

# 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: 21/22**

**Date to Members: 25/05/2022**

**Member's Deadline: 31/05/2022 (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 25 May 2022

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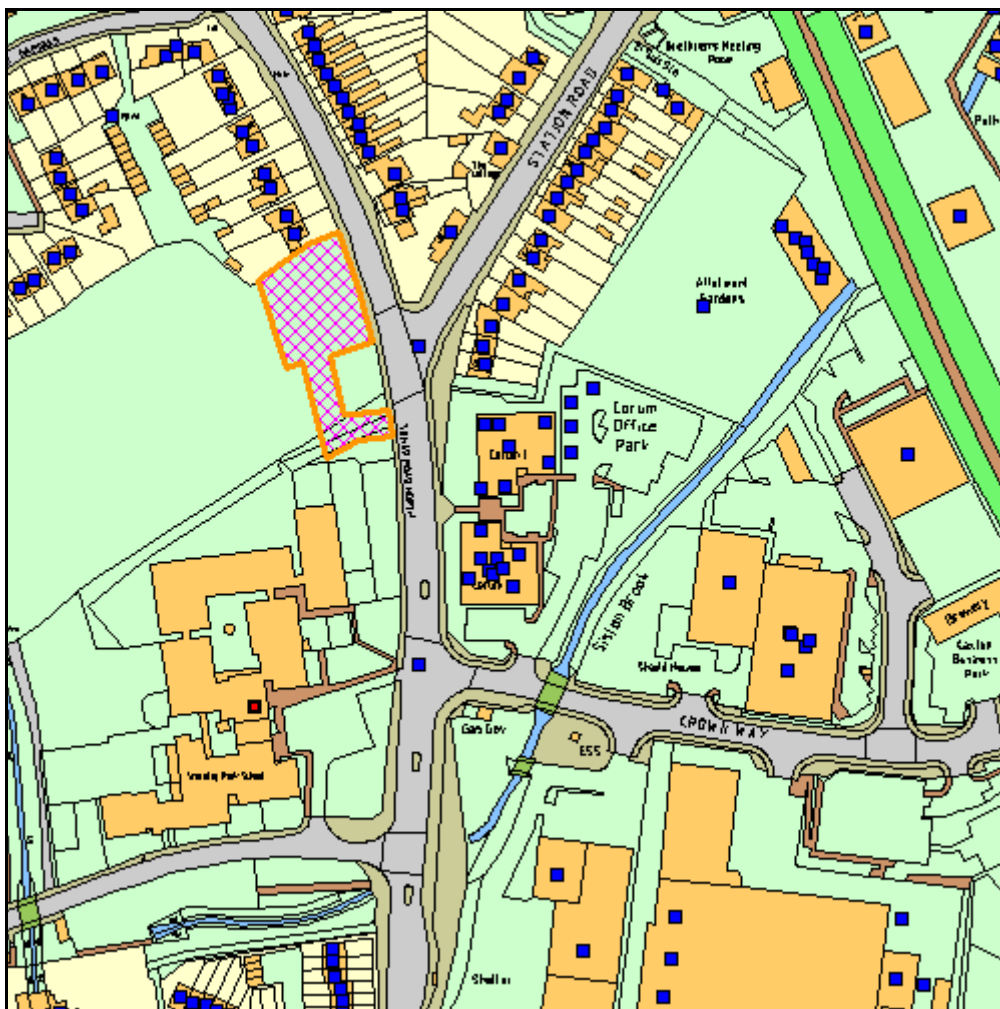
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/02121/R3F	Deemed Consent	Warmley Park School Tower Road North Warmley South Gloucestershire BS30 8XL	Parkwall And Warmley	Siston Parish Council
2	P22/02110/HH	Approve with Conditions	School House The British Yate South Gloucestershire BS37 7LH	Frampton Cotterell	Iron Acton Parish Council
3	P22/02145/RVC	Approve with Conditions	Elm Park Junior School Nicholls Lane Winterbourne South Gloucestershire BS36 1NF	Winterbourne	Winterbourne Parish Council

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
17/22	12 O'Clock Wednesday 27 April	9am Thursday 28 April	5pm Thursday 5 May	Friday 6 May
18/22	Normal			
19/22	Normal			
20/22	Normal			
21/22 Queens Jubilee	5pm Monday 23 May	9am Wednesday 25 May	5pm Tuesday 31 May	Wednesday 1 June
22/22 Queens Jubilee	5pm Monday 30 May	9am Wednesday 1 June	5pm Thursday 9 June	Friday 10 June

Dates and officer deadlines for Circulated Schedule May Bank Holiday and Queens Jubilee 2022

**CIRCULATED SCHEDULE NO. 21/22 -25th May 2022**

<b>App No.:</b>	P21/02121/R3F	<b>Applicant:</b>	Mr W Matthews South Gloucestershire Council
<b>Site:</b>	Warmley Park School Tower Road North Warmley South Gloucestershire BS30 8XL	<b>Date Reg:</b>	6th April 2021
<b>Proposal:</b>	Creation of new carpark with 2.4m boundary fencing, landscaping, and other associated works.	<b>Parish:</b>	Siston Parish Council
<b>Map Ref:</b>	366946 173258	<b>Ward:</b>	Parkwall And Warmley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	26th May 2021



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P21/02121/R3F

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

### **REASON FOR REFERRAL TO CIRCULATED SCHEDULE**

This application appears on the circulated schedule in accordance with the Constitution because the Council is the applicant and also because the application requires referral to the Secretary of State.

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the creation of an extension to an existing car park. The application site relates to Warmley Park School and Warmley Park Nursery at Tower Road North. The proposal is to create an additional 23 car parking spaces with associated 2.4m high boundary fencing. The new parking spaces are required to mitigate for the loss of some offsite parking nearby.
- 1.2 During the course of the application, there has been extensive negotiation in attempt to overcome the objection raised by Sport England. It has not been possible to overcome this objection.
- 1.3 Warmley Park school is a special school for pupils with severe learning difficulties and those on the Autistic Spectrum with associated learning difficulties. The application site lies in the built up area of Warmley and within the East Fringe of Bristol.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework

- 2.2 Development Plans

### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design  
CS4a Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS23 Community Infrastructure  
CS29 Communities of the East Fringe of Bristol Urban Area

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

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  
PSP44 Open Space, Sport and Recreation

- 2.3 Supplementary Planning Guidance  
Design Checklist

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

- 3.1 P19/2199/R3F Erection of nursery, with access, parking, play area and associated works.  
Approved June 2019
- 3.2 PK17/4413/NMA Non-material amendment to planning permission PK16/3758/R3F to install ventilation pipe for petrol, replace gates with automatic gates and revision to highways access design.  
No Objection October 2017
- 3.3 PK16/3758/R3F Erection of single storey extensions and refurbishment to existing school to provide 6no. additional classrooms, auxiliary areas including therapy rooms, group rooms, offices and toilets. Amendments to the external elevations to allow for internal remodelling and sheltered canopies to play areas and entrance area with parking and associated works.  
Approved August 2016

### **4. CONSULTATION RESPONSES**

- 4.1 Siston Parish Council  
No objection
- 4.2 Sport England  
Object to the application because the proposal is not considered to accord with any of the exceptions to Sport England's Playing field Policy or the NPPF.
- 4.3 Highways Officer  
No Objection
- 4.4 Tree Officer  
No objection, works should be carried out in compliance with the arboricultural report submitted.
- 4.5 Lead Local Flood Authority  
No objection
- 4.6 Environmental Protection  
No Objection
- 4.7 Ecology Officer  
No Objection

## Other Representations

- 4.8 Local Residents  
None received

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The extended car park is to serve the existing school and nursery on site. Education facilities are defined as community infrastructure within Policy CS23. This policy sets out that the Council will work with partners to provide additional, extended or enhanced community infrastructure. The extended car park is not to increase the use of the school. Rather, it is required because many staff at the Warmley Park School currently park in an off-site overflow car park to the south of the school. As a result of bridge maintenance works proposed full usage of the overflow car park by the school cannot be relied upon. Therefore to enable sufficient car parking for staff additional on-site provision under the control of the school is sought.

### 5.2 Playing fields

Sport England have rightly raised an objection to the scheme. The NPPF sets out in para.99 that; *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

- 5.3 This is also reflected in Policy PSP44. The extended car park would be located on a small part of the existing field which is associated with the special school. Due to the needs of the pupils, traditional competitive sports are not played on the field. The school have no need for a traditional playing field. **The principle of development does not therefore comply with the requirements of the NPPF or PSP44.**

- 5.4 As identified, the principle of the development should not normally be supported. However 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. In this instance, there are material considerations sufficient to outweigh the policy presumption against the development.

### 5.5 Material Circumstances

Warmley Park School caters for 164 pupils aged between 3 and 19 years with severe learning difficulties, profound and multiple difficulties and those on the Autistic Spectrum with associated learning difficulties. The school also caters for those with sensory impairments and physical disabilities.

