance with design principles in the DAS will be considered in the main body of the report.
- 5.4 Urban Design  
Scale, Layout and Appearance  
The Design and Access Statement describes a number of 'Identity Areas' that are intended to drive character and distinctiveness with design principles specified for each of the Identity Areas (Western Gateway, Southern Edge, Central Spine, Northern Edge).
- 5.5 The principles describing the Western Gateway seek to emulate the forms and character of central Thornbury with a strong continuous build line, rich variety of colours, natural stone, traditional brick quoin detailing, interesting roof line, sash windows, bay windows, and various decorative porch details.
- 5.6 Improvements have been made to the scheme to better reflect the principals of the DAS. Plot 1 has been increased in height, chimneys added and is proposed to be constructed entirely in natural stone to reflect its prominent landmark status at the entrance to the development. The run of dwellings in the terrace has been increased in number and made more continuous to provide a stronger building line with a variety of render colours used. The window style, brick quoin and clipped eaves detailing reflects the DAS requirements.
- 5.7 The central spine again seeks to emulate the forms and character of central Thornbury but with greater uniformity and rhythm along the street. The frontage consists primarily of apartments, semi-detached and terrace units to provide more continuous frontage along the primary street. A low brick wall to the front of the plots to accentuate the continuous frontage is required and has been accommodated by amending the position of some of the units to provide sufficient room. These units consist of brick and a rough cast render finish in a variety of shades.
- 5.8 The southern edge is required to be lower density and have a maximum building height of 2 storeys. Amendments have been made to the layout of dwellings along the southern edge to provide more variation to their orientation, building line and more gaps between. The majority of dwellings to the southern edge comprise re-con stone and cream colour roughcast render finishes. Dwellings have a symmetrical appearance as required by the DAS with

chimneys, large porches and red brick detailing to the re-con stone dwellings. Boundaries consist of low stone walls and hedges.

- 5.9 Streets within the scheme have been improved through an increased use of block paving to break up the expanse of tarmac to the lanes and courtyard parking areas and by making private drives which abut green infrastructure corridors less engineered and more low-key in appearance by relocating visitor parking spaces.
- 5.10 Specific product details and samples of the proposed materials have been requested upfront so that an assessment of their quality can be made prior to determination. The materials proposed of two varieties of brick, rough cast render in a variety of pastel colours, natural pennant and re-constituted stone are acceptable in principle subject to sample panels being agreed. A condition is attached on this basis. Bekstone Yate Grey was the original re-constituted stone product proposed; however, after reviewing samples submitted it was not considered to be acceptable. Bradstone Keinton with a 10% Brecon mix is instead proposed, which is considered more appropriate. The roof tiles proposed of Russell double roman cottage red and Russell Grampian slate grey are acceptable in principle subject to samples being agreed.
- 5.11 A significant number of improvements have been secured to the design of the scheme through negotiation with the developer. The proposal is now considered to achieve a good standard of design in line with policy CS1 of the Council's Core Strategy.
- 5.12 Landscaping  
Conditions on the outline consent require an arboricultural method statement and detailed hard and soft landscape plans to be submitted with the reserved matter application. This information has been submitted accordingly.
- 5.13 A tree survey and protection plan accompany the method statement, which identifies that four individual semi-mature Elm trees and a group of three semi-mature Elm trees are required to be removed. Dutch elm disease has been observed in these trees and they are either dead or have a limited lifespan remaining. An early-mature B grade oak tree was originally proposed to be removed to facilitate the spine road and cycle path; however, the plans have been amended to show the tree as being retained by slightly narrowing the width of the spine road and cycle path in this location. The plans have also clarified that the hedgerow extending through the middle of the site would be retained and a retaining wall 0.5-1.6 metres in height would address any changes in levels adjacent to the hedge.
- 5.14 A section of hedgerow is required to be removed on the western boundary to facilitate the access into the site and the drainage design. The removal and replanting of the section of hedgerow to Morton Way has already been agreed in principle through the approval of the outline consent, as set out on the Green Infrastructure Strategy Plan. The landscape plans propose a triple row native hedgerow approximately 60-80 cm high with the species field maple, hazel, hawthorn, holly and dog rose as a replacement. A total of 181 extra heavy standard trees, 29 heavy standard trees, 12 standard size trees, 12 fruit trees,



- a copse mix of 1177 individual species, and whip mix of 1709 individual species, in addition to a large number of shrub, bulb and wildflower grass planting is proposed. The proposed planting has been amended to include larger scale trees and a higher density of tree planting particularly to the southern and northeastern edges.
- 5.15 The private drives adjacent to green spaces have been amended so that they have a far less engineered appearance. In addition, visitor parking which previously encroached quite significantly into the green corridors has been removed and relocated to more accessible locations in the scheme to reduce the visual impact of parking and hardstanding on the green corridors and to make the private drives more low-key in character and appearance.
- 5.16 Areas of open space are provided to the west and east of the site and the north and southern edges. These green areas provide space for landscape planting to be undertaken and provide public open space and recreational routes through the development. The size and location of the open space is considered to be in accordance with the green infrastructure parameter plan. A play area; allotments; drainage infrastructure; informal kickabout area; an orchard of a variety of apple and nut trees; and a community garden consisting of seating, a central timber sculpture, a flowering lawn with a variety of shrub planting is included as public open space in accordance with the approved concept plan and DAS. The paths within the POS are proposed as either hoggin or tarmac with buff coloured chippings rolled into the surface. The Transportation Officer requested tarmac and street lighting to all POS paths; however, this was not considered to be a sympathetic response to the sensitive Green Infrastructure areas. The proposed hoggin and tarmac with buff colour chippings rolled into the surface will provide a less urban appearance.
- 5.17 The retention of most of the existing vegetation at the site, the provision of a significant level of new planting, along with the provision of open green space to the edges of the site are such that the proposal is in accordance with the landscape strategy approved at outline stage which aims to visually assimilate the scheme into the local landscape character. Accordingly, the proposal is considered to be acceptable and there are no objections in relation to landscaping. A schedule of landscape maintenance has been submitted in accordance with condition 7 and is considered to be acceptable. Condition 8 on the outline consent controls the implementation of landscape works.
- 5.18 Sustainability  
An Energy Statement (February 2018) was agreed in principle at outline stage where the suitability of a number of energy saving systems was considered and it concluded that Solar PV was the most appropriate system to deliver the energy saving requirements under policy PSP6. Condition 35 on the outline consent requires the detailed design of the energy saving system to be submitted and approved by the Council before any above ground development takes place and evidence provided that the energy saving performance outlined in the Energy Statement (February 2018) is achieved prior to the first occupation. An informative note is considered appropriate to bring to the attention of the developer the requirement to discharge this condition. In addition, condition 26 on the outline consent requires details for charging for

plug in or other ultra-low emission vehicle for each dwelling to be agreed. Details submitted with the application with respect to this condition are considered to be acceptable.

#### 5.19 Crime Prevention

The crime prevention design advisor has identified that plots with single parking areas to the front of garages and between buildings, and courtyard areas off the main highway could be dark and vulnerable to crime. The developer is in the process of designing a detailed streetlighting scheme to ensure the development is lit to adoptable standards which will include lighting to the courtyard areas. Condition 15 on the outline consent requires the lighting scheme to be submitted and agreed by the Local Planning Authority prior to development commencing. An informative note is attached to bring this to the attention of the developer.

#### 5.20 Residential Amenity

The residential property Crossways House is located to the north of the site and would be approximately 100 metres from the closest dwelling proposed and 95 metres from the edge of the employment area at the closest point. The residential property Jessamine Cottage is located to the southeast of the site at a distance of approximately 57 metres at the closest point, and approximately 39 metres from the allotments. To the northwest, the residential properties Eastcote Cottage and Briar Cottage are located at a distance of approximately 92 metres and 100 metres respectively from the employment land at the closest point. Residential properties to the south are located at a distance of over 100 metres from the closest dwelling proposed, buffered by open space within and outside the boundaries of the site. Given the level of separation between the proposed dwellings and the neighbouring dwellings, it is not considered that the proposal would give rise to significant adverse effects on the residential amenity of existing neighbouring occupiers through loss of natural light, privacy or overbearing impact. Significant weight is also given to the fact that the location of residential and employment development and allotments to the eastern corner has already been approved in principle at outline stage. Condition 23 on the outline consent requires a Construction Environmental Management Plan (CEMP) to be agreed with the Local Planning Authority prior to the commencement of the development in order to reduce the construction impacts of the development on neighbouring occupiers. An informative note is considered appropriate to bring to the attention of the developer the requirement to discharge this condition before any development commences.

5.21 With regards to the internal layout proposed, the position and orientation of dwellings would not bring about any significant adverse residential amenity impacts to future occupiers with back to back distances and back to side distances typically 21 metres and over and 12 metres and over respectively. Garden sizes are adequate to ensure that they will be functional and offer a good level of amenity for future occupiers.

#### 5.22 Listed Building

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires planning authorities when determining applications affecting

listed buildings to, "... have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". The application site is located within the setting of the grade II listed Crossways House to the northeast and the grade II listed Woodbine Cottage to the south. The impact on the setting and significance of the listed buildings has already been considered and deemed acceptable in principle at outline stage subject to compliance with the agreed parameters and principles. The DAS states that mitigation to the setting of heritage assets would be through setting back the development from road frontages and the provision of open spaces and new landscape planting.

5.23 With regards to planting, the outline plans specify the retention of existing hedgerows to the north, south and east to be reinforced by new tree planting to help enclose the development and mitigate the impact on the setting of the listed buildings. The plans originally submitted were not considered to be acceptable given that there was insufficient tree planting provided in comparison to what was indicated in the DAS. The density of tree planting has subsequently been increased significantly on the revised plans with a strong belt of trees proposed to the north, south and northeast edges of the site. Accordingly, with two storey dwellings proposed to the east and southern edges of the site in accordance with the parameter plans and the retention and protection of existing trees and hedgerow to the south and east edges of the site, the proposal is considered to be sufficiently in accordance with the DAS and there are no objections in respect to heritage impacts. No objections have been received from the Council's Conservation Officer.

5.24 Drainage

Condition 16 on the outline consent requires development to be carried out in accordance with the approved Flood Risk Assessment submitted at outline stage.

5.25 Conditions 17-20 attached to the outline consent are pre-commencement conditions which require detailed drainage information including hydraulic modelling and compensatory flood storage associated with the main access road; the detailed design of a sustainable surface water drainage scheme; a detailed flood exceedance route plan; a detailed site specific management and maintenance plan to be submitted and agreed by the Local Planning Authority before any development starts.

5.26 The site is traversed by two tributaries of the Pickedmoor Brook, which is an ordinary watercourse that rises around 2km to the east around Whitfield. The approved FRA identified that the site is primarily located within Flood Zone 1 with small areas of Flood Zone 2 and 3 in and around the watercourse. The strategy approved at outline stage is to restrict the development in Flood Zones 2 and 3 adjacent to the east and west tributaries to 'water compatible' features, with all residential development at the site located within Flood Zone 1. This strategy informed the parameter plans approved at outline stage.

5.27 The Environment Agency originally objected to the development on the basis that it had not been adequately demonstrated that the main spine road would not disrupt flood flows or increase flood risk. The Environment Agency

- considered that the proposed 150mm diameter culverts beneath the road may not provide sufficient capacity to take flood flows. They also objected on the basis that no detail was provided to demonstrate that the proposed floodplain compensation area would be sufficient in size.
- 5.28 Accordingly, the drainage plans were amended to increase the diameter of the culverts beneath the access road to increase the capacity of any water they would be able to convey. Hydraulic modelling was also submitted, which incorporated a blockage scenario to demonstrate that there would be no increase in flood risk from the proposed road up to the 0.5% Annual Event Probability (AEP) and minimal impact for the 0.1% AEP. A strategy for the inspection and maintenance of the proposed floodplain culverts for the lifetime of the development has been submitted. The Environment Agency have accepted the revised and additional details submitted and have withdrawn their objection. In removing their previous objection, the Environment Agency have requested conditions to ensure that development is carried out in accordance with the Operation and Maintenance Strategy submitted and for the measures to be implemented and maintained throughout the lifetime of the development; and for the development permitted to be carried out in accordance with the approved Flood Risk Assessment and the specific mitigation measure that all residential and commercial development to be set 600mm above the 1 in 100 year plus 40% climate change flood level. These conditions are attached accordingly.
- 5.29 In accordance with the approved FRA, a gravity foul drainage system is proposed consisting of a new on-site foul drainage network which connects to an existing foul sewer at Crossways Lane. Wessex Water have confirmed that there are no significant issues and that they are satisfied with the point of discharge for the foul drainage. In accordance with the approved FRA, surface water run off from the residential development is proposed to be diverted into two attenuation basins where it would then be released at a controlled greenfield run off rate calculated to be 11.9l/s and 3.4l/s to existing ditches which connect to two separate tributaries. The Lead Local Flood Authority (LLFA) requested a topographical survey with cross sections of the existing ditch on site that the west catchment drains to ensure that the receiving ditch has sufficient capacity. The information requested has been provided by the developer and is considered to be acceptable by the LLFA.
- 5.30 The LLFA has raised no objections with respect to the foul and surface water drainage plans submitted. Accordingly, the proposal is considered to be acceptable in terms of drainage.
- 5.31 Affordable Housing  
The proposal is for 69 dwellings of which 24 dwellings (35%) would be for affordable housing, which is in accordance with the approved S106 agreement. The tenure split and mix of affordable homes proposed has been accepted by the Council's Affordable Housing Officer and adequately reflects the Strategic Housing Market Assessment requirements. There are three separate clusters of affordable dwellings proposed with no greater than 10 dwellings per cluster. Whilst smaller cluster sizes are preferable and were requested, the developer has not acceded to this request. Notwithstanding this, the Council's Affordable

Housing Officer has raised no objections to the proposal and the affordable dwellings comprise the same materials as the adjacent open market dwellings being in brick and roughcast render in a variety of shades, and architectural detailing comprising chimneys, brick quoining and window details to certain plots. Therefore, the design and siting of the affordable units is considered to be acceptable. The affordable dwellings must be constructed to meet Part M of the Building Regulations accessibility standard M4(2) with the exception of any self-contained accommodation built above ground floor level. A condition is already attached to the outline consent on this basis. The approved S106 agreement and a condition on the outline consent requires that two of the affordable units are constructed to meet Building Regulations accessibility standard M4(3)(2)(a). Two affordable units are proposed as wheelchair accommodation accordingly, and the plans confirm that the units comply with the accessibility standard. The Council's Occupational Therapist previously raised a number of points regarding the layout of the wheelchair units, which have all been satisfactorily addressed through the revised plans submitted. Accordingly, there is no objection to the proposal in terms of affordable housing.

#### 5.32 Transportation

Under the outline consent a number of highway improvements were approved to provide safe access to the development and to mitigate its impact on the highway network. Accordingly, the site access; new and widened footways on Morton Way; toucan crossing on Morton Way; bus stops; and pedestrian crossing on Crossways Road are required to be provided before any occupation of the development under condition 24 on the outline consent. The speed limit along Morton Way is also to be reduced from 40mph to 30mph, whilst the speed limit of roads within the site would be 20mph. The concerns raised by members of the public are noted; however, the principle of the development has already been approved and the development impacts in respect of congestion, increase in traffic, impact on infrastructure were accepted at outline stage.

#### 5.33 Pedestrian and Cycle provision

Condition 22 attached to the outline consent requires a site-wide pedestrian and cycle movement strategy to be agreed. The details submitted propose a 3.5 metre wide pedestrian footpath/cycleway on the northern side of the spine road which extends the full length of the development and provides an east-west cycle connection between Morton Way and Clay Lane. The final section of the route extends through public open space via a 4 metre wide allotment road and 2.5 metre wide path. The lanes extending off the main spine road are designed as shared surface streets to accommodate cyclists, pedestrians and vehicles. The southern side of the spine road comprises a standard 2 metre wide pavement for pedestrian use. A dedicated pedestrian path is proposed off Morton Way which extends through public open space. The Council's Transportation Officer is satisfied with the pedestrian and cycling strategy proposed and that it adequately caters for likely desire routes. The POS path link to Morton Way is shown as a timber footbridge on the landscape drawing; however, this would not be an adoptable structure. The Transportation Officer has advised that the existing tarmac vehicle crossover with a culvert resurfaced as necessary should be used instead. A condition is attached on this basis.

#### 5.34 Bus link

The DAS approved at outline stage requires a future bus link to Clay Lane to be safeguarded through the development. This is shown in the DAS as extending from the end of the main spine street and connecting to Clay Lane just south of the allotments. The S.38 Highway Adoption Plan makes provision for this link by including a 12m (approx.) corridor for adoption extending from the end of the spine road to Clay Lane. The plan states that the corridor will be offered for adoption but will be maintained by the management company under licence until it is required. Accordingly, there are no objections on this basis.

#### 5.35 Traffic calming

Amendments have been made to the design of the highway to incorporate raised tables at the main junctions on the spine road in order to calm vehicular speeds. The lanes which extend off the spine road are designed as shared surface streets with no segregation between pedestrians, cyclists or vehicles. The design of these streets where cars do not have priority via a dedicated carriageway encourages more careful and slower driving. The design of the shared surface streets has been improved through provision of block paving to break up the expanse of tarmac and through buildouts to straight sections. The access to the shared surfaces has been amended to incorporate dropped kerb Copenhagen style crossovers with the footway extending across the junction, which will provide pedestrian priority at the junctions. The Transportation Officer has advised that on the adoption drawing, the inner line on the shared surface roads needs to be shown clearly as a dashed line indicating a service margin so that it is not mistaken for a kerb line at the detailed design stage. A condition is attached to deal with this issue.

#### 5.36 Safety Audit

A Stage 1 Road Safety Audit (RSA) has been undertaken in relation to the proposed development. As part of the safety audit, consideration was given as to whether the 2m wide pavement on the southern side should be increased in width to 3m to provide a shared footway/cycleway as per the pavement on the northern side. However, the cycleway is located on the northern side to minimise conflicts with the side roads and frontages of residential properties and provides a clearer route for cyclists. Given the scale of the development it is not considered that sufficient use will be generated to require cycleways to both sides of the carriageway. The Highway Authority have recommended amendments to the design of the entrance junction to the site to ensure safe routes for cyclists, pedestrians and vehicles using the junction. The plans have been amended accordingly.

#### 5.37 Parking and tracking

Condition 26 on the outline consent requires that details of facilities for Electric Vehicle Charging Points (EVCP) are provided prior to commencement of development at each dwelling with a garage or on-plot parking space. The approved facilities are then required to be provided prior to occupation of each dwelling. Details of electric vehicle charging facilities have been provided with the reserved matters submission. The details specify the type of charger to be provided along with a 6mm cable to provide 7KW charge. In accordance with condition 26, EVCP are provided for plots that have on plot parking spaces or

with a garage. In addition to this, the developer has exceeded the requirements of condition 26 by providing additional EVCP for plots 1, 2, 3, 4, 5, 6, 7, 42, 43, 44 even though these plots do not have on plot parking or garages. The Transportation Officer has requested that parking for plots 32-34 should be relocated to the front of the dwellings and provided with EVCP's; however, there is no requirement under condition 26 for EVCP to be provided for these plots. In addition, the provision would necessitate flipping the proposed parking arrangement which would impact on soft landscaping and bring about landscaping issues. The same condition requires the charging facilities to be provided prior to occupation of each dwelling.

5.38 A parking schedule submitted demonstrates that an acceptable level of parking will be provided for all of the residential units which meets the Council's parking standards. An adequate level of visitor parking (19 spaces) is proposed within the development in excess of the Council's parking standard requirements (14 spaces). Where garages are not provided for dwellings, cycle storage will be provided in sheds or cycle shelters within amenity space. Condition 28 on the outline consent requires that the cycle and car parking is provided before occupation of the corresponding dwelling. The Transportation Officer has advised that the Sheffield type cycle stands next to the LEAP should be 1m apart and not 0.6m as shown so that cycles can be parked on both sides of the stand. A condition is attached to deal with this matter.

5.39 Given the above, and the fact that no objections are raised by the Highway Authority, the proposal is considered to be acceptable with regards to transportation.

5.40 Ecology

The principle of the development has already been accepted by virtue of the approval of the outline consent. The Ecological Appraisal submitted with the outline application identified that it is the network of hedgerow and mature trees at the site that have the greatest ecological value. The proposed development is within the scope of the approved outline parameters and therefore, the majority of trees and hedgerow will be retained at the site and informal green space areas and additional planting are proposed around the development. Conditions 11-15 attached to the outline consent require that prior to the commencement of any development at the site, an ecological method statement, a scheme of bird boxes, a landscape and ecological management plan, a scheme of streetlighting and a re-survey of the site for badgers is submitted to the Local Planning Authority for approval. Subject to an informative note to bring to the attention of the developer the requirement to discharge these conditions before any development commences, there are no objections to the proposal in respect to ecology.

5.41 Archaeology

Condition 31 on the outline consent requires that a programme of archaeological evaluation is submitted to the Local Planning Authority prior to commencement of any works at the site. An archaeological evaluation of the site has been undertaken and a report has been submitted which provides a description of the results of the evaluation. The Council's Archaeological Officer has confirmed that a geophysical survey and subsequent evaluation, which

have taken place at the site has revealed no significant archaeology. Condition 31 on the outline consent has already been discharged. As such, there are no objections in respect to archaeology.

#### 5.42 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.

## 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** consent 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 Reserved Matters Consent is **GRANTED** subject to the following conditions.

### CONDITIONS

1. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, samples of roof tiles to be used shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013

2. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, sample panels of brickwork, demonstrating the colour, texture, facebond and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panels shall be kept on site for reference until the brickwork is complete. Development shall be carried out in accordance with the agreed samples.



Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

3. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, sample panels of re-con stone, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

4. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, sample panels of natural stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

5. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, sample panels of rough cast render indicating colours and texture, shall be erected on site and approved in writing by the Local Planning Authority. The approved sample panels shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

6. Prior to the construction of development above Damp Proof Course (DPC) level, the detailed design including materials and finishes of the following items on all dwellings shall be submitted to and approved in writing by the local planning authority:
  1. Eaves, verges and ridges
  2. All windows (including cill, reveal and lintels)
  3. All external door hoods, architraves, canopies and porches
  4. Extracts, vents, flues & meter boxes
  5. Dormers
  6. Brick quoins

The scheme shall be implemented strictly in accordance with the approved details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

8. No development shall commence until tree protection fencing in accordance with the approved tree protection plan no.220303-1.8-CT-TPP-SzM has been erected on the site. The fencing shall be retained and maintained in accordance with the agreed details throughout the course of the development. Any works within the Root Protection Area (RPA) of any tree on the site shall be carried out strictly in accordance with the Arboricultural Method Statement by Treeworks Environmental Practice dated 3 March 2022. All works within the Root Protection Area (RPA) of any tree on the site shall be undertaken under the watching brief of an Arboricultural Clerk of Works.

Reason

In the interest of the heath and visual amenity of trees and to accord with policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that trees are given sufficient protection and are not damaged by construction activities.

9. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level the following details shall be submitted to and approved in writing by the Local Planning Authority:

S38 Highway adoption drawings revised to clearly show the inner service margin line on the shared surface roads as a broken dashed line;  
Cycle stands outside of the LEAP shown 1m apart;  
Replacement of timber footbridge providing access to the POS from Morton Way south of the Toucan crossing with a tarmac path incorporating a culvert for the ditch.

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

Reason

In the interest of highway safety and to ensure an adequate standard of design and to accord with policies CS1 of the South Gloucestershire Core Strategy (adopted) December 2013 and PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

10. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level, the final layout and specification of the play area shall be submitted to and agreed in writing by the Local Planning Authority. The play area shall be provided and thereafter retained in accordance with the agreed details.

Reason

To ensure the play area is safe, inclusive and offers adequate play value and to accord with policies CS1 and CS24 of the South Gloucestershire Core Strategy (adopted) December 2013.

11. The development shall be carried out in accordance with the submitted Operation and Maintenance Strategies (ref 15295-OMS-02, dated 16/05/2022) and (ref 15295\_OMS\_1 dated 09/05/2022). The measures set out in the strategies shall be

fully implemented and maintained thereafter throughout the lifetime of the development.

Reason

To ensure the proposed development is safe from flood risk and to accord with policies CS9, CS25 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and Policy PSP20 and PSP21 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017.

12. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) [15295-FRA-v11 Jubb Consulting Engineers Ltd July 2019] and the following mitigation measure:

All residential development to be located within Flood Zone 1. Finished floor levels of the 'More Vulnerable' uses to be set 600mm above the 1 in 100 year plus 40% climate change flood level.

Reason

To reduce the risk of flooding to the proposed development and future occupants and to accord with policies CS9, CS25 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013) and Policy PSP20 and PSP21 of the South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017.

13. With the exception of the specific details reserved under conditions 9 and 10, the development hereby approved shall carried out in strict accordance with the following plans:

Public Art Plan

Received on 29th October 2021

Topographical Survey, C21132\_2D\_S A

Location Plan, SW126-PD-003

Received on 10th November 2021

Central Spine Street Scene, SW126-PD-060 B  
Southern Edge Street Scene, SW126-PD-060 B  
Western Gateway Street Scene, SW126-PD-060 B  
Planning Layout - Housing Area, SW126-SL-001 E  
Planning Layout - Whole Site, SW126-SL-002 C  
Sketch Sections+Western Gateway, SW126-XR-0003  
SAINTSBURY (21-24), B80028.2PL-01-03  
TILLYARD (30-31), B8006.PL-01-03  
TILLYARD (25-26), B80029-1.PL-01-03  
SANSOM (3)(CAT 2) (27-26), LW0004.PL-01-03  
MAKENZIE (45-46), LW0006.384-1.PL-01-05  
MAKENZIE (51-52), LW0006.384.PL-01-05  
SUTHERLAND (4)(CAT 2) (47-50), LW0007.PL-02-03  
WOLLATON (63), VW0036.401.PL-01-05  
WYATT (64), VW0037.476.PL-01-05  
WOLLATON (65), VW0038.401.PL-01-05  
THACKERAY (35-36), B80007.PL-01-03

SANSOM(4) (CAT 2) (17-20), LW0003.PL-01-03  
DRUMMOND (32-34), LW0035.PL-01-03  
HARWOOD (61,62), VW0033.481.PL-01-05  
HARWOOD (53,54), VW0033.481-1.PL-01-05  
Twin Singles Garage, VW0124.GL02.PL-01  
HARWOOD (15), VW0012.481-1.PL-02-06  
HARWOOD (38), VW0121.481-1.PL-05-06  
HARWOOD (58), VW0121.481.PL-05-06  
WYATT (66), VW0039.476.PL-04  
HARWOOD (67), VW0040.481.PL-04-05  
WYATT (68), VW0041.476-1.PL-04-05  
HARWOOD (69), VW0042.481-1.PL-04-05  
PEELE (41), VW0122.482.PL-03-04  
PEELE (59), VW0123.482.PL-02-05  
PEELE (14), VW0119.482-1.PL-02-04  
PEELE (55), VW0122.482-1.PL-02-05  
DARLTON (37), VW0125.483.PL-04-05  
DARLTON (39,56,57), VW0126.483-1.PL-04-05  
DARLTON (40,60), VW0127.483.PL-04-05  
DARLTON (16), VW0120.483.PL-05-06  
MAKENZIE (1-2), LW0033.PL-05-06  
DRUMMOND (3-7), LW0034.PL-01-02-03  
LYTTELTON\_DRUMMOND (8-10), LW0002.PL-02-03  
DRUMMOND (11-12), VW0009.PL-01  
Single Garage, GL01.PL-01  
Double Garage (Shared), GL02.PL-01  
Flood Exceedance Route Plan, SK09 A2  
East Network (Drainage Calculations), 15295 SW V4  
West Network (Drainage Calculations), 15295 SW V1  
Arboricultural Method Statement 1.3  
Tree Protection Plan 1.3  
Parking Strategy, SW126-SL-050 B  
Received on 8th April 2022