- 5.6 Approximately 20% of the pupils attending the school are non-ambulant. Given the nature of the pupils at the school and particularly those with severe autism, as recognised in the DFE standards, traditional formal team games are not necessarily appropriate and therefore the requirement for an athletics track or a sports pitch laid out to suit team games such as football is not necessarily required. The creation of soft informal and social areas such as grass, sand or bark mulch for play or to sit and socialise is perceived to be of more value.
- 5.7 The accommodation is on a single level with a good range of external learning resources including a playing field, bark play area, designated play areas for a range of needs and a horticultural area. In accordance with the DFE's Building Bulletin giving Area guidelines for SEBD and alternative provision and where there are less mobile or non-ambulant pupils provision has been made for accessible routes, safe and wheelchair-accessible surfaces and wider paths.
- 5.8 In 2018 an investment of £5.8m was made in expanding Warmley Park School to provide new post-16 accommodation and facilities together with a refurbishment to enhance accessibility, improve play facilities, parking and provide enhanced specialist facilities for design, technology/practical science, drama and dance, art and food technology accessible to all children across the age range including sixth form.
- 5.9 On 27<sup>th</sup> Feb 2019 a planning application was submitted by South Gloucestershire Council for the erection of nursery with access, parking, play area and associated works (Application P19/2199/R3F). It was recommended that the planning application be granted and that the application be referred to the Secretary of State as required by the Town & Country Planning (Consultation Direction) Circular 02/2009. Due to the fact that the Secretary of State deemed not to 'call in' the application it was recommended to be given deemed consent. A decision was issued on the 4/7/2019.
- 5.10 As part of application P19/2199/R3F, it was confirmed that the school were willing to provide an informal community use of the remainder of the field in the form of an under 14's football pitch. Given that at that time the pitches had not been used in the last 5 years an informal community use was considered to represent an improvement to the existing situation. Since the approval of P19/2199/R3F, the under 14s football pitch has not been provided.
- 5.11 In assessing this current application, your officer is taking a pragmatic approach. The U14's pitch has not been provided because it is simply not needed by the school. The needs of the children attending this special school are, in this specific instance, considered to outweigh the needs identified in the playing pitch strategy. To put it another way, to require the provision of an U14's pitch would result in the removal of other features within the school grounds (such as the wildlife garden with meandering path leading to the mud kitchen). Whilst the comments of Sport England are completely agreed with and it is acknowledged that the application is contrary to policy, the needs of the children attending the school are being given utmost priority.

- 5.12 Finally, on the plans approved for P19/2199/R3F, the area to be used to provide the additional parking through this application is marked 'Phase 2 Parking Area'. The reason the phase 2 parking area was not included with the original application is unknown – maybe an oversight. Failure to provide replacement car parking for that being lost off site is likely to result in highway safety concerns and affect the ability of the teaching staff to access the school in a timely and easy manner. The car park must therefore be mitigated for.
- 5.13 To conclude, in this specific instance, the material considerations are considered sufficient to outweigh the objection from Sport England and the policy presumption against such development.
- 5.14 Design and Visual Amenity  
The plans is simply to extend the existing car park and install additional perimeter fencing. The design is in keeping with the school setting and the wider urban environment. The visual impact of the proposal is deemed to be acceptable.
- 5.15 Trees and Landscaping  
The application is supported by an arboricultural report to demonstrate how the works can be carried out without adversely affecting the existing trees on site. Subject to a condition to ensure that the works are carried out in accordance with this report, there are no arboricultural or landscape objections to the proposal.
- 5.16 Residential Amenity  
The car park will be extended north – closer to the existing residential dwellings 36 and 34 Tower Road North. These dwellings may experience some additional noise by virtue of car doors opening and closing as people exit their vehicles. This additional noise is likely to be limited and will not adversely affect the level of amenity afforded to these neighbouring units. There are no concerns relating to overbearing, overshadowing or loss of privacy.
- 5.17 Ecology  
The site is of low ecological value and the lighting plans demonstrate that there will be minimal light spill onto the adjacent tree line, which are unlikely to provide important foraging and commuting habitats. There is no ecological objection to the works proposed.
- 5.18 Highway Matters  
The proposed car park extension will utilise the existing vehicular entrance onto tower Road North. The additional number of vehicle movements will be minimal and as such, there is no highway objection to the proposed development.
- 5.19 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty

came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.20 With regards to the above, this planning application is considered to have a positive impact on equality. This application would provide facilities that support education establishments for young children with protected characteristics.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

7.1 That the application be referred to the Secretary of State as required by the Town and Country Planning (Consultation) (England) Direction 2021. Should they resolve not to 'call in' the application then it is recommended to be given **deemed consent**.

## **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 works hereby permitted shall take place in full accordance with the Arboricultural Report (Silverback, February 2019).

Reason

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

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

Received by the Council on 24th March 2021:  
Site Location Plan  
NPA11209501 - Proposed Landscaping Plan  
P01 - Proposed Plans Schedule  
2939/17x - Proposed Black Plan and Fencing Elevation  
2939.18 - Proposed Block Plan

Received by the Council on 12th April 2021:  
Lighting Plan

Reason  
For the avoidance of doubt

**Case Officer: Marie Bath**  
**Authorising Officer: Suzanne D'Arcy**

**CIRCULATED SCHEDULE NO. 21/22 -25th May 2022**

<b>App No.:</b>	P22/02110/HH	<b>Applicant:</b>	Mrs Louise Williams
<b>Site:</b>	School House The British Yate South Gloucestershire BS37 7LH	<b>Date Reg:</b>	12th April 2022
<b>Proposal:</b>	Demolition of existing conservatory, single storey side/front extension and rear lean-to extension. Erection of single storey side/front extension and two storey side and rear extension to provide additional living accommodation. Installation of 1 no. first floor dormer window to front elevation. Erection of 1 no. ancillary annexe.	<b>Parish:</b>	Iron Acton Parish Council
<b>Map Ref:</b>	369917 183749	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Householder	<b>Target Date:</b>	3rd June 2022



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P22/02110/HH

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

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

This application appears on the Circulated Schedule because the applicant is an employee of South Gloucestershire Council.

In addition, a representation from the Parish Council and more than 3no. representations from interested parties that are contrary to the findings of this report and officer recommendation have been received.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the demolition of an existing conservatory, single storey side/front extension and rear lean-to extension, and the erection of a single storey side/front extension and two storey side and rear extension. The proposal also seeks permission for the erection of 1no. annexe ancillary to the main dwelling and the installation of 1no. first floor dormer window to the front elevation.
- 1.2 The application site is a detached two storey dwelling set within a good-sized plot, on the Northern side of The British, within the Engine Common settlement boundary.
- 1.3 The proposed development, save for the annexe, is broadly the same as that approved under P20/10847/F, which remains extant. The proposed extensions to the dwelling comprise several elements, which can be summarised as follows:

#### *Single storey side and front extension*

This will broadly replace an existing conservatory located to the front and left of the front elevation. The extension would have a depth of approx. 3.4m and height to the top of the broadly flat roof of 3.1 metres (a glass lantern style element sits on the roof – approx. 0.5m)

#### *Two storey side and rear extension*

This more substantial element will be located on the northern side of the building and will adjoin with a gap of approx. 0.2m the projecting element of the adjoining school due West which extends approximately halfway across the rear elevation of the host dwelling. The extension therefore extends across the remaining rear elevation with a depth of approx. 6.3m from the rear elevation and width across the rear elevation of approx. 5.5 metres. The extension will have a height of approx. 7m to the top of the roof. The extension forms a gable. There will large patio style doors and a first-floor window on the rear. The two-storey element would also project beyond the existing front/side elevation forming bedroom 4, which would effectively sit above the existing ground floor utility area, and would thus form a second front elevation gable.



### *Dormer window*

A pitched roof dormer roof extension will be located above the single storey extension on the front elevation (facing to the south).

### *Annexe*

The proposed annexe would be located immediately to the East of the existing detached single garage, within the Northern part of the curtilage and garden of School House. The annexe would be single storey, with West and East facing gables. The length of the annexe would be approx. 9 metres, depth 5 metres, height to the ridge 4.6 metres and height to the eaves, 2.5 metres. The annexe would also benefit from a small porch, approx. 1 metre deep and 2 metres wide. The internal living area would be approx. 38sqm.

- 1.4 The application site is unusual insofar as it comprises a single dwelling that is attached to a school building reflecting its historic role as a “school house”.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

National Planning Policy Framework July 2021  
National Planning Practice Guidance

### 2.2 Development Plans

#### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

### 2.3 Supplementary Planning Guidance

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

### 3. RELEVANT PLANNING HISTORY

- 3.1 P22/01085/F (refused 14/04/2022):  
Erection of 1 no. detached dwelling with associated works.

Refusal reason:

*The incremental increase of development and the resulting vehicular traffic using a substandard access road (The British) by reasons of restricted width for two-way vehicular traffic and lack of footway facility at its junction with North Road will result in additional conflict between vehicles and pedestrians to the detriment of road safety. The proposal will therefore be contrary to Policy PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.*

- 3.2 P22/00699/CLP (approved 01/04/2022):  
Installation of hard standing, erection of 2-metre-high fencing and siting of a mobile home ancillary to the main dwellinghouse (School House, The British).

- 3.3 P21/00572/F (refused 01/04/2021 / appeal dismissed 31/12/2021):  
Erection of 1no. dwelling with access, parking, and associated works.

Refusal reason:

*The incremental increase of development and the resulting vehicular traffic using a substandard access road The British by reasons of restricted width for two-way vehicular traffic and lack of footway facility at its junction with North Road will result in additional conflict between vehicles and pedestrians to the detriment of road safety. The proposal will be contrary to Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.*

- 3.4 P20/23983/F (refused 29/01/2021 / appeal dismissed 31/12/2021):  
Erection of 2no. dwelling with access, parking, new public footpath, and associated works.

Refusal reason 1

*By virtue of the amount of development on the site, its scale and massing, the proposal is considered to represent a cramped form of development and one that fails to respond to or respect the character of The British. The scheme also does not adequately reflect the existing street scene in terms of appearance and would be at odds with the current built form to the detriment of visual amenity. In addition, the vast expanse of hardstanding to the front has very limited opportunities for successful planting and again would dominate and be at odds with the character of the area. The type and amount of development proposed has knock-on adverse impacts for residential amenity, on-site parking and highway safety. As such the scheme fails to represent the highest standard of site planning and is thereby contrary to adopted planning policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and Policy PSP1, PSP8 and PSP43 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the NPPF in general.*

## Refusal reason 2

*The incremental increase of development and the resulting vehicular traffic using a substandard access road The British by reasons of restricted width for two-way vehicular traffic and lack of footway facility at its junction with North Road will result in additional conflict between vehicles and pedestrians to the detriment of road safety. In addition, the scheme if implemented as proposed, would go against the previously approved scheme (application P20/10847/F) in relation to off the street parking and turning area in association with the School House. The proposal would be contrary to Policies PSP11 and PSP 16 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017.*

- 3.5 P20/10847/F (approved 21/07/2020):  
Demolition of existing conservatory, single storey side/front extension and rear lean-to extension. Erection of single storey side/front extension and two storey side and rear extension to provide additional living accommodation. Installation of first floor dormer window to front elevation, 4 no. solar roof panel blocks and 2 no. sections of 2-metre-high fencing.
- 3.6 P20/20651/F (approved 24/12/2020):  
Demolition of existing outbuildings. Erection of 1 no. dwelling with access, parking and associated works (amendment to previously approved scheme PK16/1490/F).
- 3.7 P20/11417/CLP (approved 18/08/2020):  
Erection of 2 no. polytunnels.
- 3.8 PK16/1490/F (approved 25/11/2016 [DMC overturn]):  
Erection of 1no. detached dwelling with access and associated works.

### **Officer refusal reason recommendation:**

*The British is a narrow, single track, road mainly without passing places and is unsuitable for two-way traffic. The junction of The British and North Road is substandard as it lacks sufficient visibility; there is also insufficient visibility at the location of the proposed access to the development. The British is used as a route for school pupils between the main school building and the playing field; there is no dedicated pedestrian footway. The proposed development would lead to the intensified use of The British and the road is not considered to be adequate to safely accommodate the additional traffic when considered cumulatively with the other uses of The British, particularly with regard to more vulnerable road users. The development would lead to the increased potential for conflict between road users and lead to undesirable vehicular movements along the stretch of The British between the blind bend and the junction with North Road. The development would lead to a harmful impact to highway safety and this harm has been identified as being severe. The proposed development is therefore contrary to the National Planning Policy Framework and policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).*

### **Reason for overturn given by Committee:**

*The British is a small residential cul-de-sac and residents are accustomed to the highway issues on the road and at the junction with North Road  
The development would enable the applicants, who require a bungalow for health reasons, to stay in the cul-de-sac. The visibility splay at the junction with North Road cannot be improved. No objection has been received from North Road Primary School Concerns over visibility can be overcome  
Could provision be made for visitor parking within the site? The development will contribute to the Council's 5-year land supply*

## **4. CONSULTATION RESPONSES**

- 4.1 Iron Acton Parish Council  
Objection – based on the incremental development on the site and increase in vehicle traffic on a substandard lane.
- 4.2 Yate Town Council  
No comment.
- 4.3 Sustainable Transport  
No objection, subject to conditions.

During the application's consideration, a revised (but unsolicited) transport statement was submitted by the applicant. The highways officer has confirmed that they have no further comments following being made aware of the updated transport statement.

- 4.4 Local Residents  
6no. representations in objection to the proposed development have been received, alongside 1no. representation in support of the application. The responses are summarised as follows:

### Objection responses:

- Additional traffic
- Overdevelopment
- Increased traffic will be a risk to those with limited mobility
- Damage to the local environment
- Extensions will dominate the street scene and outlook from windows
- Annexe is a separate house
- Don't need another house on The British
- How will materials be taken into the garden?
- Owner does DIY at all times of the day – can't have a new house built like that
- Road is a small narrow cul-de-sac which has significant access issues, particularly when children are in the primary school
- Increase in traffic would cause further risk and disruption
- Would endanger pedestrian safety
- Works would create a house with seems inappropriate

- What is the difference between a 1 bed annexe and 1 bed house?
- Extension is not subservient
- Annexe will increase vehicle movements despite dwelling being refused for that reason
- Bungalows opposite should never have been allowed due to poor design and amenity space
- Issues noted with other development on The British

#### Support responses

- Will deliver an attractive addition to the street and there will only be a negligible increase in vehicle movements
- Without publicly available turning space proposed with other applications, service vehicles may turn in my drive due to a lack of public turning head.

## **5. ANALYSIS OF PROPOSAL**

5.1 The proposal seeks to demolish an existing conservatory and single storey side/front extension and rear lean-to extension and erect a single storey side/front extension and two storey side extension. Install 1no. front dormer and erect 1no. detached annexe, ancillary to the main dwelling.

### 5.2 Principle Of Development

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

### 5.3 Annexe Consideration

A key difference between the extant consent and this application is the inclusion of 1no. detached ancillary annexe. The proposed annexe would be set back within the garden and would sit to the North of the site immediately to the East of the detached single garage, which is to be retained. In terms of distance, the annexe would be approx. 7 metres from the main dwelling, School House.

5.4 Key to an annexe being successful in planning terms is there being a sufficient physical and functional reliance on the main dwelling, and the accommodation must be ancillary to the main dwelling. Put another way, the accommodation should not function as an independent dwelling and should remain part of the

- same planning unit. The applicant advises in the application supporting material that the proposed annexe would be used for visiting guests and/or relatives, or it may be permanently occupied by either of the applicants' mothers. It is usually expected that a specific use is set out in an application for an annexe, however guest accommodation, or accommodation for a relative (elderly or otherwise) are both reasonable uses for an ancillary annexe and the case need not be one or the other.
- 5.5 The proposed annexe would be located within the same residential curtilage as School House and would be located close to it, which means the case officer is satisfied that there would be a sufficient physical relationship to the main dwelling. The proposed annexe would be a modest single storey building, with a small front porch. Internally, there would be a bedroom, and a living area which would be served by a small bathroom and kitchen area in an open plan layout (save for the bathroom, which would be enclosed).
- 5.6 The annexe, it is noted, would have all the elements of living accommodation required to function independently, in theory. However, the annexe would also share the same access, parking and amenity space as School House, and would be within close proximity to it. On that basis, the proposed annexe is sufficiently functionally reliant on the main dwelling to be considered ancillary. That being said, a suitably worded condition should be applied to limit the use to ancillary accommodation only (an 'annexe tie'). Any use beyond the approved ancillary use may be regarded as a sub-division of the planning unit and could be subject to enforcement action.
- 5.7 The above assessment is made with full knowledge of P22/00699/CLP, which is a certificate of lawfulness granted for the stationing of 1no. mobile home within the curtilage of School House, to be used ancillary to the main dwelling also. A certificate of lawfulness confirms that a proposed activity, use or development would be lawful without the need for planning permission (or because it does not constitute development). P22/00699/CLP confirmed that that stationing of a mobile home on the site would be lawful as it would not amount to development and because the mobile home complied with the statutory definition of a caravan. A certificate of lawfulness is not a planning permission and does not confirm with certainty that a specific use, activity or development will take place, instead it simply confirms that it could take place lawfully on a specific site. The applicant would need to ensure that if the mobile home is stationed in addition to the annexe, that both are used for ancillary purposes only.
- 5.8 Design and Visual Amenity  
The application site is situated such that within the vicinity there is a wide variety of buildings, in terms of form, scale and appearance. This includes two recently completed detached properties almost opposite the site. The application site itself is closely linked to the school building both in form and originally function (as the school house). It is noted that concerns have been raised in relation to the design and visual amenity impacts of the proposed development.

5.9 The proposed extensions to the main dwelling are the same as approved by the extant consent for the dwelling, and it is noted that the drawings are the same (inc. date and drawing ref.) as submitted with the application for the extant consent, which could be implemented at any time. The extant consent was considered under the Core Strategy and the PSPP, both of which remain applicable. The Householder Design Guide SPD has since been adopted.

5.10 Given that the extensions to the dwelling itself replicate what has already been approved by a consent that remains extant, there need not be a fresh design assessment, and the previous officer report notes that:

*It is considered that the form of the extensions are suitably subservient to the original building. The roof forms aside from the small front extension are appropriate in relation to the form of the original building. The single storey element is flat roofed however the use of the glass lantern arrangement breaks up the roof form. The dormer roof extension is well designed and fully appropriate in form and scale to the original property.*

*Finishing materials are indicated as render with light coloured paint. It is indicated that this will replace some of the multi-colour spar render which although of its time is considered appropriate to change particularly given the introduction of more modern finishes in the new buildings nearby. It is noted that part of the eastern elevation will be finished in local stone (Yate Grey) and again this is welcome, effectively breaking up the visual mass of the building. It is accepted that a lot of the original features of the building have been removed, for example a building of this type would be expected to have fascia boards and it is welcomed that the submitted drawings show this feature largely restored.*

*Overall, it is considered that the development is acceptable in design and visual terms, indeed certain elements will enhance the appearance of the building.*

5.11 The proposed annexe would be of a modest scale in comparison to the host dwelling as extended and would appear appropriately subservient to it. Some of the Eastern part of the plot would be lost to P20/20651/F once this consent is implemented (if it is implemented), however the curtilage of School House would remain substantial and so there would not be any overdevelopment issues or concerns about the development appearing cramped. In terms of the annexe building itself, the design with its gabled roof would appear suitably reflective of the existing outbuildings in the locality. The siting closer to the Northern boundary would mean it would not appear stark or isolated in the plot and would relate well to the host dwelling. On that basis, there are no visual amenity or design objections to the proposed annexe building.

5.12 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.