Materials layout, SW126-SL-020 E  
Means of enclosure, SW126-SL-060 E  
SCURFIELD\_SUTHERLAND (42-44), LW0005.PL-01-03  
BURNS (13), VW0118.PL-05-06  
Site Landscaping, SW126-LS-001 D  
Site Landscaping+Play Area, SW126-LS-002 D  
Site Landscaping+Community Garden, SW126-LS-003 D  
Site Landscaping+Spec and Schedule, SW126-LS-004 D  
Site Landscaping+Overview, SW126-LS-005 D  
Site Landscaping+Overview+Combined Levels+Services, SW126-LS-006 D  
POS Landscaping+POS Areas, SW126-LS-008 D  
Schedule of Landscape Maintenance B  
General Arrangement Sheet 1, 100 A10  
General Arrangement Sheet 2, 101 A10  
General Arrangement Sheet 3, 102 A10  
Proposed Levels Plan Sheet 1, 104 A10  
Proposed Levels Plan Sheet 2, 105 A10

Proposed Levels Plan Sheet 3, 106 A9  
Refuse Vehicle Tracking Sheet 1, 107 A8  
Refuse Vehicle Tracking Sheet 2, 108 A7  
S38 Highway Adoption Plan - Sheet 1, 110 A10  
S38 Highway Adoption Plan - Sheet 2, 111 A2  
Drainage Layout Sheet 1, 501 A8  
Drainage Layout Sheet 2, 502 A8  
Drainage Layout Sheet 3, 503 A9  
Drainage Layout Sheet 4, 504 A8  
Drainage Layout Sheet 5, 505 A8  
Drainage Standard Details - Sheet 2, 551 P5  
Basin Section Details Sheet 1, 570 A6  
Basin Section Details Sheet 2, 571 A3  
Floodplain Culvert Sections, 571 A3  
Pedestrian Cycle Routes, SK08 A7  
SuDS Operation and Maintenance Strategy, 15295 OMS 01 V6  
Pavement Finishes, SK11 A9  
Received on 7th June 2022

Reason

For the avoidance of doubt.

**Case Officer: Jonathan Ryan**

**Authorising Officer: Lucy Paffett**



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 appearance on the circulated schedule

This application appears on the circulated due to receipt of 3 public comments and parish council comment contrary to the officer recommendation.

**1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the construction of a temporary haul road to serve residential development at land off France Lane, Hawkesbury Upton.
- 1.2 The proposed road would cover an approximate area of 1,500m<sup>2</sup> and provide access to the approved planning applications of P19/18707/RVC (formerly P19/4513/RM) and P19/0673/RVC (formerly PK18/1532/O) for the erection of 21.no dwellings. The road itself would be situated within an existing agricultural field that is immediately adjacent to the settlement boundary of Hawkesbury Upton (to the West) and also 'washed over' by the Cotswold Area of Outstanding Natural Beauty (AONB). No other restrictive policies apply.
- 1.3 *Procedural Matters* – additional information has been received (revised ecological assessment) from the applicant. Only further internal consultation has been conducted. The case officer is satisfied this does not disadvantage the public interest.

**2. POLICY CONTEXT**

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

- 2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP17	Heritage Assets and the Historic Environment

PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts

- 2.3 Supplementary Planning Guidance  
 South Gloucestershire Design Checklist (*Adopted 2007*)  
 Landscape Character Assessment SPD (Adopted) November 2014

### 3. RELEVANT PLANNING HISTORY

- 3.1 Ref: PK18/1532/O. Approve with conditions, 28.06.2018  
 Proposal: *Outline planning application for 21 no. residential dwellings (Use Class C3) with access and layout to be determined. All other matters reserved. (Re-submission of PK17/2722/O).*
- 3.2 Ref: P19/0673/RVC. Approve with conditions, 10.04.2019  
 Proposal: *Variation of condition 9 attached to PK18/1532/O to remove height and storey restrictions for plot 6 and variation of condition 15 to substitute plan number 17/167 PA/102 Illustrative Site layout plan, with SCH 03 Rev G Proposed Site Plan.*
- 3.3 Ref: P19/4513/RM. Approve with conditions, 21.08.2019  
 Proposal: *Erection of 21no. dwellings with associated works. Approval of reserved matters (appearance, landscaping and scale) to be read in conjunction with outline planning permission P19/0673/RVC, formerly PK18/1532/O.*
- 3.4 Ref: P19/18707/RVC. Approve with conditions, 30.07.2020  
 Proposal: *Variation of conditions attached to planning permission P19/4513/RM no. 1 to amend approved drawings, 2 and 3 for provision of natural stone walling in lieu of reconstituted stone on Plots 1, 2, 6, 7, 10, 11, 13, 14, 20 and 21 and provide natural slate tiling on Plots 1, 6, 7 and 13 and rustic pantiles covering all other plots.*
- 3.5 Ref: P20/22476/NMA. Approve Non-Material Application, 05.12.2020  
 Proposal: *Non-material amendment to P19/0673/RVC to amend the alignment of the site access and the alignment of residential plot 1.*
- 3.6 Ref: P20/22488/NMA. Approve Non-Material Application, 05.12.2020  
 Proposal: *Non-material amendment to P19/18707/RVC to make alterations to the alignment of the site access and the alignment of residential plot 1.*

### 4. CONSULTATION RESPONSES

- 4.1 Hawkesbury Upton Parish Council  
 The Parish council are in support of this application following a split vote. Nonetheless, a number of comments and areas of concern have been raised:
- The proposed haul road is very close to a local resident's property.
  - The existing site access has caused conflicts with residents of Park Street due to health and safety concerns and breaches of peace.



- The following requests/conditions are raised:
  - o Full drainage details.
  - o Adequate fencing is to be installed at Spitfire's expense.
  - o 20MPH speed limit extended beyond junction.
  - o Removed hedges and walls are to be reinstated and maintained.
  - o A back stop date is to be agreed for the removal of the haul road.
  - o Clarification on impact of sewer pipe.
  - o 2m boundary maintained between road and residents' property.
  - o Reinstatement of the site to original condition.

#### 4.2 Sustainable Transport Officer

No in-principal objection raised, but there is no explanation or reason behind the development when there is existing access to the site via Park Street. A statement is requested to confirm the reasoning behind the proposal. Likewise, further details about the proposed access are required to inform an appropriate assessment. These details are listed as follows:

- a) Details of visibility splays from the site access onto the public highway (such details should be superimposed on a topographical survey).
- b) Details of access should include width of access abutting the public highway and the length of hedge affected.
- c) Construction details of the proposed access itself and its surfacing.
- d) Auto track details showing how vehicles can pass one another at the site entrance.
- e) How long would such temporary access be in use?

#### 4.3 Flood and Water Management Officer

No objection to the proposed development although an informative is recommended relating to public sewer location and contact with Wessex Water Plc.

#### 4.4 Tree Officer

An objection is raised to this application due to lack of justification. Whilst an ecology report has been submitted, it is considered vague and dismissive, therefore not considering the wider impacts on existing hedgerows or trees at the proposed entrance. Likewise, BS5837:2012 has not been considered which is a requirement when trees and hedgerows are affected by development proposals. To conclude, there are too many inconsistencies in the submitted information which itself is considered insufficient to allow for informed comments.

#### 4.5 Ecology Officer

[1<sup>st</sup> consultation]

Key points from the ecology officer are summarised below:

- A 15m section of hedgerow, which could be a priority habitat, will be removed to accommodate the haul road. No details have been submitted with regard to the importance of the habitat.
- The existing reptile mitigation strategy should be updated to reflect changes to habitat provision.

- Whilst no signs of badgers or hedgehogs have been recorded, they may use the site and as such, suitable avoidance measures and mitigation is recommended during the works.

[2<sup>nd</sup> consultation]

- Habit concerns relating to the hedgerow have been addressed.
- It remains unclear where reptile mitigation lies onsite and should be clarified before determination.
- Further clarification is required regarding badger and hedgehog mitigation.

#### 4.6 Highway Structures Officer

No comments received.

#### 4.7 Local Residents

7 letters have been received from local residents. Key points are as follows:

[3 letters of objection]

- Planning permission for associated residential development has access already approved.
- The proposed development would have significant safety risk to residents and pets due to close proximity to hedgerow (which has opportunity to 'climb' through).
- Potential for structural damage to house foundations and also wider sewage network.
- Loss of privacy.
- Increased risk of road collisions.
- Loss of wildlife (due to removal of hedgerow).
- Lack of information regarding restoration of site and details pertaining to the length of temporary use.
- Insufficient highway details.

[2 letters of support]

- Access to the approved residential development is not suitable.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principal of Development

Policy PSP11 states development proposals that generate a demand for travel will be acceptable provided that access is appropriate, safe, convenient and attractive for all modes of travel arising to and from the site. As the proposal relates to the creation of a temporary haul road, the principal of development is accepted. Notwithstanding this, the development must be further examined against transport policies and other areas of potential harm to establish the impact of development and whether there is any subsequent mitigating evidence.

### 5.2 Access

As set out in policy CS8, vehicular access to development sites should be well integrated and situated so it supports the prevailing street scene and where a significant demand for travel is created, sufficient sustainable transport options should be promoted. Likewise, access proposals should not: contribute to serve congestion; impact on the amenities of communities surrounding access routes;

have an unacceptable effect on highway and road safety; harm environmentally sensitive areas.

- 5.3 The development itself does not generate a demand for travel, rather, its purpose is to alleviate “on-going access issues” along Park Street. As the previous planning permission for residential development is the justification for the proposal, the main considerations are the likelihood of congestion, impact on surrounding road infrastructure in terms of highway and road safety and whether it is considered inappropriate.
- 5.4 However, it is noted at this stage that there is a lack of transport information e.g., details relating to visibility splays, expected number of vehicles utilising access, construction methods etc., which limits the ability to accurately assess the proposal. Whilst the Council’s highway officer does not raise an in-principle objection, requests for further information have been made (relating to areas noted above). In the absence of the necessary additional information, it is not possible to properly assess the application. Notwithstanding this, and for the avoidance of doubt, an evaluation of the submitted information can be found below.
- 5.5 The proposed haul road would provide access to a site facilitating the erection of 21 dwellings, indicating trip generation to and from the site would be notable. The connecting road itself, France Lane, is a non-primary route that largely features two lanes and also varies in speed limit between 40MPH towards the A46 and 20MPH at the edge of the defined settlement boundary and just after entry onto the proposed haul road. It is likewise recognised that an unobstructed view in excess of 100 meters could be established when looking from both directions upon exit.
- 5.6 Based on this limited information, only assumptions can be made and whilst trip generation is likely to be high, the combination of adequate visibility from the proposed vantage point, 30MPH speed limit at junction as well as two-lane capacity, the development is unlikely to result in severe congestion or highway safety issues as to warrant refusal. Despite the lack of information, and on balance given the information available, it is unlikely that a highway refusal reason could be substantiated.
- 5.7 Design, Visual Amenity and the Cotswold Area of Outstanding Natural Beauty  
Paragraphs 176 and 177 of the National Planning Policy Framework (NPPF) state that great weight should be given to the conservation and enhancement of landscape characteristics that form designated AONBs. The NPPF also affirms that major development – a matter for the decision maker, taking into account the nature, scale and setting of the development and the likelihood it would create an adverse impact upon the immediate area – should be refused other than in exceptional circumstances and where it can be demonstrated that the proposal is in the public interest.
- 5.8 In terms of local policy, PSP2 outlines the landscape attributes that can define an area e.g., hedgerows, trees and sense of place, and how the removal or compromise of such attributes would result in harm. Here, policy states that developments within the Cotswold AONB must demonstrate they would not

- adversely impact upon the natural beauty of this designated asset (such as the removal of landscape attributes).
- 5.9 Policy CS1 states that development proposals should be of the highest possible standards of design in which they respond to the context of their environment. This means the proposed haul road should demonstrate a clear understanding of site to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.
- 5.10 With regard to the works, a new junction would be introduced approximately 30 meters to the East of the field boundary and facilitate the construction of a 130-metre-long haul road to serve the approved residential development of 21 dwellings. The proposal also features the removal of hedgerow of up to 15 meters to enable entry between the current abutting fields (where the proposed access would 'join' the development site).
- 5.11 As indicated in section 1, the setting of the construction for the proposed haul road is characterised by an agricultural landscape that remains relatively open, undeveloped (aside from the settlement 'edge' of Hawkesbury Upton) and also features a dividing hedgerow that hosts several mature trees. With specific regard to this hedgerow, it is considered to form part of the prevailing sense of place, which is most apparent upon approach to the site (see image capture below).



*(Google Image Capture: Looking at proposed road from France Lane)*

- 5.12 Here, the introduction of paved road could increase the prominence of built form within this agricultural setting whilst simultaneously introducing out-of-character movements e.g., it would appear somewhat incongruous to see the passage of 8-wheeler lorries, loaders and dump trucks at a regular occurrence in this location. Due to this, the construction of haul road and its associated use has the potential to impact upon the character of the Cotswold AONB.
- 5.13 This concern is likewise compounded by the loss of hedgerow – which itself forms a landscape attribute – and as result, 'exposes' the residential development. The 2018 outline permission had confirmed one of the redeeming factors for that particular re-submission was the effective screening offered by the hedgerow and therefore reduced the physical presence of the residential estate within the Cotswold AONB. Here, the officer raises strong concern that

the loss of hedgerow would reduce the aesthetic quality of the wider site due to the visibility increase of construction site (which was very limited in the first instance).

- 5.14 In addition to this, comments from the tree officer are noted, in which an objection was raised due to the negative impacts on existing trees. Here, policy PSP3 states that development proposals should place emphasis on the protection of trees, with those schemes that result in a loss of, or damage to an existing mature tree will only be acceptable where the need for, and benefits of the development clearly outweigh the loss or damage. Referring back to the comments of the tree officer, no details have been provided as to how the 15m break in hedgerow would be implemented or which trees would be affected, meaning the requirements of BS5837:2012 (British Standard for Trees in relation to design, demolition and construction) have not been appropriately followed.
- 5.15 Based on the above assessments, it is clear the proposed works would not conform with policy PSP3 due to the potential loss/damage in trees. Due to the loss hedgerow and associated site movements, the narrative and context of this agricultural field would be lost and ultimately detract from the special characteristics of the Cotswold AONB's natural beauty, therefore failing to demonstrate compliance with policies CS1 or PSP2.
- 5.16 Residential Amenity  
Policy PSP8 states that development proposal will be permitted provided they do not create unacceptable living conditions or result in unacceptable impacts on residential amenities. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.
- 5.17 The residential property most affected by the proposed development would be the plot known as 'The Hawthorns'. As per the submitted site plan (drawing no. J32-6293-PS-003), the haul road would run along the entire East boundary of the dwellinghouse, with the only separation distance that being the existing from hedge to house of approximately 4 meters. Whilst no information has been submitted with regard to the number of expected daily trips, the type of vehicle using this road nor withstanding the fact that conditions could be imposed to restrict hours of operation, it is clear that a new relationship of noise and vibration would be introduced where none currently exists.
- 5.18 To clarify, the existing access (which has been raised by residents to be unsuitable, although has been approved) makes use of an adopted highway, meaning there is an existing level of vehicular movement and associated noise, whereas the proposed would generate an unprecedented amount of traffic. Due to this, it is considered that an unacceptable noise impact would be created as to warrant refusal and as such, the proposed development does not comply with PSP8.
- 5.19 Ecology  
Policy PSP19 states that development proposals that result in the loss or deterioration of irreplaceable habitats will be refused unless the need for, and

benefits of the development in that location clearly outweighs the loss. Additionally, and where appropriate, biodiversity gain will be sought from development proposals that is proportionate to the size of the scheme and secured through an appropriate planning condition.

5.20 The initial ecological assessment (*GS Ecology, December 2021*) has been reviewed by the Council's ecology officer who requested that further information be sent regarding the categorisation of hedgerow as well as mitigation strategies for reptiles, hedgehogs and badgers. A revised ecological assessment (*GS Ecology, February 2022*) has been evidenced in support of this application with the ecology officer raising concerns with regard to the location of reptile mitigation as well as badger mitigation. Due to this, further evidence is required to address ecology concerns.

5.21 Planning balance

The case officer's assessment has thus far identified that the creation of temporary haul road would have a detrimental impact on the character of the area and AONB due to the loss of hedgerow as well as the introduction of unsympathetic site movements. Further, the development would result in noise disturbance which would have a detrimental impact on the residential property known as The Hawthorns.

5.22 Whilst it is accepted that further information could help to understand the potential impacts and indeed lessen their severity, it is the combination of landscape harm and noise disturbance where the basis of refusal lies.

5.23 Consideration of likely impact on Equalities

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

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

## 7. **RECOMMENDATION**

7.1 That the application be **REFUSED** for the reason listed below:

- (1) The proposed development, due to the removal of hedgerow and potential loss of trees would increase exposure to the approved development of 21.no dwellings under P19/18707/RVC (formerly P19/4513/RM) and P19/0673/RVC (formerly PK18/1532/O) to an unacceptable level and therefore impact upon the Cotswold AONB. The increase in built form and associated traffic movements from the haul road would contribute to an incongruous addition which also would harm the Cotswold AONB. The NPPF is clear that great weight should be given to the conservation and enhancement of landscape characteristics that form designated AONBs. The proposal would therefore be contrary to the NPPF as well as local policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policies PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).
  - (2) The proposed development, due to its siting and proximity to the property known as 'The Hawthorns', would result in unprecedented noise generation, to the detriment of the residential amenity of these occupants. The development is therefore contrary to policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).
1. The proposed development, due to the removal of hedgerow and potential loss of trees would increase exposure to the approved development of 21.no dwellings under P19/18707/RVC (formerly P19/4513/RM) and P19/0673/RVC (formerly PK18/1532/O) to an unacceptable level and therefore impact upon the Cotswold AONB. The increase in built form and associated traffic movements from the haul road would contribute to an incongruous addition which also would harm the Cotswold AONB. The NPPF is clear that great weight should be given to the conservation and enhancement of landscape characteristics that form designated AONBs. The proposal would therefore be contrary to the NPPF as well as local policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policies PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).
  2. The proposed development, due to its siting and proximity to the property known as 'The Hawthorns', would result in unprecedented noise generation, to the detriment of the residential amenity of these occupants. The development is therefore contrary to policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

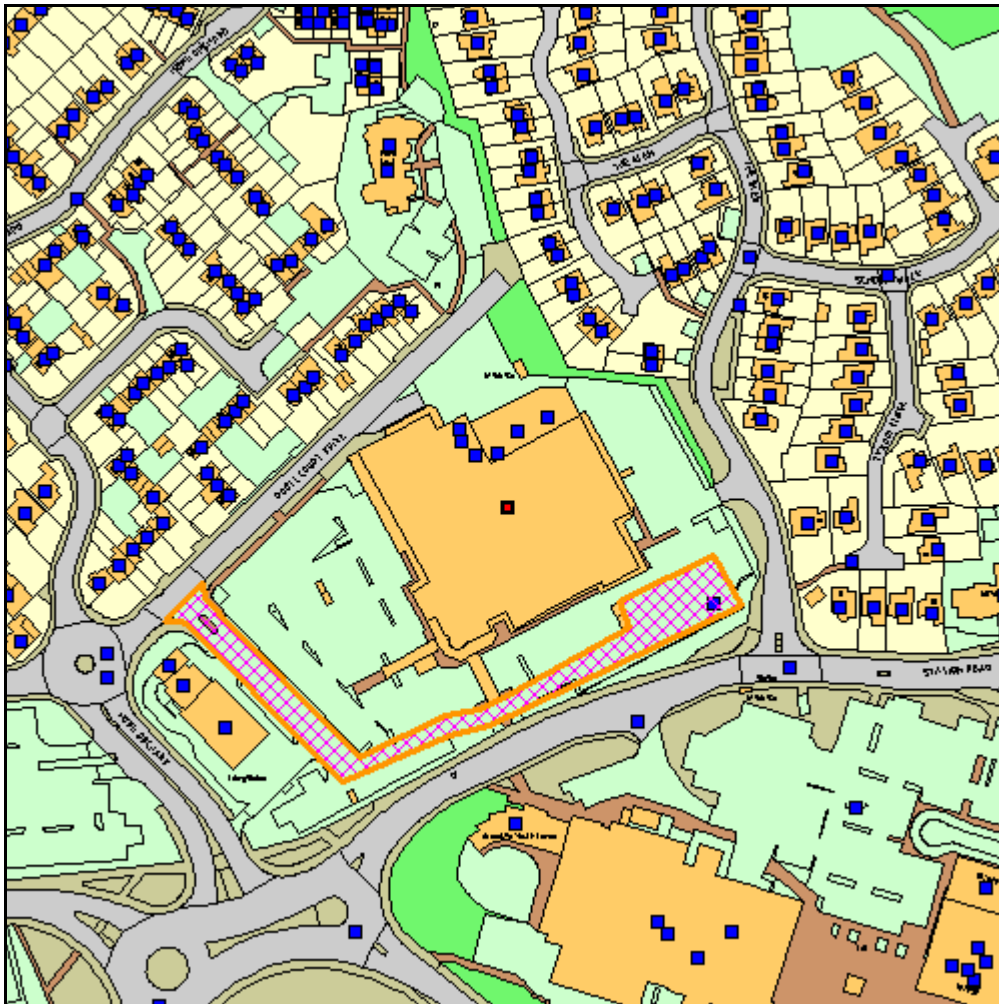
**Case Officer: Ben France**  
**Authorising Officer: Helen Ainsley**





**CIRCULATED SCHEDULE NO. 24/22 -17th June 2022**

<b>App No.:</b>	P22/01744/F	<b>Applicant:</b>	WM MORRISON SUPERMARKETS PLC
<b>Site:</b>	Morrisons Station Road Yate South Gloucestershire BS37 5PW	<b>Date Reg:</b>	21st March 2022
<b>Proposal:</b>	Erection of single storey pod containing WeBuyAnyCar (Use Class Sui Generis) in the south eastern corner of Morrisons Yate car park.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371145 182653	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th May 2022



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 100023410, 2008. N.T.S. P22/01744/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.

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

## **1. THE PROPOSAL**

- 1.1 Planning Permission is sought for erection of a single storey pod and utilisation of 12no. parking spaces for use as vehicle purchase and sales (Sui Generis). The pod would be width 4.8m, depth 3.2m, and height 2.8m and be sited within 2no. parking spaces. The remaining 10no. parking spaces would be used for parking of vehicles to be sold.
- 1.2 The application site comprises an area covering 26 parking spaces, a trolley shelter, and access road within car park serving Morrisons Supermarket, Yate (The difference between the parking spaces to be used by the proposal and the site area is discussed in section 5.6 of this report.) The supermarket building lies to north with its main customer parking area to the west. Yate Leisure Centre lies to the south and residential properties in The Glen lie to the east. The proposal would utilise the existing supermarket entrance at Poole Court Drive, and residential properties adjoin at the north and west.
- 1.3 The application is supported by a Cover Letter, Design and Access Statement, and proposed plans and elevations. Updated documents were submitted during consideration of the application to address public, consultee and case officer comments.

## **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

CS6 Infrastructure and Developer Contributions

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS14 Town Centres and Retail

CS25 Communities of the North Fringe of the Bristol Urban Area

CS30 Yate and Chipping Sodbury

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP3 Trees and Woodland

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP19 Wider Biodiversity

PSP20 Flood Risk Surface Water and Watercourse Management

PSP21 Environmental Pollution and Impacts

PSP26 Enterprise Areas

PSP31 Town Centre Uses

- 2.3 Supplementary Planning Guidance  
Design Checklist SPD (Adopted) 2007

**3. RELEVANT PLANNING HISTORY**

- 3.1 P87/2097 - Erection of supermarket, delivery area and car parking.  
Approved 13.04.1988.
- 3.2 PK09/5720/F - Creation of 12no. car parking spaces and 2no. Trolley Shelters  
Approved 18 Dec. 2009
- 3.3 PK09/1140/RVC - Variation of condition 13 attached to planning permission  
P87/2079 to increase deliveries on Sundays to 4 within the hours of 9am to  
11am.  
Approved 21 Sept. 2009
- 3.4 PK00/1592/RVC - Variation of condition 13 of P87/2097 to allow one delivery to  
service yard on Sundays.  
Refused – allowed on appeal.
- 3.5 PK16/1479/RVC - Variation of condition 1 attached to planning permission  
PK09/1140/RVC to allow deliveries during 06:30 – 21:30 Monday to Saturday  
and 09:00 – 16:00 Sundays.  
Approved 3 Aug. 2016
- 3.6 PK18/2030/F - Change of use of land from car parking to hand car wash and  
valeting area (Class Sui Generis) as defined in the Town and  
Country Planning (Use Classes) Order 1987 (as amended) and  
erection of portacabin and canopy.  
Approved 16.07.18 subject to conditions
- 3.7 P22/01756/ADV - Display of no. 4 non illuminated static fascia signs.  
Application pending consideration.

**4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council

Object for following reasons:

1. Application affects 26 prime parking spaces for Morrisons, already below minimum required when supermarket was granted planning consent due to car wash on site. Object therefore to loss of any parking without a comprehensive review of the parking required for a supermarket of this size.
2. If the parking review indicates there is scope to reduce the parking and still be compliant for a store this size, then this should be via the loss of parking behind Morrisons, not in a prime location.
3. Vehicle Transporter to remove the vehicles, as Morrisons does not have a service road assume they mean Poole Court Drive. Deeply concerned no tracking to show transporter can access and turn safely within the site and not reverse onto Poole Court Drive residential properties and other public highway users.
4. Will turn 26 prime spaces, into a sui generis use from retail setting a very worrying principle that other sui generis uses much more worrying to local residents could more easily get consent on the site in the future. At the very least should be condition to remain ancillary to primary purpose of the site as a supermarket and supporting car park. That would improve ability to control uses, should the supermarket cease to exist, would not want this to survive as a stand alone sui generis consent. Our town centre is not the right place for this sort of use.
5. Clarification needed for number of spaces as red line includes 26 spaces but it talks of 10 plus 2 for the pod.

#### 4.2 Sustainable Transport

The proposal would require two car parking spaces for the pod and up to a maximum of 10 further spaces for parking the Webuyanycar.com cars. The use of these spaces would not have a significant impact on the overall parking provision at the store. According to the Design and Access Statement cars would be driven from the site by staff and loaded on to transporters at the Morrisons service area. No Transport objection is raised subject to the following condition:

*The business shall operate strictly in accordance with the submitted Design and Access Statement.*

*Reason: To define the scope of the development and ensure the transporting of vehicles takes place from the service yard in the interest of highway safety and to accord with SGC Policy PSP11.*

#### 4.3 Highway Structures

No response received

#### 4.4 Police Crime Prevention Design Advisor

No objection - subject to comments (Clarified with consultee).