- 5.13 As noted previously, the proposed extensions to the dwelling itself are materially the same as those that have already been approved, the consent of which remains extant and could be implemented at any time. As such, these parts have already been considered and found to be acceptable in terms of residential amenity impacts and there are not noted to be any material changes in circumstances that would alter the previous conclusion. The previous amenity consideration for the extensions found that:

*Given the location and scale of the extensions, it is not considered that any adverse impact to neighbouring occupiers will result, in terms of loss of outlook or privacy. The building that could be affected, No.15 to the rear is off set from the building, at a little distance but also there is intervening quite dense vegetation, and this will reduce any impact from the two storey element. To the front it is not considered the development would adversely affect the two new properties on the other side of the road.*

*In terms of the school the introduction of obscure glazing that is non-opening on the submitted plans (a plans condition is added), shown on the western elevation both at ground and first floor level is welcomed and would eliminate overlooking of the school.*

- 5.14 The proposed annexe being single storey and by reason of its relationship to neighbouring dwellings and placement of openings would not present any material residential amenity issues, should permission be granted.
- 5.15 Whilst the annexe would encroach further onto the private amenity space for School House, an acceptable level would be retained in accordance with PSP43.
- 5.16 Parking and Transportation  
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand. It is noted that concerns have been raised in the consultation in relation to access and highway safety.
- 5.17 As existing, School House has two bedrooms, which would generate a requirement for 1no. parking space to accord with PSP16. As proposed, there would be four bedrooms on the first floor of the dwelling as extended, with an additional bedroom in the annexe. This takes the overall parking requirement to 3no. spaces to accord with PSP16. As proposed, there would be parking for 3no. vehicles, in addition to a turning head to allow egress from the property in a forward gear onto The British. In terms of parking quantum, the proposal accords with PSP16. The turning facilities are also welcomed as it would negate the need for reversing manoeuvres on The British, at a point close to the existing substandard access onto North Road and where pupils from the Primary School would need to walk in order to reach the school playing field to the East (accessed off the dog-leg part of The British).



- 5.18 The proposed development would not lead to any more traffic generation than the existing consent to extend the dwelling combined with the potential stationing of a mobile home on site, which has been confirmed as lawful under P22/00699/CLP. Comments are noted in respect of the recently refused dwelling (ref. P22/01085/F). This dwelling was refused due to highway safety concerns in relation to incremental increases in development which would intensify the use of the substandard access onto North Road from The British. This proposal is materially different from P22/01085/F, as it is not for an independent dwelling and is instead for a householder extension to provide additional living accommodation both within the main dwelling and a detached annexe. School House would remain as one dwelling and one planning unit and so notwithstanding the increased level of internal accommodation, there would not be two wholly independent sets of vehicle movements that would be associated with both the existing dwelling and a new dwelling on the site.
- 5.19 A detailed construction environmental management plan (CEMP) has been submitted as part of the application. Whilst a CEMP is normally reserved for larger developments, the particular circumstances of this site are such that a CEMP is considered necessary and so its submission pre-determination is welcomed. This is down to the narrow and constrained nature of The British and its access onto North Road, and the proximity to the North Road Primary School.
- 5.20 Having considered the proposal, the highways officers raise no objection to the proposed development. However, should permission be granted, suitably worded conditions should be applied to ensure the provision of the parking and turning area, and to ensure the proposed development is implemented in accordance with the submitted CEMP.

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

## **6. CONCLUSION**

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

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

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

## 7. **RECOMMENDATION**

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

### **CONDITIONS**

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

#### Reason

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

2. The detached annexe hereby approved shall at all times be used only for purposes ancillary to the dwelling known as School House, The British, BS37 7LH (or any subsequent name given to School House). At no time shall the annexe be used as an independent unit of residential accommodation.

#### Reason

The proposed development has been assessed and found to be acceptable on the basis of it providing ancillary accommodation only. Any such more intensive use (e.g. as an independent dwelling) would require further detailed assessment against the development plan policies of the day, with particular regards to (but not limited to) impacts on highway safety, the character of the area and residential amenity.

3. The development shall be carried out in strict accordance with the submitted construction environmental management plan (CEMP)(The Construction Management Plan - School House, The British (Revision D), as received 8th April 2022).

#### Reason

In the interest of the amenity of neighbouring occupiers and the wider area, and also in the interests of highway safety. To accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, PSP8 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The off-street parking and turning area as shown on the proposed site/block/roof layout (rev.1-D, as received 8th April 2022) shall be provided prior to the commencement of the development and shall be retained thereafter for its intended purpose.

Reason

In the interest of highway safety and the provision of a satisfactory level of parking in accordance with PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

5. The development shall be implemented in accordance with the following plans:

Site location plan

Combined proposed annexe plans

Rev, 1-D – Proposed site/block/roof layout

SHT B.04 – Proposed ground floor plan

SHT B.05 – Proposed first floor plan

SHT B.06 – Elevations 1

SHT B.07 – Elevations 2

SHT B.02 – Existing ground floor plan

SHT B.03 – Existing first floor plan

As received 8th April 2022

Reason

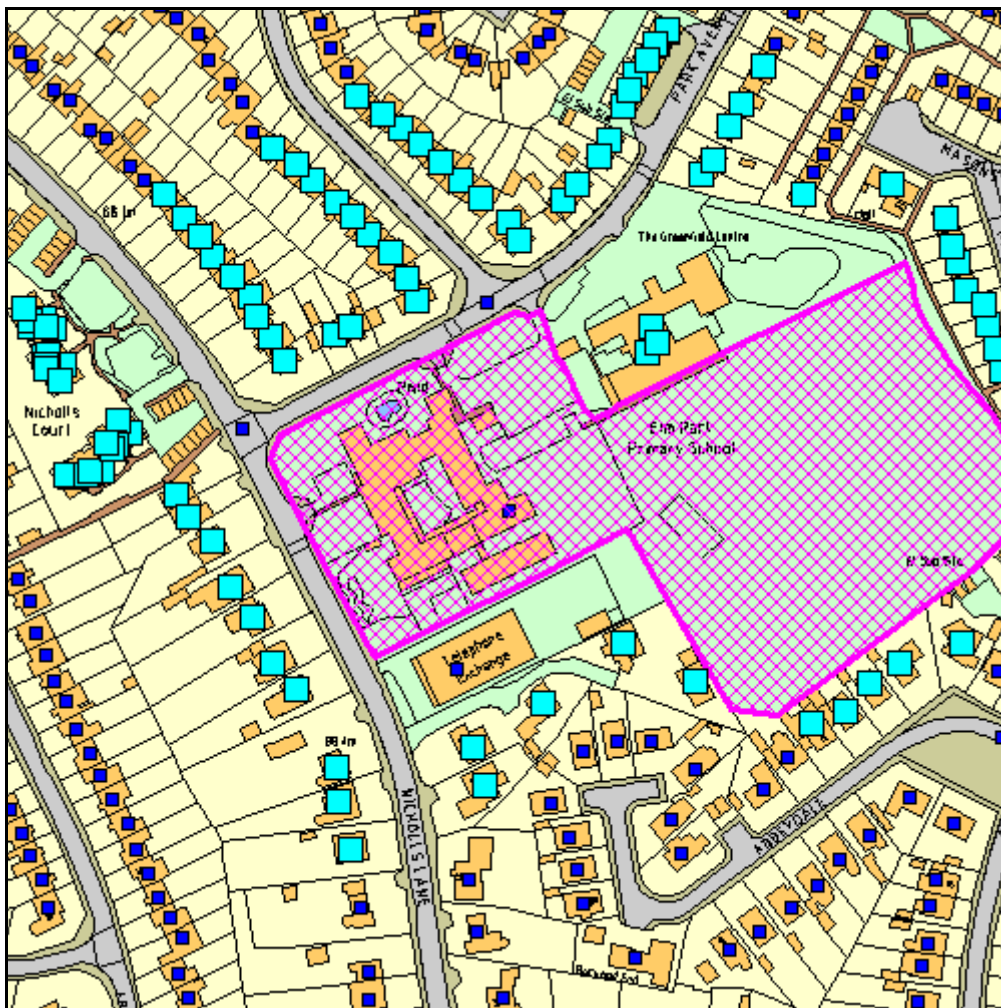
For the avoidance of doubt and to define the exact terms of the permission.

**Case Officer: Alex Hemming**

**Authorising Officer: Suzanne D'Arcy**

## CIRCULATED SCHEDULE NO. 21/22 -25th May 2022

<b>App No.:</b>	P22/02145/RVC	<b>Applicant:</b>	Mrs Gwendoline Blain
<b>Site:</b>	Elm Park Junior School Nicholls Lane Winterbourne South Gloucestershire BS36 1NF	<b>Date Reg:</b>	12th April 2022
<b>Proposal:</b>	Variation of condition 2 to amend the CEMP and 12 to amend the approved plans as attached to P21/00300/RVC Demolition of existing school building. Erection of new school building with associated playing field, hard and soft landscaping areas, car parking and delivery access	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365397 180944	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Major	<b>Target Date:</b>	12th July 2022



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 100023410, 2008. N.T.S. P22/02145/RVC

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

## **INTRODUCTION**

This application is referred to the Circulated Schedule in accordance with the Council's Constitution as the applicant is South Gloucestershire Council.

### **1. THE PROPOSAL**

- 1.1 In September 2020 planning consent was given for the proposed demolition of the existing school building and erection of a replacement school building with associated playing field, hard and soft landscaping areas, car parking and access for deliveries on the site of the existing Elm Park Junior School in Winterbourne. The new school will provide a 210 place primary school to replace the existing building which is designed for 315 places. The applicant indicated in the submission that the existing building was dated and costly to maintain but also that the number of children in the catchment area had also reduced, with a smaller building thus being required. It was indicated that the new building would be constructed with some external areas such as a playground and sports equipment area in Phase 1 of the development, with the existing building being demolished and all other external aspects completed in Phase 2.
- 1.2 Subsequently a S73 application was approved (P21/00300/RVC) to amend the layout (the plans associated with the layout in Condition 12 attached to that decision). As part of the previous consent an area towards the north-west corner of the site within the red line was left as vacant land ie not part of the school grounds. It has been indicated that it is intended to apply for a small number of dwellings on this land (to enable the development of the school). The effect of the layout amendment was to increase this area of land from 1440 m.sq to 2110 m.sq so that the landscaping at the north-west corner of the site at the junction of Nicholls Lane and Park Avenue is constrained into a smaller area. As part of this application the applicant took the opportunity to amend certain other conditions CEMP – Condition 2, Site Access – Condition 4, Condition 18 Sustainable Drainage, Condition 19 – Archaeology to allow these conditions to revert from pre-commencement conditions to compliance conditions.
- 1.3 The current application seeks to amend the plans for a second time, approved and listed in Condition 12 attached to P21/00300/RVC. The effect of the proposal is to reduce the footprint and roof slopes. The applicant has indicated that due to the need to make savings this reduction is required with a central section of the building being taken out. Roof slopes are as a result reduced however the Passivhaus standard is still achieved. The new building will now be 1532.5 sq.m a reduction of 111m<sup>2</sup>. The reduction of the footprint therefore impacts upon the landscape with more outdoor space being freed up to the south of the building leading to the provision of more soft landscaping. A community room by the hall is lost but an external store next to the sports is to be provided. The changes externally have required amendments to the CEMP secured by Condition 2 and the current proposal seeks to secure approval for these.

- 1.4 The existing site is sited towards the north-eastern end of Winterbourne and is largely surrounded by residential properties but with a community building (Greenfield Centre), to the north-east edge. The site is within the settlement boundary of Winterbourne (excluded from Green Belt). The site comprises two distinct elements with to the west the school buildings and field/playing field to the east joined with a tight link in the middle dominated by a large mature Oak. There are a number of mature trees on the site boundaries predominantly around the eastern element. The main entrance is from Nicholls Lane with secondary footpaths from Park Avenue.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework Feb 2021

### **2.2 South Gloucestershire Core Strategy (Adopted Dec 2013)**

CS1 High Quality Design

CS2 Green Infrastructure

CS5 Location of Development

CS8 Improving Accessibility

CS9 Environment and Heritage

CS23 Community Infrastructure and Cultural Activity

### **2.4 South Gloucestershire Local Plan: Policies, Sites and Places Plan 2017**

PSP 1 Local Distinctiveness

PSP2: Landscape

PSP3: Trees & Woodland

PSP 11 Transport Impact Management

PSP 20 Flood Risk

PSP 21 Environmental Pollution and Impacts

PSP 44 Open Space Sport and Recreation

### **2.5 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted August 2007)

South Gloucestershire Landscape Character Assessment SPD

## **3. RELEVANT PLANNING HISTORY**

- 3.1 P21/00300/RVC Variation of condition of condition 12 to amend the approved plans, and removal of conditions 2, 4, 18 and 19, as attached to consent P20/08773/R3F. Demolition of existing school building. Erection of new school building with associated playing field, hard and soft landscaping areas, car parking and delivery access. (Approved 14<sup>th</sup> May 2021)
- 3.2 P20/08773/R3F Demolition of existing school building. Erection of new school building with associated playing field, hard and soft landscaping areas, car parking and delivery access (Approved with Conditions 18<sup>th</sup> September 2020)

## 4. CONSULTATION RESPONSES

### 4.1 Winterbourne Parish Council

The comments of the Parish are No Objection.

### 4.2 Other Consultees

#### Sport England

No response received.

It should be noted that following negotiations with the applicant for the original application and following revisions, additional information and a condition no objection was raised. The current application has no bearing on the playing field provision.

#### Archaeology (summary)

No objection to this application as the amendment to the proposed plans are minor in regards to how they would impact on archaeology. However, it is worth pointing out that an archaeological excavation is to take place on the location of the new school block and this still needs to be enacted. No objection.

*Case Officer Comment: The above point is noted and Condition 19 Archaeology) requiring these works to take place will remain as per the previous consent (P21/00300/RVC)*

#### Art Officer

No comment

#### Lead Local Flood Authority

Initial Comments

Additional information is required in order to discharge Condition 18 (Sustainable Drainage). Following the receipt of this additional information, a compliance condition can be applied.

#### Environmental Protection

No objection

#### Sustainable Transport

Initial Comments

Various concerns regarding the CEMP:

Inconsistency in specified working hours stated in report; Methodology for preventing mud on road needed; More details on construction parking required and delivery times; Routing schedule and plan required; pre-work road survey and post-work

survey with repairs undertaken if required. Alterations to cycle parking and scooter parking now shown. This needs to be amended.

Following the submission of revised information the CEMP is considered acceptable and no objection is raised

Police

No objection raised but some advices given (passed to applicant)

Landscape Officer

No objection

Tree Officer

No objection

Ecologist

No comment/objection

Listed Building Officer

No objection

**Other Representations**

Local Residents

One objection has been received. The grounds of objection are as follows:

The entrances to the site are dangerous when in use by HGV/Building vehicles  
Further restrictions in Starbarn Road should be considered

One letter of concern has been raised regarding an area at the south-western corner where there is a proliferation of brambles, this affects the boundary with adjoining properties. (the applicant has been made aware of this issue)

**5. ANALYSIS OF PROPOSAL**

This S73 application (variation of conditions) relates to Planning Consent P21/00300/RVC (itself an application to vary P20/08773/R3F see Section 3 above) and seeks to reduce the built form (as set out in section 1 above). This requires a variation to the plans approved as Condition 2 and as a side effect the Construction Environmental Management Plan approved and set out as a compliance condition as Condition 12.

If approved this new consent would represent the new planning permission and therefore it is necessary for this report to consider each issue afresh in the light of the changes proposed, however where no changes are proposed the report will be the same as that previously written. Notwithstanding the above it should also be noted that the applicant can develop the site as per the consent given as a fall- back position and that is a significant material planning consideration.



## 5.1 Principle of Development

The site is situated within the urban boundary of Winterbourne. Policy CS5 directs development to such sustainable locations. Policy CS23 supports the provision of additional, extended or enhanced community and cultural infrastructure in such locations. Subject to consideration of the other material considerations as set out in Section 5.2 onwards of this report the development of a school within the urban development boundary is appropriate development.

Policy CS2 following the National Planning Policy Framework places great emphasis on protecting play space. Whether the scheme is acceptable in principle depends upon the impact of the development however while there will be some impact upon the grassed playing field with the installation of a multi-use games area (MUGA), this provides an enhanced facility.

In consideration of the previous proposal Sport England raised no objection to the development subject to a condition to secure a Community Use Agreement prior to the first use of the new school building for the facilities including the wider playing area. Negotiations took place at that time to secure details to show how the playing fields can accommodate appropriate pitch sizes. The use of the MUGA is discussed in more detail below (see Environmental Protection), it will be used as a replacement playground while the school is being built hence the Community Use Agreement is required prior to the first occupation. Its use as a community facility unlike the remainder of the playing field area will be limited for reasons of protecting residential amenity.

The current proposal to vary the size of the building with an amended design and alterations to the area within its immediate locality has no bearing on either the amount or the quality of the sports pitch provision which is entirely situated within the eastern part of the site.

So in terms of the form of development and the location the proposal is acceptable in principle subject to detailed consideration of the following material planning considerations.

## 5.2 Archaeology

Policy CS9 and PSP17 seek to ensure that new development conserves, and enhances heritage assets in a manner appropriate to their significance.

At the time of the previous application, following a request by the Archaeologist a number of trial trenches were made given the potential for archaeology. At the time those who undertook those works made some finds.

In the light of the findings from the trial trenching undertaken the following condition was applied:

*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.*

The applicant has previously undertaken these works and has submitted the necessary information to allow the condition to change to a compliance condition. This is attached to the decision notice as condition 19.

### 5.3 **Design**

Policy CS1 indicates that development will only be permitted where the highest possible standards of design are achieved, Design includes siting, layout, height, detailing, scale and materials.

#### Siting/Layout

The siting/layout of the new school building is constrained by the nature of the site. There are two determining factors the shape of the site and the relationship with the existing school building and its access. It is intended to retain the current building while the new building is constructed and then demolish the current structure. Also it is a requirement that playing field space is retained within the eastern portion of the overall site. This effectively only leaves the proposed location for the new building. The building is smaller than the existing building so has a reduced physical/visual impact. It is considered that the location follows on from the building line created by the Greenfield Centre. The location of the development is considered acceptable.

The current proposal involves a variation to the approved building layout/design to reduce the footprint for cost reasons. The central “slice” of the building is to be removed with the footprint being reduced by 111m<sup>2</sup> (creating a new total footprint of 1532.5m<sup>2</sup>). Overall the fundamentals of the scale, appearance, detailing and materials remain as per the original scheme. The change is considered acceptable in design terms in relation to the site and in terms of the impact upon the visual amenity of the area.

#### Scale

The building is two storey building in the main with two mono-pitch roofs that are offset from each other (this allows for glazing and ventilation at a high level. The maximum height of the building is 11m but this reduces to 6.5m. It is considered that the height is appropriate having regard to the relationship and nature of the nearest buildings (it is noted that the structure is approximately 25m from a residential property and 10 metres from the community building that is located to the east). The mix of roof forms, from the limited single storey areas to the much taller mono-pitch arrangement are considered to break up the massing of the building in an effective way. The scale of the building with its clean lines and broken up mass (in contrast perhaps to the current building) is considered acceptable.

#### Appearance/Detailing/Materials

The appearance, materials and detailing are partly driven by the need to respond to “the climate emergency” supporting reduced energy consumption, and that is discussed in more detail in this report elsewhere. The main hall will be timber clad, with glazing in appropriate locations such as the entrance. At ground floor level blue brickwork is shown with light buff brick. The roof finish is a light shade of grey seam metal. There are louvres panels and brise-soleil for shading purposes. The appearance of the building and its detailing is considered acceptable.

## Public Art

Policy CS1 indicates that where the scale, location and or significance of the development proposal warrants it, embedded public art within the public realm or where it can be viewed from public areas should be provided and that this is a feature of high quality design.

As such features are integral to the design a condition is usually attached to secure the details of such a design prior to the commencement of development. Discussions have taken place between officers and the applicant and for various reasons including the need to commence work (there is a connection with delays caused by Covid-19) it has been agreed to take the unusual step of requiring such information prior to the first occupation of the school building. This could allow a scheme on the remainder of the site or a scheme that can be installed during construction. This is not ideal but the applicant is aware of the need to liaise with the Arts Development Officer (an Informative is attached to the decision notice to advice on this point) at the earliest opportunity.