Design to be generally in order and complies appropriately with the crime prevention through environmental design principles however the below comments should be noted:

1. No information reference safety and security were included in the DAS.
2. No details as to whether an alarm was to be fitted to the building, this would be advisable.
3. Secure storage of the car keys of vehicles on site is essential.

- 4.5 Lead Local Flood Authority  
No Objection

### **Other Representations**

- 4.6 Local Residents/ Neighbouring Occupiers  
3no. letters received in objection (including 1no. provided for application P22/01756/ADV but relevant to this proposal), summarised as follows:
- Loss of car parking spaces from at times congested car park
  - Is in holding area used by the hand car wash business
  - How vehicles will be removed from site, presumably car transporter
  - Additional, parking, traffic noise and pollution from HGV's (transporter)
  - Poole court Road not suitable for loading of the vehicles
  - No need for webuyanycar in Yate as already sites 8 and 12 miles away.
  - Other vacant premises in the adjacent shopping centre / Council park and ride facility could be used instead.
  - Councillors should view chaos from other locations with similar scenario.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy CS4A of the Local Plan Core Strategy 2013 provides a presumption in favour of sustainable development and for this to be approved unless material considerations indicate otherwise. Policy CS30 seeks to deliver vision for Yate and Chipping Sodbury, including providing for employment, diversifying the range of jobs available, and making more efficient use of existing employment land. Core Strategy policy CS14 and Policies, Sites and Places Plan policy PSP31 direct main town centre uses to town and district centres.

- 5.2 The application site lies within an established retail area for a large supermarket which adjoins Yate Town Centre, therefore is an edge of centre location. Comments received refer to use of town centre and other alternative locations. The Design and Access Statement identifies the proposal not being suitable as a town centre use due to restrictions within public car parks. Due to being small scale the proposal is considered unlikely to detrimentally impact upon the vitality and viability of the town centre, nor the supermarket, and its' proposed location is therefore considered sequentially appropriate.

- 5.3 The principle of development to provide a new commercial building which diversifies the range of jobs and services available in this location is therefore considered acceptable with further main considerations being visual and neighbouring amenity, highway and public safety.

### 5.4 Design and Visual Amenity

Policy CS1 requires that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Policies, Sites and Places Plan Policy PSP6 encourages all development to minimise end-user energy requirements.

- 5.5 The proposal would be located at the south-east corner of the car park serving the supermarket and result in the loss of 12 parking spaces, although 26 spaces and a trolley shelter (equivalent to 2 spaces) are included with the application red line boundary. Comments received object to the location stating the loss of prime parking spaces for users of the supermarket, and also refer to the site location being used by the hand car wash as a holding area
- 5.6 The agent has clarified that a larger site area was included to enable flexibility during consideration of the application, but only 12 spaces would be used for the proposal, as shown on the submitted plans, which the proposal would be conditioned to conform with. It was also clarified of the location proposed being the furthest suitable to enable solar panels on roof of the pod to work, with their inclusion to minimise energy requirements being positive in terms of sustainability, and also to encourage users of the pod to enter the store.
- 5.7 As confirmed by case officer site visit the largest and most convenient parking area for accessing the supermarket entrance lies to its western side and not the site location. The proposal would also be in an area with other existing ancillary facilities (the car wash and recycling banks), and therefore its siting is considered appropriate. In respect of the car wash, the planning permission for this (ref. PK18/2030/F) comprises 9no. parking spaces to the south with the application site not forming part of its demise.
- 5.8 The pod would be simple in design with a single storey and would have a flat roof containing solar panels. External materials proposed are composite panels, with all four sides to have vinyl signage covering, with advertisement consent for the latter being considered under application P22/01756/ADV. Proposed openings comprise UPVC door and windows to the front (south) elevation and door to the rear (north elevation). No changes are proposed to the 10no. parking spaces. The site location is comprised retail and leisure uses with no specifically defined character. Due to its small scale and location within a retail car park alongside other similar scale ancillary facilities it is not considered that the proposal would harm the character and appearance of the locality. Given the proposed location within a private retail car park it is not considered necessary to require further details of appearance of the solar panels.
- 5.9 Comments received from the Police Crime Prevention Design Advisor raise no objection, with some points for safety and security, and it was clarified these comments were advisory for best practice. The updated Design and Access Statement confirms no vehicle keys would be kept at the premises (with a notice displayed on the entrance door additionally advising this), that an alarm would therefore be unnecessary on that basis, and CCTV would be considered in the event of multiple incidents at a site. These measures are considered sufficient to address the advisory points raised.
- 5.10 Yate Town Council seek condition for the proposal to be ancillary to the supermarket stating it being inappropriate for the town centre as stand- alone use. As the site is an established retail area is not considered restricting for that reason would be justified, however were the supermarket use to cease

continued operation of the proposal could lead to additional security concerns from absence of surveillance and nearby activity. A planning condition is therefore recommended for removal in that event to which the applicant has confirmed agreement.

5.11 Transport Matters

Paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.12 Comments received in objection refer to the loss of parking spaces to the supermarket and Yate Town Council seek a comprehensive parking review for this. Given the total 299 spaces annotated on the proposed site plan the proposed reduction of 12 spaces is considered unlikely to significantly impact on parking serving the supermarket and that therefore a parking review would not be justified, a view supported by comments from Sustainable Transport advising this would not have a significant impact on the overall parking provision at the store, and confirming no objection subject to condition requiring compliance with the Design and Access Statement. Notwithstanding this the applicant has provided occupancy data based on entries and exits provided by the applicant for first quarter of 2022, evidencing the above officer conclusions that the car park currently operates much below capacity.

5.13 Comments have also been received in objection to how the purchased vehicles would be collected, with use of a transporter referenced in the originally submitted Design and Access Statement. The applicant has clarified through an updated statement that a transporter would not be used; the vehicles would instead be driven from the site to a nearby auction house, therefore vehicle movements resulting from the proposal would follow the normal flow of traffic, similar to other car park users, therefore having a lesser transport impact than as originally submitted. A planning condition is recommended for compliance with the updated Design and Access Statement to ensure these operation arrangements are adhered to.

5.14 Residential Amenity

Policies, Sites and Places Plan Policy PSP8 requires that development proposals should not create unacceptable living conditions for nearby residential occupiers.

5.15 The site and supermarket it would be ancillary to is located within an established retail area on the edge of Yate and opposite the Leisure Centre. The nearest residential properties lie to the east within The Glen, separated from the site both by distance and by screening provided by perimeter fencing and trees at the car park edge. The agent has confirmed the proposed opening hours as Mon – Fri 10:00-19:00, Sat 10:00-18:00 and Sundays 10:00-17:00. These are considered appropriate and to safeguard residential amenity a planning condition is recommended to restrict opening hours to those times.

5.16 Environmental Impacts

The proposal relates to use of an existing parking space for placing of the pod and parking of cars. Due to the small scale it is considered unlikely to have any significant environmental impacts. The site also lies within Flood Zone 1 with comments received from the LLFA confirming no objection.

5.17 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.

5.18 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.

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

**6. CONCLUSION**

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

6.2 “The recommendation to grant permission has been taken having regard to the policies and proposals in the 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 the application be APPROVED subject to conditions written 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 shall proceed in accordance with the following plans:

As received by the LPA 16.03.22:  
Location Plan

- 343\_PL\_01



Proposed Site Plan

- 343\_PL\_02

As received by the LPA 07.06.22:

Midi Pod (Floor and Roof Plan) dated 07/06/22 - Midi POD REV NO 01

As received by the LPA 13.06.22:

Midi Pod (Elevations) dated 08/06/22 - Midi POD REV NO 01

Reason: To define the terms and extent of the permission.

3. The use hereby permitted shall not be open to customers outside the following times 10:00 - 19:00 Mondays to Fridays inclusive, 10:00 - 18:00 Saturdays, and 10:00 - 17:00 Sundays and Bank Holidays.

Reason: In the interests of residential amenity in accordance with Policy PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017.

4. Operation of the development hereby approved shall adhere at all times to the section entitled 'The Design' of the Design and Access Statement dated 06.05.22 by Whittam Cox Architects.

Reason: In the interests of residential amenity, highway and public safety in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy December 2013 and Policies PSP8 and PSP11 of the South Gloucestershire Policies, Sites and Places Plan 2017.

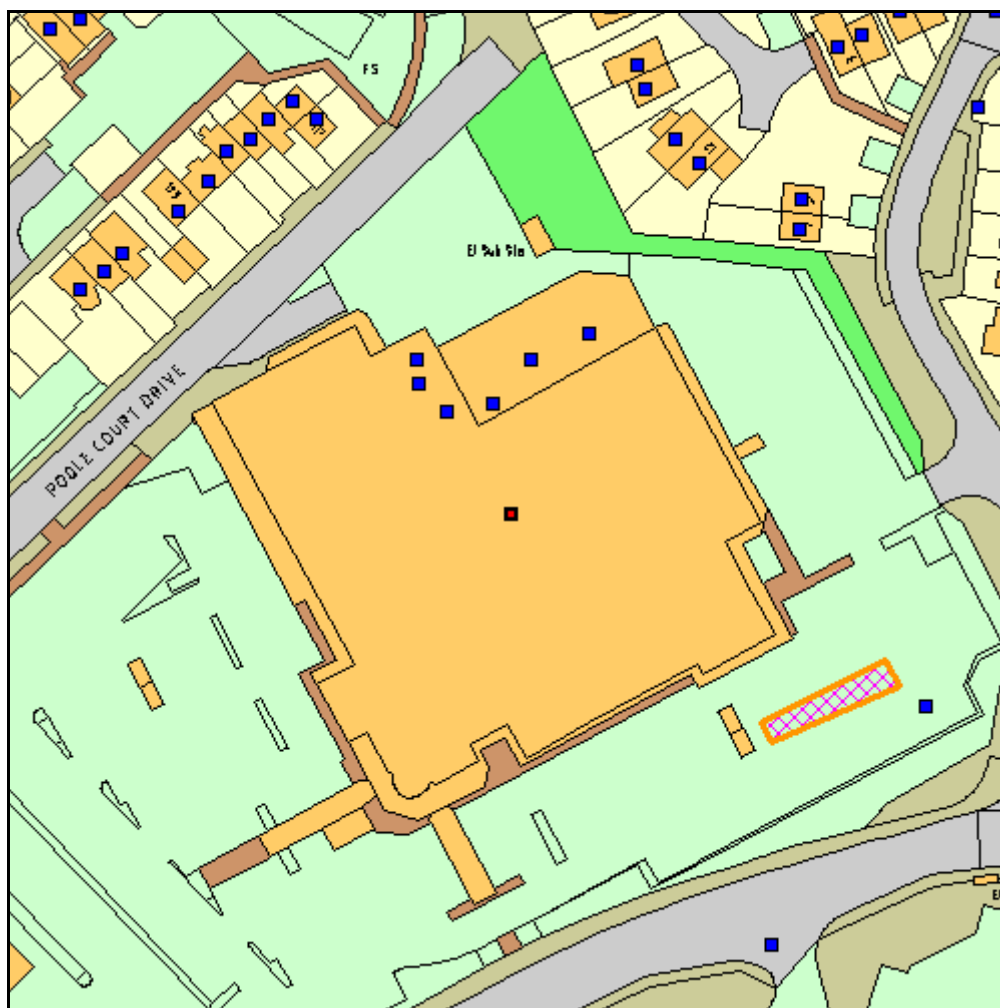
5. The development hereby permitted shall only operate as an ancillary facility to the supermarket shown on the approved plans. Should the supermarket cease to operate then the development shall, within three months of that cease of operation, be removed from site and the land restored to its former condition.

Reason: In the interests of visual and residential amenity in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy December 2013 and Policy PSP8 of the South Gloucestershire Policies, Sites and Places Plan November 2017.

**Case Officer: Michael Fishpool**  
**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 24/22 -17th June 2022**

<b>App No.:</b>	P22/01756/ADV	<b>Applicant:</b>	WM MORRISON SUPERMARKETS PLC
<b>Site:</b>	Morrisons Station Road Yate South Gloucestershire BS37 5PW	<b>Date Reg:</b>	22nd March 2022
<b>Proposal:</b>	Display of no. 4 non illuminated static fascia signs	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371145 182653	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Minor	<b>Target Date:</b>	16th May 2022



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P22/01756/ADV

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 representations have been received from a Town Council that are contrary to the officer recommendation.

## **1. THE PROPOSAL**

- 1.1 Advertisement consent is sought for the display of 1no. vinyl wrap sign covering four elevations of a single storey pod building of width 4,800mm, depth 3,200mm and height 2,800mm.
- 1.2 A related planning application for erection of the above single storey pod and use of adjoining parking spaces for WeBuyAnyCar is being considered under application P22/01744/F.
- 1.3 The application site comprises 26 parking spaces, a trolley shelter, and access road within car park serving Morrisons Supermarket, Yate. The supermarket building lies to north with its main customer parking area to the west. Yate Leisure Centre lies to the south and residential properties in The Glen lie to the east. The proposal would utilise the existing supermarket entrance at Poole Court Drive, and residential properties adjoin at the north and west.
- 1.4 The application is supported by a Cover Letter, Design and Access Statement, and proposed elevations.

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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P87/2097 - Erection of supermarket, delivery area and car parking. Approved 13.04.1988.
- 3.2 PK18/2030/F - Change of use of land from car parking to hand car wash and valeting area (Class Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and erection of portacabin and canopy. Approved 16.07.18 subject to conditions
- 3.3 P22/01744/F - Erection of single storey pod containing WeBuyAnyCar (Use Class Sui Generis) in the south eastern corner of Morrisons Yate car park. Application pending consideration

### **4. CONSULTATION RESPONSES**

#### **4.1 Yate Town Council**

Object for following reasons:

1. Application affects 26 prime parking spaces for Morrisons, already below minimum required when supermarket was granted planning consent due to car wash on site. Object therefore to loss of any parking without a comprehensive review of the parking required for a supermarket of this size.
2. If the parking review indicates there is scope to reduce the parking and still be compliant for a store this size, then this should be via the loss of parking behind Morrisons, not in a prime location.
3. Vehicle Transporter to remove the vehicles, as Morrisons does not have a service road assume they mean Poole Court Drive. Deeply concerned no tracking to show transporter can access and turn safely within the site and not reverse onto Poole Court Drive residential properties and
4. Will turn 26 prime spaces, into a sui generis use from retail setting a very worrying principle that other sui generis uses much more worrying to local residents could more easily get consent on the site in the future. At the very least should be condition to remain ancillary to primary purpose of the site as a supermarket and supporting car park. That would improve ability to control uses, should the supermarket cease to exist, would not want this to survive as a stand alone sui generis consent. Our town centre is not the right place for this sort of use.
5. Clarification needed for number of spaces as red line includes 26 spaces but it talks of 10 plus 2 for the pod.

#### **4.2 Sustainable Transport**

No objection to this application.

### **Other Representations**

#### **4.3 Local Residents/ Neighbouring Occupiers**

1no. comment received in objection, summarised as follows:

- Loss of car parking spaces from at times congested car park
- Is in holding area used by the hand car wash business

- How vehicles will be removed from site, presumably car transporter
- Vacant premises in the adjacent shopping centre could be used instead.

## 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 proposal is located within the curtilage of an established retail supermarket and is signage that would be expected for the location and form of the premises. The principle of the proposal is therefore considered acceptable, subject to amenity and public safety considerations below.

### 5.3 Visual and Residential Amenity

The signage is all non-illuminated and whilst covers the whole of the pod, the pod itself is small in scale being the size of two parking spaces, and a single storey. It's location within a retail car park, itself screened from nearby residential properties and the wider locality and would therefore not detract from the visual amenity of the area.

5.4 Comments have been received in objection from both a local resident and Yate Town Council. These comments however relate more to the pod and its operation, which lie outside the scope of consideration for advertisement consent. These comments have therefore been considered within the assessment for application P22/01744/F, where the agent also clarified the proposal only using 12 (of which 2 are for the pod) out of the 26 spaces within the red line boundary.

### 5.5 Public Safety

The signs are non-illuminated and located within a retail car park and would therefore not cause unacceptable or severe highways or transportation issues, a view supported by comments received from Sustainable Transport.

### 5.6 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.

5.7 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.

5.8 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 16.03.22:

Proposed Site Plan

- 343\_PL\_02

As received by the LPA 13.06.22:

Midi Pod (Elevations) dated 08/06/22

- Midi POD REV NO 01

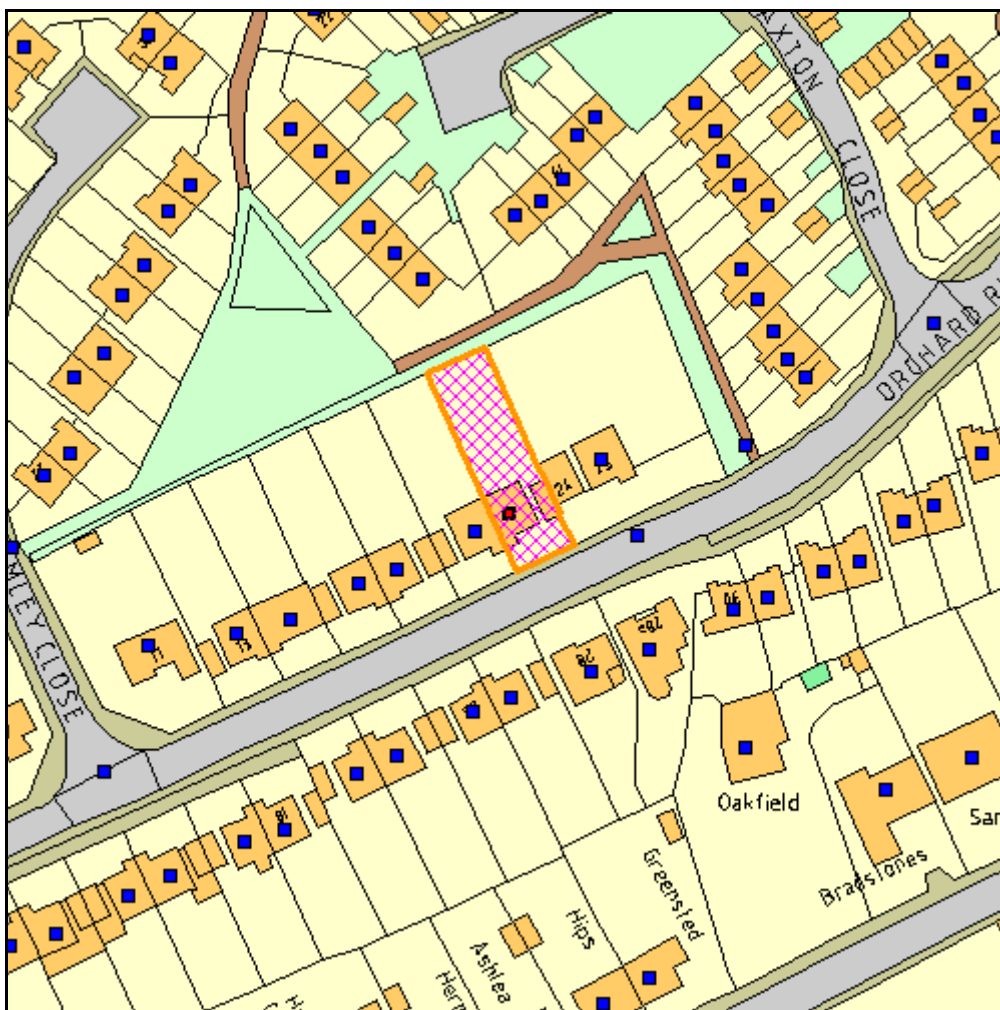
Reason: To define the exact terms of the advertisement consent.

**Case Officer: Michael Fishpool**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 24/22 -17th June 2022**

<b>App No.:</b>	P22/02131/HH	<b>Applicant:</b>	Mr Daniel Lewis
<b>Site:</b>	23 Orchard Rise Olveston South Gloucestershire BS35 4DY	<b>Date Reg:</b>	12th April 2022
<b>Proposal:</b>	Demolition of existing conservatory. Erection of single storey side and rear extension to include alterations to existing garage.	<b>Parish:</b>	Olveston Parish Council
<b>Map Ref:</b>	360286 187037	<b>Ward:</b>	Severn Vale
<b>Application Category:</b>	Householder	<b>Target Date:</b>	6th June 2022



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P22/02131/HH

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

## **REASON FOR REFERRING TO CIRCULATED SCHEDULE**

This application appears on the Council's Circulated Schedule procedure following an objection from the Parish Council, contrary to the findings of this report and the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the demolition of existing conservatory. Erection of single storey side and rear extension to include alterations to existing garage, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at No.23 Orchard Rise, located within the established built-up residential area of Olveston, and is set within a good sized plot. The dominant feature within the site is a two-storey semi-detached property with detached garage.
- 1.3 The site is washed over by the Bristol/Bath Green Belt.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

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

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

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

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



### 3. **RELEVANT PLANNING HISTORY**

- 3.1 **P89/1703.** Erection of conservatory. **Approval Full Planning.** 31/05/1989.

### 4. **CONSULTATION RESPONSES**

- 4.1 Olveston Parish Council  
(Initial consultation): Objection. Following the OPC planning meeting we could not make a decision as there was little drawings for us to review.

(Re-consultation): No comments received.

- 4.2 The Archaeology Officer Natural & Built Environment  
No comment.

- 4.3 The Landscape Officer Natural & Built Environment  
(Initial consultation): Further information is required in order to fully assess the application, and any potential impacts.

(Re-consultation): No landscape objection.

- 4.4 Local Residents  
No comments received.

*It is noted that when the application was initially validated and consultations were sent out, the submitted drawings were marked as sensitive. Following consultee's comments stating that there was insufficient information to comment on the proposed scheme, the drawings were made public and a re-consultation was sent out.*

### 5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
The application site is situated within an established area of residential development within Olveston and is currently utilised as a C3 dwellinghouse. The proposed development will extend the area of living accommodation within the property, at the expense of existing conservatory and section of rear garden.

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

## 5.2 **Green Belt**

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 137 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.*

5.3 Whilst development in the Green Belt is strictly controlled, the NPPF provides a number of exceptions where development in the Green Belt may not be inappropriate. Paragraphs 149 and 150 of the NPPF lists the exceptions, for which the most relevant exception being “(c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*”.

5.4 PSP7 states the following:

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

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

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

5.5 For the sake of clarity, it is worth stating that the term ‘original dwellinghouse’ refers to the volume that a dwelling was when the original planning permission for its construction was given, or for older homes the volume that the dwelling was on July 1<sup>st</sup> 1948 (when the Town and Country Planning Act was introduced). Any additions that have occurred since the original dwelling date will be considered cumulatively and will count against the overall increase in volume of the dwelling when new additions are being assessed. This is because small reductions in openness, repeated many times, can have a cumulatively detrimental effect on the Green Belt.

5.6 From the information accessible to the Local Planning Authority, it is evident that the application dwelling has been extended previously. This includes a rear conservatory and loft conversion with rear dormer. As such, will form part of the Green Belt calculations, counting towards additions to the property.

- 5.7 The original dwellinghouse has been calculated to measure (approx.) 415.6m<sup>3</sup>. The proposals and previous additions when combined measure (approx.) 180m<sup>3</sup>. This would result in an overall volume increase of (approx.) 43.3%. However, with the elements being demolished (existing conservatory) measuring around 22.9m<sup>3</sup>, the resultant increase in volume would be around 37.8% over the original property.
- 5.8 When assessed against PSP7, the proposed extensions to the property would be proportionate.
- 5.9 The NPPF, NPPG and South Gloucestershire Green Belt SPD also indicates that limited infilling within the boundaries of settlements 'washed' over by the Green Belt can be acceptable forms of development. The site is part of an established residential area within the settlement boundary of Olveston, which is washed over by the Green Belt. The proposals are small scale infill development which will not encroach on the open countryside.
- 5.10 Design and Visual Amenity  
Policy CS1 of the Core Strategy and policy PSP38 of Policies, Sites and Places Plans seeks 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 application site and its context.
- 5.11 **Garage alterations**  
It is proposed that the existing walkway situated between the main property and detached garage will be built on, creating an extension to the existing garage. This will result in a garage that is adjoined to the host dwelling. The roof will carry across from the existing garage and the garage door positioned to the front elevation will be widened.
- 5.12 **Single-storey extension**  
The proposed single-storey extension will project (approx.) 2.9 metres from the properties side (north-east) elevation, adjoin to the rear elevation of the proposed extended garage, and protrude 3.7 metres beyond the rear elevation of the dwelling. Here, the side extension will connect to the proposed single-storey rear extension that will span somewhat the entire width of the property, forming a singular 'L' shaped mass.
- 5.13 The extension will feature a simple flat roof, which will rise to a maximum height of 3.1 metres. Installed within the roof structure will be 1.no. skylight. Additionally, incorporated within the design will be 1no. window to the extension side (north-east) elevation, along with 1no. set of French doors and 1no. set of bi-fold doors to the extensions rear façade, permitting access into the garden. External finish to the extensions will be white render to match the host dwelling.
- 5.14 Combined, the proposed development will introduce a utility to the dwelling, as well as open up the rear of the property to create an enlarged kitchen/diner, which will have an increased connection to the outside, benefiting for a modern family.

- 5.15 The proposed works appear subservient to the host dwelling, maintaining the properties architectural integrity, balance of the pair and character of the area. The proposals have been designed to complement the existing property through its proportions and choice of materiality, ensuring that the appearance of the dwelling is harmonious and continues to complement neighbouring properties. Overall, the proposed development has an acceptable standard of design satisfying policies CS1 and PSP38.
- 5.16 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; noise or disturbance; and, odours, fumes or vibrations.
- 5.17 The proposed extension is modest in scale, achieved by its single-storey nature and flat roof form. Furthermore, only 1no. opening is proposed to a side elevation, more precisely a window positioned to the extensions north-east façade. Given this window is to serve the downstairs WC, it is likely to be obscure glazed and will have an outlook onto No.25's side blank elevation. As such, the impact on the level of amenity afforded to neighbouring dwellings by virtue of overbearing, loss of light and privacy is acceptable. The application therefore satisfies the requirements of PSP8 and PSP38.
- 5.18 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. The proposed development will not increase the degree of occupancy within the property, however, it will build on existing rear curtilage. Nevertheless, the dwellings remaining private external amenity space will continue to be in excess of the councils design standards complying with policy PSP43.
- 5.19 Transport (Access and Parking)  
Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. The proposed development will not trigger a material increase in demand for parking at the site nor will it impact current provision. Therefore, no objection is raised under PSP16.
- 5.20 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act, the public sector equality duty came into force. Among other things, those subject to the equality duty must have due regard to: eliminate unlawful discrimination; harassment and victimisation; advance equality of opportunity; and, foster good relations between people who share a protected characteristic and those who do not.