The design and appearance of the building is considered acceptable.

## 5.4 **Environmental Policy**

PSP6 states that all development proposals will be encouraged to minimise end user energy requirements over and above those of the current building regulations through energy reduction and efficiency measures. The policy indicates that the Council will take positive account of and support development that provides further energy reduction, efficiency, renewable and low carbon energy measures on or near site.

The applicant submitted a detailed Energy Statement in support of the earlier application and the Environmental Policy Team reviewed this submission. The document set out measures to reduce energy demand through improvements in energy efficiency and air permeability. The report is considered acceptable and accords with the aims and objectives of PPS6. The condition attached to the previous decision notices sought to ensure that all works take place in accord with the submitted report and the subsequent addendum to that report subsequently received will be reapplied to this new consent.

## 5.5 **Environmental Protection**

Policy CS9 of the Core Strategy considering the environment states that new development will be expected to protect land, air and aqueous environments, buildings and people from pollution. PSP21 considers sets out in more detail the impacts of different forms of pollution including noise and ground contamination (the impact to and from this specific development), and the potential mitigation measures that can be taken.

### *Noise*

Concern was raised previously in relation to the acoustic fencing both in terms of visual appearance and effectiveness.

An acoustic report was submitted for the original consent and was viewed at that time by Council's Environmental Protection Officer. This application has no implication for those details previously approved, that part of the site is not affected, for completeness however the assessment is as follows.

The main concern is in relation to the impact of the use of the Multi-use Games Area (MUGA) that is relatively close to nearby residential properties. Officers are aware that these facilities can result in noise and disturbance to neighbouring occupiers through vocal noise but also from ball against mesh. The submitted acoustic sets out three specific options to mitigate against impact. Initially it was considered a 3.5m barrier along the western and southern boundaries was preferable, however it has been acknowledged that this might incur safeguarding issues with the inside of the facility greatly obscured from view.

Environmental Protection Officers consider that a 3.5m metre barrier along its western boundary coupled with a condition to restrict its use to between 9.30 to 17.30 Monday to Friday and 10.00 to 16.00 on Saturdays with no use outside of that time will ensure adequate environmental protection for neighbouring occupiers. It is noted that this will restrict the required Community Use to approx. two hours on week days and the hours indicated on Saturdays however this is considered an acceptable compromise.

The conditions applied in the earlier application will be reapplied as follows:

- 1) *Prior to the first occupation of the school full details of the Acoustic Barrier to be located along the western boundary of the Multi-Use Games Area (Muga) as set out in the Noise Report (Archo Consulting 7/5/20) shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the barrier shall be 3.5 metres in height.*

*The Barrier shall be installed prior to the first use of the facility as a Multi-Use Games Area in accordance with the approved details and shall be regularly inspected and maintained as such thereafter.*

- 2) *The Multi- Use Games Area hereby approved shall not be used outside of the following times:*

*09:30 to 17.30 hours Monday to Friday*

*10.00 to 16.00 hours Saturdays*

Subject to these conditions the proposed development is considered acceptable in these terms.

#### *Contamination*

The Council's Environmental Protection Officer has viewed the submitted report (Geotechnical and Geo-Environmental Desk Study) and agrees with its findings.

The condition applied to the previous consent that required before the commencement of development, the site investigations recommended in the report to take place will be reapplied and this will include as before a requirement that a report is submitted indicating that any required remediation work is carried out prior to occupation and any contamination found during construction falls within this same regime.

## 5.6 **Drainage**

Policy CS9 of the Core Strategy and Policy EP2 of the South Gloucestershire Local Plan (Adopted) seek to ensure that any development is not adversely affected by the existing water environment or results in an impact to the surrounding area. As stated in the Core Strategy, new development has a significant role to play in managing flood risk by minimising its own surface water run-off through the use of Sustainable Drainage Systems (Suds), this provides a means of discharging surface water in ways that prevent flooding and pollution within the site (methods such as attenuation ponds and controlling flows).

In considering the first application, additional information was submitted to show that it is possible to secure an appropriate scheme to fulfil the requirements set out above, the Lead Local Flood Authority (LLFA) consequently raised no objection to the development subject to a condition (Condition 18 as set out in Section 1 above) being applied to secure a full sustainable drainage scheme. As part of the consideration of the previous S73 application (P21/00300/RVC) details were agreed with the Lead Local Flood Authority to allow the conversion of that condition to a compliance rather than a pre-commencement condition and that is reapplied as Condition 18.

## 5.7 **Transportation**

Policy CS8 of the South Gloucestershire Local Plan Core Strategy, considers the impact of development on a strategic level, encouraging new development on sustainable locations and encourages that development to consider alternative modes of transport to the private motor car. Parking and vehicle access point must be fully integrated into the development. PSP11 of the Policies, Sites and Places Plan considers in more detail the need for the provision of appropriate, safe, accessible, convenient and attractive access to be provided.

Concerns relating to the impact of the development in highway terms were noted in the assessment of the previous application. One letter raising concerns has been submitted however the current proposed changes do not alter that which has been previously consented.

Firstly in terms of the highway impact, it is important to note that the development is not introducing a new school rather it is the re-development of an existing facility and that this will involve a reduction in pupil numbers from 315 to 210 (33% reduction). This will clearly have an impact upon the number of vehicle movements to and from the school and the impact must be seen within this context. Notwithstanding this, an assessment of the proposal is set out below.

Concerns were previously noted regarding the existing situation when parents drop their children off and pick them up from school and how this impacts upon local residential streets during those specific times. The concern raised by a local resident in relation to this revised proposal is also noted. It has been indicated that illegal manoeuvres take place, roads are blocked and residential accesses are on occasion blocked. It is anticipated that “drop-offs” will continue to take place on the surrounding roads, there is not the space to allow this within the school grounds. As such there

would be no change to the current situation although it should be noted that the number of pupils will be significantly less. The submitted Travel Plan with the previous application set out that school is in regular contact with the local Police Community Support Officers (PCSO's), and the Head Teacher has a role in reminding parents to park and behave responsibly at these times of the day because ultimately this is an issue surrounding human behaviours. A condition applied to the first and second applications requiring that prior to the first occupation of the development the submitted Travel Plan will be implemented in full will be reapplied to this consent as condition 8.

## Access

The proposal includes two vehicle access points that are approximately in the same locations as those at present on Park Avenue. One gives access into the car park and the other gives access onto a service delivery yard. During the consideration of the proposal the access points have been altered from the "bell mouth" style to ones which incorporate large crossovers for vehicles. The impact of this change will be to slow down the speeds of vehicles using the entrance and this improve safety from the current situation.

With respect to pedestrian access, two points are shown, one from Nicholls Lane and one from Park Avenue. Negotiations have secured barriers opposite these access points to prevent children running into the road and in addition a widening of the footway has been gained either side of the pedestrian access on Nicholls Lane to 3 metres width for two metres. Given that existing arrangements for access points are broadly similar to the existing ones, the school safety zone can remain as at present. The site access was approved through the discharge of a condition (4) when considering the previous S73 application and this is now reapplied as a compliance condition.

## Parking

There is no minimum parking standard for non-residential development in the development plan however it should be noted that the provision of 22 on-site spaces would comply with the old standard of one space for two members of staff that was applied previously in the old South Gloucestershire Local Plan. Officers have viewed the demand set out in the submitted Transport Statement and are content that this provision is sufficient.

With respect to parking, it is welcomed that two electric vehicle and two passive charging points are to be provided and this will form the basis of a condition. In addition it is welcomed that 10 covered and secure cycle parking spaces are proposed each for the staff and children. The children's shelter also includes space for up to 40 scooters. Officers note that the stands appear to be a bit close together however it is considered that a suitably worded condition can secure full details.

The proposed variation to the area at the north-western corner has no impact on parking.

## Servicing of the Site

As indicated, a specific entrance is provided for service vehicles which gives access onto a servicing area. Submitted details show that vehicles can access, turn and leave the site safely. The proposed changes do not impact upon this.

## Construction

Concern has been raised that the development should not result in disruption to neighbouring occupiers during the construction period. As set out elsewhere in the report the construction will be taking place in two phases, firstly the building of the new school during which time the existing school will continue to function, after which the development is timed to ensure that in phase 2 the existing building is taken down. The applicant has indicated that while work is taking place there will be arrangements on-site to accommodate all construction vehicles and a construction compound but also that alternative provision will be made available to accommodate all staff parking to avoid on-street parking. This is a very important consideration, given the nature of the surrounding roads. A detailed construction management condition will be applied (details required prior to the commencement of development).

For the avoidance of doubt a condition (2) was attached to the first consent that required the submission of the following information as part of a Construction Environmental Management Plan prior to the commencement of development.:

- Measures to control the tracking of mud off-site from vehicles.
- Measures to control dust from the demolition and construction works approved.
- Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- Adequate provision for the delivery and storage of materials.
- Adequate provision for contractor parking.
- Details of temporary staff parking arrangements both on and off-site and measures to promote sustainable travel to and from the school during the construction phase.
- A lorry routing schedule.
- Details of temporary construction traffic accesses including reinstatement of footways on completion of construction works.
- All construction and delivery vehicle arrivals and departures to take place during the site operational hours and outside of the morning and afternoon school drop off and pick up times as set out in the Construction Traffic Management Plan.
- Details of how the management of the impact of the construction works will be communicated to local residents and to the users of the Greenfield Centre to include Contact details for the Site Manager.

- Details of membership of considerate contractor scheme or similar.

The changes to the footprint have required some changes to the CEMP previously approved through the discharge of Condition 2 (P21/00300/RVC). This has been subject to further negotiation on a number of points, as set out in section 4 above (sustainable transport) and this has allowed acceptance of the new CEMP and Condition 2 is accordingly varied.