The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

## 6. **CONCLUSION**

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

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

## 7. **RECOMMENDATION**

7.1 That the application be **APPROVED** subject to conditions.

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of 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 11th April 2022):

Mixed/Combined Plans

The Location Plan

Reason

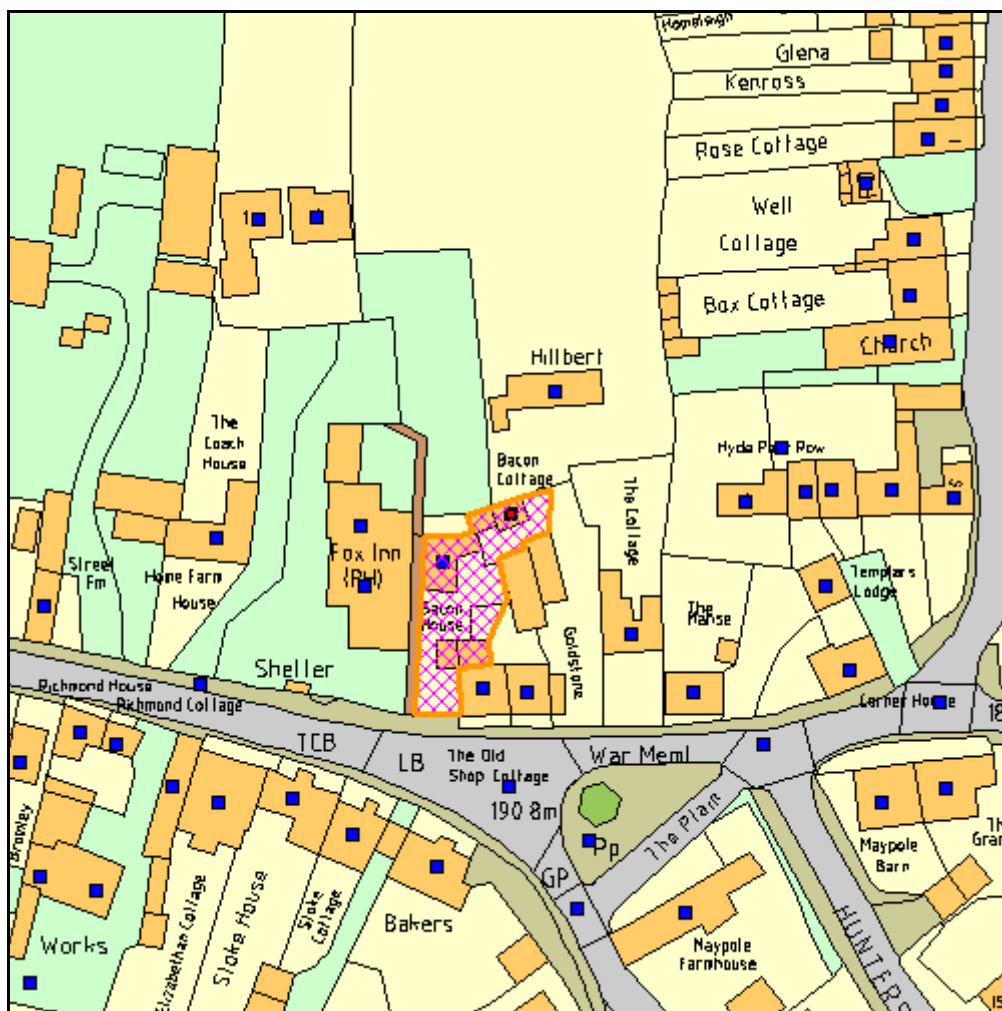
To define the terms and extent of the permission.

**Case Officer: Chloe Summerill**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 24/22 -17th June 2022**

<b>App No.:</b>	P22/02225/HH	<b>Applicant:</b>	Mr And Mrs A Creeper
<b>Site:</b>	Bacon Cottage The Plain Hawkesbury Upton South Gloucestershire GL9 1AT	<b>Date Reg:</b>	22nd April 2022
<b>Proposal:</b>	Demolition of existing side extension. Erection of two storey side extension to form additional living accommodation. Erection of enlarged porch area. (re-submission of P21/03968/F).	<b>Parish:</b>	Hawkesbury Parish Council
<b>Map Ref:</b>	377981 186986	<b>Ward:</b>	Chipping Sodbury And Cotswold Edge
<b>Application Category:</b>	Householder	<b>Target Date:</b>	16th June 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 REPORTING TO THE CIRCULATED SCHEDULE**

Due to contrary view of Parish Council.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the demolition of existing side extension and erection of two storey side extension to for additional living accommodation and erection of porch at Bacon Cottage, The Plain, Hawkesbury Upton.
- 1.2 The application site comprises a two storey detached dwelling. The application site is located within the defined Hawkesbury Upton settlement boundary, the Hawkesbury Upton Conservation Area, and the Cotswolds AONB.
- 1.3 This application is a re-submission of a previously refused scheme (ref. P21/03968/F). The previous scheme was refused by the Planning Inspectorate after an appeal against non-determination.
- 1.4 The inspector found there to be no significant harm to the Hawkesbury Upton Conservation Area or the residential amenity of the neighbouring property to the north. The only significant harm identified, and the only reason for refusal, was the impact of the proposed side facing first floor opening on the privacy of the neighbouring property to the east. This side facing first floor opening has since been removed from the proposed plans.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework July 2021  
National Planning Practice Guidance  
Planning (Listed Buildings and Conservation Areas) Act 1990  
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

#### **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
CS9	Managing the Environment and Heritage

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

PSP1	Local Distinctiveness
PSP2	Landscape

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance  
 Design Checklist SPD (Adopted) August 2007  
 Hawkesbury Upton Conservation Area SPD  
 Residential Parking Standard SPD (Adopted) December 2013  
 Revised Landscape Character Assessment SPD (Adopted) November 2014  
 Cotswolds Management Plan  
 Assessing Residential Amenity TAN (Endorsed) 2016  
 Household Design Guide SPD (Adopted) March 2021

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P21/04797/F  
 Installation of replacement windows.  
 Approve with Conditions (05/11/2021)
- 3.2 P21/03968/F  
 Demolition of existing side extension. Erection of two storey side extension to form additional living accommodation. Erection of enlarged porch area.  
 Refused at appeal (06/04/2022)

### **4. CONSULTATION RESPONSES**

- 4.1 Hawkesbury Upton Parish Council  
 Objection - The design submitted is not in keeping with the Conservation Area/AONB and the proximity to surrounding properties makes the proposed extension intrusive and therefore would adversely affect neighbouring properties.
- 4.2 Archaeology Officer  
 No objection subject to informative.
- 4.3 Conservation Officer  
 No comment, defer to the assessment of the Case Officer.
- 4.4 Landscape Officer  
 No objection subject to the inclusion of a condition.
- 4.5 Public Rights of Way  
 No objection
- 4.6 Local Residents  
 2 objection comments have been received from local residents making the following points:



- Proposal is a minimal change from previously refused scheme that is a blatant attempt to set aside the appeal decision.
- Overbearing, dominant, visually intrusive, loss of light and loss of privacy impact on neighbouring properties.
- Not in keeping with the Conservation Area or character of the area.
- There are restrictive covenants that impact the application property.
- Increased roof and surface water drainage.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

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

### 5.2 Design and Visual Amenity (including Heritage Assets)

Paragraph 194 to 208 of the National Planning Policy Framework sets out how Local Planning Authorities should assess applications that impact heritage assets. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.3 Policy CS9 of the Core Strategy and Policy PSP17 of the Policies, Sites and Places Plan seek to ensure that development within or affecting the setting of a conservation area will: preserve or, where appropriate, enhance those elements which contribute to their special character or appearance; and pay particular attention to opportunities to enhance negative parts of conservation areas and to draw on local character and distinctiveness.

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 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.

5.5 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.

- 5.6 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.
- 5.7 The application site is within the Hawkesbury Conservation Area (HCA). The statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 5.8 The HCA covers the core of the village, which is where the application site is located. The area includes a mix of mainly vernacular 17th and 18th century buildings that are centred on The Plain, which would have served as the market place for the settlement. Most buildings in the area are built in local natural stone with some stone roof slates, which gives the area a consistent overall colour. The domestic scale and form of its vernacular buildings, the consistent use of materials and the area of the historic market place are key positive contributors to the character and appearance of the HCA.
- 5.9 The proposed porch would be contained within the courtyard garden. It would not be visible from High Street. It would be possible to glimpse it from the driveway to the east, but in this view it would be set well back, beyond much more substantial structures, and would not be prominent to view. This element of the proposal would not therefore harm the character or appearance of the HCA.
- 5.10 The proposed two storey extension would extend towards the outer edge of the plot. It would have a simple traditional form, with a lower ridge height than the existing building and its front elevation would be set back behind the existing front elevation. These details would give it a subservient form that would retain the identity of the existing building. From the immediate area it would form part of the eclectic mix of buildings that extend up to the driveway edge, and would not appear out of place.
- 5.11 It is noted that the vertical larch boarding would be different than the materials of the existing dwelling and the materials used commonly in the area. However, it would serve to break up the mass of the extension, and, if left to weather down, would sit well amongst the natural hues of the local stone. Furthermore, timber boards are used on the garage immediately to the south, in a much more prominent position relative to the highway.
- 5.12 When viewed from The Plain and the area around the war memorial the extension would be set back, behind the existing garage. Part of its roof and wall would be visible. Built form in the immediate area is not limited to that which fronts the road. It extends back from the road in various forms with buildings set closely behind each other. The proposal would add to this layering and would not appear out of place.

- 5.13 From a limited perspective from the south it is possible to see the upper parts of some distant trees when looking north, beyond the appeal site. The view of these trees would be restricted by the proposal. However, the current view of the trees is limited and incidental. The tops of the tree canopies are viewed behind and beyond the various buildings. When looking north it is these buildings that form the main components of the view, and define the northern edge of the historic market place. For these reasons officers are not satisfied that a view of the tops of these distant tree canopies, which would be modestly reduced by the proposal, is integral to the character and appearance of The Plain or the HCA.
- 5.14 In summary, the proposal would preserve the character and appearance of the building and the area, including the HCA and AONB. It would thus accord with the requirements of the LBCA and paragraph 199 of the Framework, which states that great weight should be given to the conservation of heritage assets. It would also accord with paragraph 130 of the Framework, which states that developments should be visually attractive and sympathetic to local character.
- 5.15 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.
- 5.16 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.
- 5.17 The proposed two storey extension would be at the northeast corner of the plot and would extend the dwelling towards the garden at the rear of The Cottage, and in front of the front garden of Hilbert.
- 5.18 The previously proposed side facing first floor opening has since been removed from the plans so the previous refusal reason regarding a loss of privacy for the occupiers of the neighbouring property to the east, at The Cottage, is no longer applicable. The plans submitted with this application does not include any first floor openings in the side or rear elevation so the privacy of the neighbouring properties would be preserved.
- 5.19 There is a significant distance between the area of the proposed extension and the front of Hilbert. The proposal would not impact meaningfully on daylight reaching this property, certainly not to the extent that the living conditions of the occupiers of the dwelling would be harmed.

- 5.20 The rear of the proposed two storey extension would be highly visible from the front of Hilbert and the south facing window of the living room at its western end. It is noted that this would be a change that would be significant to the occupiers of this dwelling, however it would not be so close or so large that outlook from this room would be dominated by the proposed extension.
- 5.21 The step down at ridge level and the use of timber boarding would break up the mass of the appeal building's rear elevation, lessening its prominence, and views alongside the extension would still be possible from Hilbert towards The Cottage and the roofs of the buildings beyond. Hilbert benefits from a pleasant outlook at the rear over a large area of private garden that would not be impacted by the proposal. For these reasons, although there would be an impact, it is not considered that it would be so significant that the living conditions of the occupiers of Hilbert would be harmed.
- 5.22 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.23 Highway Safety and Transport  
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposed development would increase the number of bedrooms in the property from 3 to 4 so under the Councils minimum parking standards the minimum number of on-site parking spaces requires at the property would remain at 2. No alterations to the sites existing parking arrangements would be made. The application site meets the requirements of PSP16.
- 5.24 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.
- 5.25 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.26 Other Matters  
A number of matters raised from the local residents objection comments have not been addressed in the main body of this report. These will be considered below:

- 5.27 Concerns have been raised that the changes from the previously refused scheme are minor and an attempts to set aside the appeal decision. It is within the applicants rights to re-submit his refused scheme taking on-board the previous refusal reasons.
- 5.28 Any restrictive covenants that may impact the application property would be a civil matter and is not a planning consideration.
- 5.29 Concern have been raised regarding increased roof and surface water drainage. The proposals would not significant increase the land area covered by the application dwelling so this is not considered to be an issue.
- 5.30 The Landscape Officer has suggested a condition requiring the submission of a Tree Protection Plan. Due to the limited size of the existing trees on the site and their location away from the areas of proposed development this is not considered to be an appropriate or proportional condition to impose.

## 6. **CONCLUSION**

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

## 7. **RECOMMENDATION**

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

## **CONDITIONS**

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

### Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:  
Site Plan (Received 12/04/2022)  
Site Plan (Received 21/04/2022)  
Block Plan (Received 21/04/2022)  
1 A - Existing Floor Plan and Elevations (Received 12/04/2022)  
2 B - Proposed Combined Plans (General Revisions) (Received 12/04/2022)

3 D - Proposed Floor Plan and Elevations (Received 12/04/2022)

4 A - Proposed Combined Plan (Received 21/04/2022)

7 - Proposed First Floor Layout (Received 21/04/2022)

Reason

To define the terms and extent of the permission

3. The stone work to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing.

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. 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.

5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north or east elevation of the property.

Reason

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

6. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the north elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

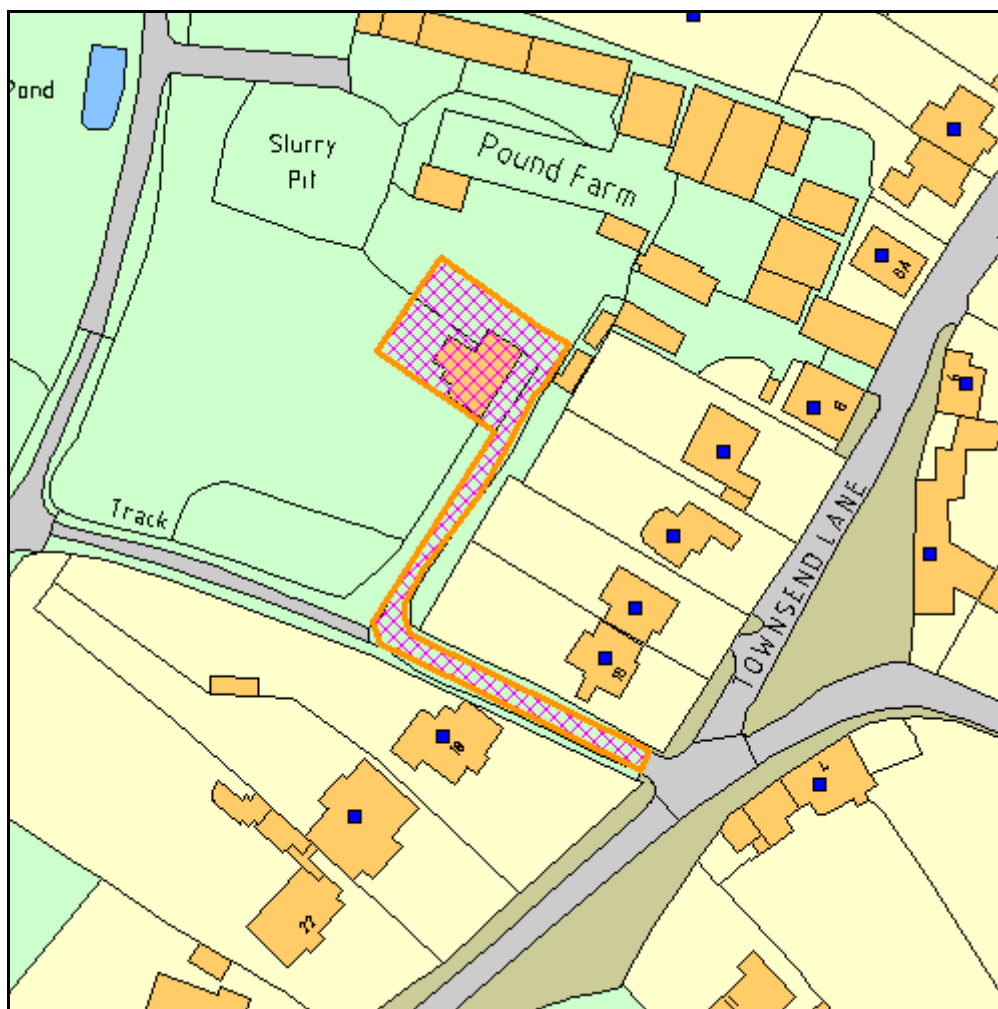
To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

**Case Officer: Oliver Phippen**

**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 24/22 -17th June 2022**

<b>App No.:</b>	P22/02457/F	<b>Applicant:</b>	Mr and Mrs Dennis
<b>Site:</b>	Building At Pound Farm Townsend Lane Almondsbury South Gloucestershire BS32 4DY	<b>Date Reg:</b>	28th April 2022
<b>Proposal:</b>	Conversion of agricultural building and erection of single storey extension to facilitate creation of 1no. dwelling (class C3) with parking and associated works.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	360072 184190	<b>Ward:</b>	Severn Vale
<b>Application Category:</b>	Minor	<b>Target Date:</b>	21st June 2022



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P22/02457/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.

## **CIRCULATED SCHEDULE**

This application appears on the Council's Circulated Schedule procedure due to the receipt of an objection from Almondsbury Parish Council which is contrary to the officer's recommendation below.

### **1. THE PROPOSAL**

- 1.1 This is a full application for the conversion of an agricultural building and the erection of a single storey extension to facilitate the creation of 1no. dwelling.
- 1.2 The existing building is sited within a cattle farm, with the building used to house small numbers of cows and calves. The site also houses 2no. storage containers used for agricultural storage.
- 1.3 The site is located within the Bristol/Bath Green Belt, and outside of the settlement boundary.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
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



PSP28	Rural Economy
PSP39	Residential Conversions
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist  
Householder Design Guide SPD  
Traditional Rural Buildings SPD

### 3. **RELEVANT PLANNING HISTORY**

- 3.1 PT09/0847/PNA - Prior notification of the intention to erect an agricultural building for the purpose of agricultural storage. – No objection
- 3.2 P21/05993/F - Erection of agricultural building and associated works. – Approved 25.02.2022

### 4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council – “*Object, on the grounds, we are in the middle of a food crisis and cannot afford to lose any more agricultural land.*”

*Conservation area, not in keeping with the area and lack of proper access.”*

- 4.2 Drainage – No objection
- 4.3 Ecology – No objection subject to a condition relating to mitigation, external lighting and enhancements
- 4.4 Transportation DC – No objection
- 4.5 Landscape – No objection subject to detailed landscape and planting plan and tree and hedgerow protection
- 4.6 Contaminated Land – No objection subject to informative
- 4.7 Archaeology – No comment

#### **Other Representations**

- 4.8 Local Residents

One comment has been received, stating there is no objection providing the proposal is carried out in accordance with the submitted plans.

### 5. **ANALYSIS OF PROPOSAL**

#### Principle of Development

- 5.1 The NPPF emphasis is on sustainable growth, including boosting housing

supply and building including through windfall development. The NPPF indicates a presumption in favour of sustainable development except where adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the framework indicate development should be restricted. The site is located outside of the settlement boundary, but is immediately adjacent to the built-up part of Almondsbury, and is considered to be in a sustainable location.

5.2 Paragraph 79 of the NPPF suggests development of new residential units in the countryside should be resisted unless the development would re-use a redundant or disused building and would lead to an enhancement of the immediate setting.

5.3 PSP40 states that the residential development in the form of conversion and reuse of existing buildings, outside of settlement boundaries, will be acceptable where the building is of permanent and substantial construction, it would not adversely affect the operation of a rural business or working farm, any extension would not be disproportionate, and if the building is redundant or disused the proposal would lead to an enhancement of its immediate setting. In all of the above circumstances, development proposals including any alterations, extensions or creation of a residential unit, will be acceptable where they do not have a harmful effect on the character of the countryside, or the amenities of the surrounding area.

5.4 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 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.*

5.5 Whilst development in the Green Belt is strictly controlled, the NPPF provides a number of exceptions where development in the Green Belt may not be inappropriate. Paragraphs 149 and 150 of the NPPF lists the exceptions, for which the most relevant exceptions being “(c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*”, and “(d) *the re-use of buildings provided that the buildings are of permanent and substantial construction;*”.

5.6 The application has been submitted with a Structural Survey, which confirms that other than the roof covering and wood purlins, the building can be converted with minimal works and is of permanent and substantial construction, satisfying PSP40 and the NPPF.

5.7 The wider agricultural unit extends to 24.3HA, and is used for cattle farming. The existing building has previously been used for occasional housing of small

numbers of cows and calves. Application P21/05993/F was granted for the erection of a purpose built livestock building which is away from the existing farmyard and residential properties. When erected, this building will provide improved livestock accommodation and the existing building will no longer be required. The proposal will therefore not adversely affect the operation of the farm, satisfying PSP40.

5.8 The existing building measures around 270m<sup>3</sup>, with the proposed extension measuring around 132m<sup>3</sup>, an increase of 48% upon the original building.

5.9 PSP7 states the following:

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

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

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

5.10 The extension consists of a single storey lean to addition located on the north west elevation. The width of the extension is around half the width of the building, and due to ground levels sits below the existing roof line. The roof is a continuation of the existing single pitch. When seen in context, the extension does appear as a proportionate addition to the building.

5.11 In addition, two storage containers will be removed from site to construct the building, which measure around 64m<sup>3</sup>, reducing the overall impact upon the openness of the Green Belt. This part of the proposal is therefore compliant with policies PSP40, the NPPF and PSP7. A condition requiring the storage containers is not considered necessary as the proposal cannot be constructed while they are in situ.

5.12 The building is not yet redundant but will become so once the new animal housing is constructed. As well as general improvements made to the building and the removal of storage containers, the proposal also involves the removal of existing hardstanding to be replaced with grass and new planting, with a native species hedge planted alongside the access track. This part of the proposal is considered to comply with PSP40.

5.13 Overall, the proposal is acceptable in principle.

### Design and visual amenity

- 5.14 The proposal is sited within the existing farm, and will have most impact on the immediate area surrounding the building. Although Townsend Lane is within a Conservation Area, the building is around 60m away from the boundary and only a small glimpse of the building is available through a gap in the existing buildings.
- 5.15 The LPA has produced an SPD relating to barn conversions. Although the building is not a historic agricultural building that the SPD seeks to retain, it is nevertheless a typical small agricultural building where it's retention would retain the character of agricultural land, and not a large modern agricultural building where it's retention would be undesirable.
- 5.16 As above, the extension to the proposal is proportionate and reflects the buildings form in terms of scale and roof pitch. Proposed materials are to be timber and render, reflecting the existing external detail. The proposals will enhance the appearance of the site and complement the retained features of the original building.
- 5.17 The proposals are considered to be acceptable in terms of design and visual amenity.
- 5.18 It is noted that the Landscape Officer has requested a detailed landscaping plan, however the planting shown on the proposed plans is considered to be sufficient. A tree protection plan will however be required prior to commencement.

### Transportation and highways

- 5.19 As above, the proposal is considered to be sited within a sustainable location, albeit just outside of the settlement boundary. The proposal will not create a significant amount of traffic nor would it produce any highways or transportation issues which would be considered to be severe or unacceptable.
- 5.20 The property will possess three bedrooms and as such will require two off-street parking spaces. These are provided on the plans, and vehicles can turn round to leave the site in forward gear.
- 5.21 The sites access arrangements will not be modified by the proposals, however they should be made more suitable for residential use. The sites access and parking areas should therefore be surfaced in a suitable bound material which must be appropriately drained, The property should also provide electric vehicle charging facilities.

### Residential amenity

- 5.22 The proposal is sited away from the main farm buildings, and as such are unlikely to be disturbed by agricultural activity.

- 5.23 As the building is single storey and located around 36m away from nearby residential properties, the proposal is not considered to cause harm to residential amenity due to overlooking or an overbearing impact.
- 5.24 The proposed garden area is well in excess of that required under PSP43, and the property complies with the National Space Standards.

### Ecology

- 5.25 The building currently holds cattle and is a single storey blockwork structure. The building was assessed as being of negligible potential for roosting bats. Habitats on site and in the wider landscape provided moderate suitability for foraging. Sensitive lighting has been recommended.
- 5.26 Three waterbodies were recorded within 500m of the site, waterbody 1 and 2 were assessed as poor and below average for breeding GCN and waterbody 3 could not be accessed. The habitats present provide suboptimal terrestrial habitat for GCN, however it can be used for dispersal. A Natural England Rapid Risk Assessment was undertaken and it was concluded that the works are unlikely to result in an offence. Reasonable Avoidance Measures (RAMs) have been recommended and this is welcomed.
- 5.27 The habitat was deemed as unsuitable for dormice.
- 5.28 There are small areas of foraging habitat for birds, and the hedgerow provides nesting opportunities. The building has limited areas for nesting, mainly confined to ivy on the south-east elevation. Suitable mitigation has been recommended.
- 5.29 The majority of the habitat is suboptimal for reptiles, though there are some limited areas that could support individuals. The RAMs recommended for GCN will also safeguard reptiles.
- 5.30 There are some areas suitable for foraging badgers, however no evidence was recorded. Suitable mitigation has been recommended.
- 5.31 There are small areas suitable for hedgehogs, suitable mitigation has been recommended.
- 5.32 The site supports low ecological value and no further surveys are required. For the identified constraints, suitable mitigation has been recommended and enhancements proposed which is welcomed.

### Consideration of likely impact on Equalities

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

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the 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 the proposal be APPROVED subject to the conditions written 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. No development shall commence until a tree and vegetation protection plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The statement should include the control of potentially harmful operations such as site preparation (including demolition, clearance and level changes); the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery. No development or other operations shall thereafter take place except in complete accordance with the approved details.

Reason:

To ensure that trees and vegetation to be retained are not adversely affected by the development proposals in accordance with PSP3 and PSP19. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

3. The development shall not be occupied until the access and parking area have been provided in a bound and compacted material, and one electric vehicle charging point has been provided.

Reason:

In the interests of highway safety to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

4. The proposed planting and seeding as shown on the Proposed Plans (2050 AL(0)04F) shall be undertaken in the first planting season following occupation.

Reason:

To protect the character and appearance of the area and residential amenity to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

5. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Smart Ecology, December 2021), including the installation of ecological enhancements. This includes, but is not limited to, hedgehog shelters, invertebrate provision, and bat and bird boxes. If any fencing is proposed, hedgehog holes (13cm x 13cm) are to be installed to allow continued access of the site.

Reason:

To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme to prevent ecological harm and to provide biodiversity gain in accordance with policy PSP19 of South Gloucestershire Local Plan and the National Planning Policy Framework.

6. Prior to the installation of any external lighting, details are to be submitted to and approved by the local authority in writing, including the location and specification. 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 harm to protected species in accordance with policy PSP19 of South Gloucestershire Local Plan and the National Planning Policy Framework.

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

26 Apr 2022	EXISTING PLANS
26 Apr 2022	PROPOSED PLANS
26 Apr 2022	THE LOCATION PLAN

Reason:

To define the terms and extent of the permission.

**Case Officer: Rae Mepham**  
**Authorising Officer: Suzanne D'Arcy**