## 5.8 Residential Amenity

It is not considered that the proposed changes through this S73 application result in any additional impact on residential amenity over and above the extant consent. It is considered that the school building and associated areas are located sufficiently away from neighbouring residential properties such that there would be no significant impact in terms of appearing oppressive or overbearing nor would overlooking result. Given that there are residential properties in the vicinity however it is still considered appropriate to apply conditions in relation to the multi-use games area (Condition 9, 11 and 13), a Construction Management Condition (Condition 2) and it is considered appropriate to add a Construction Hours Condition.

## 5.9 Landscape/Trees

Policy CS2 of the Core Strategy seeks to protect and enhance existing landscape features. Also of relevance Policy PSP2 (Landscape) of the Policies, Sites and Places Plan indicates that development will be acceptable where it conserves and where appropriate enhances the quality, amenity, distinctiveness and special character of the landscape. PSP3 indicates that development should minimise the loss of existing vegetation on a site, it should protect existing trees, and replace trees appropriately where the loss cannot be avoided.

The site as indicated elsewhere in this report comprises two distinct areas. The north-western corner of the site where the school building is to be located will also provide an outdoor learning area and habitat zone very close to that building, in addition a play zone but also an area of planting close to the entrance would provide a future buffer between the school and whatever development takes place on the portion of land to be left for future development fronting Nicholls Lane. Boundary treatments are also noted.

With respect to the trees, the important specimens are retained in particular those in the centre of the site, the courtyard trees and large mature Oak. It is indicated that 41 no. trees will be removed, these are predominantly small specimens and with the exception of two are within the area where the school is to be built. 42 no. trees are to be planted as replacements largely in this area and the remainder of the trees are to be retained and are the subject of protection measures during construction.

The consented scheme, the layout and size of this space will still accommodate the following beneficial landscape features, which will create a strong sense of place and identity for the school:



- group of focal trees within a green gateway at the entrance to the school, adjacent to the junction of Nicholls Lane and Park Avenue including a Common Beech, which has the potential to grow into a new skyline landmark;
- a green corridor along the approach route from this entrance towards the school buildings;
- a strong framework of tree/specimen shrub and shrub/hedgerow planting around the car parking area;
- pond feature; and
- a natural play space with surrounding mounded grassland with planting.
- The tall Hungarian Oak, an important specimen tree, will be still retained within the centre of the site to the east of the school building.
- The proposed list of tree, hedge, shrub and herbaceous species include a wide mix of native and ornamental species.

The changes proposed as part of this S73 application do not adversely affect the previously agreed landscaping arrangements

## 5.10 Ecology

Policy CS9 of the Core Strategy indicates that new development will be expected to conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity and geodiversity. This requirement is set out in greater detail in PSP19 of the Policies, Sites and Places Plan indicating that where appropriate biodiversity gain will be sought from development proposals.

An Ecological appraisal/report was submitted with the original application. With respect to the habitats, the site is not covered by any statutory or non-statutory nature designations. The site away from the built area comprises amenity grassland which is considered to have minimal nature conservation value. There are trees scattered across the site with hedgerows comprising both ornamental and native species. There is a wildlife pond.

Turning to the on-site potential for species protected under the Conservation Regulations 2017 ('European Protected Species) as well as the Wildlife & Countryside Act 1981 (as amended). The buildings have low potential for roosting bats, as do the trees and hedgerows but there is the potential for "foraging and commuting" between roosts. The pond has low potential for Newts given its isolated urban location. The site has potential for nesting birds but is not suitable for reptiles. There is no evidence of badgers on the site. Given the habitats there is the potential for hedgehog, invertebrates and amphibians.

The report highlights proposed Biodiversity enhancements that includes, planting of native trees or shrubs around the site; retention of any felled timber in large sections; providing further features such as bee hotels in the forest school area; planting small areas with nectar-rich flowers; and fitting bird and bat boxes to trees on and around the site.

There is no ecological objection to the development subject to a condition being re-applied as per the original and subsequent consent to ensure that the development is

carried out in accordance with the recommendations of the report (including the retention of the features of nature conservation value (the grassland 'mound' and adjacent area with locally rare fungus and the tree containing the Nationally Scarce moth), replacement tree planting with native species, relocation of the existing pond and translocation of contents (at appropriate time of year), protection of nature conservation feature during construction, avoiding light spill onto boundaries and the timing of works regarding the breeding bird season. A condition will also be re-applied/included to require the submission of a location plan to include the type of 2 bat boxes, 4 bird boxes (including one house sparrow terrace), a bee hotel and new lighting as set out in the Ecology Report.

The application includes the submission of a preliminary ecological appraisal. The survey has indicated limited opportunities for bat roosts. Waterbodies within 500 metres of the site have records of Great Crested Newts but are considered not to prime sites, although the hedgerow on the site may provide a refuge should these species cross the site. The hedgerow also would provide nesting opportunities for birds. There are no badger setts on the site, or invertebrates recorded. Hedgehogs may use the site for foraging.

Officers agreed previously with the findings of the appraisal. The applicant has subsequently submitted details of a Precautionary Method of Working with respect to site clearance and details of bird nesting and bat roosting opportunities (identified in the report) and subject to conditions to ensure that all works proceed in accordance with the submitted details the proposal is considered acceptable on ecological grounds. In summary the changes proposed do not impact upon the ecology of the site subject to the conditions previously agreed being reapplied as set out above.

#### 5.11 Other issues

A neighbour has written who while not objecting to the proposal wishes to point out a concern that the area adjoining his property should be kept free of brambles to avoid these entering his property. The current proposal does not impact upon this situation as such however the concern has been noted and passed to the applicant for their attention/action.

#### 5.12 Consideration of likely impact on Equalities

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

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

### 5.13 Review of Conditions

Condition 1 (Time Reason) Remains as per previous consent with a requirement that the development shall be begun three years from 18<sup>th</sup> September 2020

Condition 2 (CEMP) The compliance condition is reapplied with the new document submitted for this application being the subject of the following condition:

*The development shall be carried out at all times in accordance with the Construction Environmental Management Plan (BAM Construction dated 13th January 2022) received 11th April 2022 and the LGV Delivery Plan and CEMP Addendum received 9th May 2022.*

Condition 3 (Phasing Plan) This compliance condition will be reapplied

Condition 4 (Site Access) This compliance condition will be reapplied

Condition 5 (Footways and Access). This condition requires the widening of footways on Nicholls Lane and Park Lane where they enter the site. This work is required to first use of the new school and this condition will be reapplied

Condition 6 (Parking and Electric Vehicle Charging Points) This is a compliance condition and will be reapplied

Condition 7 (Provision of Cycle Parking) This condition required full details of covered and secure cycle parking facilities to be submitted for approval prior to the first use of the building. This condition will be reapplied

Condition 8 (Travel Plan) This condition required an updated Travel Plan (to update the Plan dated May 2020) to be submitted prior to the first use/occupation of the new school and this condition will be reapplied.

Condition 9 (Acoustic Barrier) This condition required full details of an acoustic barrier along the western boundary of the multi-use games area to accord with the recommendations of the submitted noise report. The barrier is to be 3.5 metres in height. This information will be submitted prior to the first occupation of the school and shall be installed before the first use and maintained and inspected thereafter. This condition will be reapplied.

Condition 10 (Energy and Sustainability Measures). This compliance condition will be reapplied

Condition 11 (Multi-use Games Area). This relates to the hours of use of this facility. This is a compliance condition and will be reapplied.

Condition 12 (Plans). This condition is the subject of this S73 application and the following plans will be added to the decision notice.

**1952-2100 L PROPOSED SITE PLAN**

**1952-2101 K DETAILED PROPOSED SITE PLAN-MAIN SITE**

**EPPS-SGC-00-00-DR-A-100 P02 PROPOSED GROUND FLOOR PLAN**

EPPS-SGC-00-01-DR-A-101 P02 PROPOSED FIRST FLOOR PLAN  
EPPS-SGC-00-03-DR-A-102 P01 PROPOSED ROOF PLAN  
EPPS-SGC-00-XX-DR-A-103 P02 PROPOSED SECTIONS SHEET 1 OF 1  
EPPS-SGC-00-XX-DR-A-104 P01 PROPOSED SECTIONS SHEET 2 OF 2  
EPPS-SGC-00-XX-DR-A-105 P01 PROPOSED ELEVATIONS SHEET 1 OF 2  
EPPS-SGC-00-XX-DR-A-106 P02 PROPOSED ELEVATIONS SHEET 2 OF 2  
EPPS-SGC-XX-XX-DR-A-90 P01 CHANGES MARKED-UP ON INITIAL PROPOSED PLAN

Condition 13 (Community Use Agreement). This condition requires the preparation in conjunction with Sport England of a Community Use Agreement prior to the first use/occupation of the new school building with the development to be used in accordance with the agreement thereafter. This condition will be reapplied.

Condition 14 (Public Art). This condition requires the submission of details of a site specific integrated scheme of Public Art to be submitted prior to the first use/occupation of the main school building. This condition will be reapplied.

Condition 15 (Ecology) This compliance condition will be reapplied

Condition 16 (Ecological Mitigation). This condition requires the mitigation measures set out in the submitted ecology report to be implemented prior to the first occupation/use of the development. This condition will be reapplied.

Condition 17 (Screening). This condition requires details of the screening to be provided around the “future development area” to be provided prior to its installation and then installed in accordance with the approved details. This condition will be reapplied.

Condition 18 (Sustainable Drainage). This compliance condition will be reapplied

Condition 19 (Archaeology). This condition shall be reapplied:

*Prior to the first occupation/use of the development, the results of a programme of archaeological work in accordance with a WSI prepared by Avon Archaeology (February 2021), including the results of post-excavation assessment and a programme for post-excavation analysis and publication where necessary, shall be submitted to and approved by the local planning authority. Thereafter the approved programme of post-excavation shall be implemented in all respects.*

Condition 20 (Construction Hours). This compliance condition will be reapplied

## **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 Conditions 2 and 12 are varied.

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from 18th September 2020.

Reason

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

2. Construction Environmental Management Plan

The development shall be carried out at all times in accordance with the Construction Environmental Management Plan (BAM Construction dated 13th January 2022) received 11th April 2022 and the LGV Delivery Plan and CEMP Addendum received 9th May 2022.

Reason:

In the interest highway safety and to accord with Policies PSP11 of the adopted South Gloucestershire Policies, Sites and Places Plan November 2017.

3. Phasing

All works shall be carried out in accordance with the submitted phasing details (Design and Access Statement, Enabling Works Construction Plan received 20th May 2020 and Construction Site Plan Phase 1, Construction Site Plan Phase 2 received 19th January 2020).

Reason:

In the interest of highway safety and to accord with policy PSP11 of the South Gloucestershire Local Plan, Policies, Sites and Places Plan 2017.

4. Site Access

The Site Access and associated works shall be completed in accordance with the submitted plans received 19th January 2021 as follows:

2066 E PHASE 1 CONSTRUCTION SITE PLAN  
2067 D PHASE 2 CONSTRUCTION SITE PLAN  
2100 I PROPOSED SITE PLAN  
2101 K DETAILED PROPOSED SITE PLAN-MAIN SITE  
3315.09 - S278 LEGAL PLAN  
3315 03 B PROPOSED GENERAL ARRANGEMENT PLAN

## EPPS-ATK-Z1-ZZ-DR-C-0001 PROPOSED DRAINAGE LAYOUT

### Reason:

In the interest of highway safety and to accord with policy PSP11 of the South Gloucestershire Local Plan, Policies, Sites and Places Plan 2017.

### 5. Footways and existing access

Prior to the first use of the new school, the footways on Nicholls Lane and Park Avenue shall be widened to 3m (into the site) for a minimum of 2m either side of the new pedestrian paths leading into the school. The reinstatement of full face kerbs at the closed up vehicle access onto Nicholls Lane shall be completed.

### Reason:

In the interest of highway safety and to accord with policy PSP11 of the South Gloucestershire Local Plan, Policies, Sites and Places Plan 2017.

### 6. Parking and Electric Vehicle Charging Points

The proposed permanent car parking shown on the approved plans shall be provided in full to include the provision of two 7Kw 32 Amp electric vehicle charging points and two passive electric vehicle charging points in accord with the phasing plan following the completion of Phase 2 of the development.

### Reason:

In the interest of highway safety to promote sustainable transport and to accord with policies CS8 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

### 7. Provision of Cycle Parking

Full details of Covered and secure cycle parking facilities shall be submitted to an approved in writing by the Local Planning Authority prior to the first use of the new school building. The cycle parking facilities shall be then be installed in accordance with the approved details in accordance with the approved phasing plan ie following the completion of Phase 2.

### Reason:

In the interests of sustainable travel and to accord with Policy PSP16 of the South Gloucestershire Local Plan, Policies, Sites and Places Plan 2017

### 8. Travel Plan

Following the first occupation of the development hereby approved the submitted updated Travel Plan (May 2020) shall be implemented in accordance with the details therein.

### Reason:

To promote sustainable travel and to accord with CS8 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

9. Acoustic Barrier

Prior to the first occupation of the school full details of the Acoustic Barrier to be located along the western boundary of the Multi-Use Games Area (Muga) as set out in the Noise Report (Archo Consulting 7/5/20) shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the barrier shall be 3.5 metres in height.

The Barrier shall be installed prior to the first use of the facility as a Multi-Use Games Area in accordance with the approved details and shall be regularly inspected and maintained as such thereafter.

Reason

In order to protect the residential amenity of neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

10. Energy and Sustainability

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the Energy Statement (Part L - Hydrock 13th May 2020) received May 20th 2020 and Addendum (Hydrock M and E Strategy 2nd June 2020) received 12th August 2020 prior to first use.

Reason

To ensure that the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies CS1 and PSP6, and reduces regulated and unregulated emissions in accordance with policy PSP6.

11. Multi-Use Games Area

The Multi- Use Games Area hereby approved shall not be used outside of the following times:

09:30 to 17.30 hours Monday to Friday  
10.00 to 16.00 hours Saturdays

Reason

In order to protect the residential amenity of neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

12. Approved Plans

This decision relates only to the plans identified below:

Received 9th May 2022

1952-2100 L PROPOSED SITE PLAN  
1952-2101 K DETAILED PROPOSED SITE PLAN-MAIN SITE

Received 11th April 2022

EPPS-SGC-00-00-DR-A-100 P02 PROPOSED GROUND FLOOR PLAN  
EPPS-SGC-00-01-DR-A-101 P02 PROPOSED FIRST FLOOR PLAN  
EPPS-SGC-00-03-DR-A-102 P01 PROPOSED ROOF PLAN  
EPPS-SGC-00-XX-DR-A-103 P02 PROPOSED SECTIONS SHEET 1 OF 1  
EPPS-SGC-00-XX-DR-A-104 P01 PROPOSED SECTIONS SHEET 2 OF 2  
EPPS-SGC-00-XX-DR-A-105 P01 PROPOSED ELEVATIONS SHEET 1 OF 2  
EPPS-SGC-00-XX-DR-A-106 P02 PROPOSED ELEVATIONS SHEET 2 OF 2  
EPPS-SGC-XX-XX-DR-A-90 P01 CHANGES MARKED-UP ON INITIAL  
PROPOSED PLAN

Received 26th March 2021

5194198-ATK-ELM-XX-RP-DE-001 Flood Risk Assessment and Drainage Strategy  
rev. P04  
5194198-ATK-Z1-ZZ-DR-C-0001 P04 Proposed Drainage Strategy (plan appended to  
the above FRA)

Received 22nd Jan 2021

3315 03 B PROPOSED GENERAL ARRANGEMENT PLAN  
EPPS-HYD-XX-00-DR-E-9000 ELECTRICAL SERVICES EXTERNAL LIGHTING  
LAYOUT

Received 19th January 2021

PHASE 1 CONSTRUCTION SITE PLAN 1952 2066 Rev E  
PHASE 2 CONSTRUCTION SITE PLAN 1952 2067 Rev D  
1952 2104 F PLANTING PLAN  
1952 2105 F LANDSCAPE SECTIONS

Received 16th July 2020

1952 2102 G DETAILED PROPOSED SITE PLAN  
1952 2820 D SPORTS FACILITY REPORT  
1952 2960 B PLANTING SCHEDULE

Received 1st June 2020

DEMOLITION PLAN Drg 13  
EXISTING ELEVATION 3 PD-03  
EXISTING ELEVATION 4 PD-04  
EXISTING ELEVATIONX 1 AND 2 PD-02  
EXISTING GROUND FLOOR PLAN PD-01



Received 20th May 2020

TREE PLANTING SCHEDULE 2960 Rev A  
ENABLING WORKS CONSTRUCTION SITE PLAN 1952 2065 Rev C  
EXISTING BLOCK PLAN 1952 2040 Rev A  
EXTERNAL LIGHTING LAYOUT EPPS-HYD-XX-00-DR-E 9001 Rev P02  
THE LOCATION PLAN 1952 2001 B

Reason:

For the avoidance of doubt

13. Community Use Agreement

Prior to the first occupation of the school building hereby approved, a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement shall be provided to the Local Planning Authority. The agreement shall apply to the MUGA and playing field / playing pitches and include details of pricing policy, hours of use, access by non-educational establishment] users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason:

To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policies CS1, CS2, CS23, CS24 of the South Gloucestershire Local Plan Core Strategy 2013

14. Public Art

Prior to the first occupation of the main school building hereby approved, details of a unique site specific integrated scheme of Public Art (including timescales) to be implemented within the development site shall be submitted to the Local Planning Authority for approval in writing. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note. Thereafter the Artwork shall be installed in accordance with the details and timescales so agreed.

Reason:

To protect the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policy CS23 - Community Infrastructure and Cultural Activity and Policy CS1 - High Quality Design Point 7 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and in accordance with the provisions of the South Gloucestershire Council's Art & Design in the Public Realm Planning Advice Note

15. Ecological Report (Compliance)

The development should proceed in accordance with the recommendations made in Section 6 of the Ecological Report by Wessex Ecological Consultancy (August, 2019). This includes the retention of the features of nature conservation value (the grassland 'mound' and adjacent area with locally rare fungus and the tree containing the

Nationally Scarce moth), replacement tree planting with native species, relocation of the existing pond and translocation of contents (at appropriate time of year), protection of nature conservation feature during construction, avoiding light spill onto boundaries 6, 8, 9 and timing of works regarding breeding bird season.

Reason:

In the interests of the ecology of the site and biodiversity and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy and Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan 2017

#### 16. Ecological Mitigation

Prior to the first occupation of the development hereby approved a location plan to include the type of 2 bat boxes, 4 bird boxes (including one house sparrow terrace), a bee hotel and new lighting as set out in the Ecology Report (Wessex Ecological Consultancy (August, 2019)) should be submitted to the local planning authority for approval in writing. The works shall be carried out in accordance with the approved details.

Reason

In the interests of the ecology of the site and biodiversity and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy and Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan 2017

#### 17. Screening

Prior to its installation full details of the "solid and painted construction hoarding for the future development area" as shown on Drawing No. 1952 2101 Rev H - Site Plan of Main Site shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason

In the interests of the visual amenity of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013.

#### 18. Sustainable Drainage

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

- 5194198-ATK-ELM-XX-RP-DE-001 Flood Risk Assessment and Drainage Strategy rev. P04 - dated 26th March 2021.
- 5194198-ATK-Z1-ZZ-DR-C-0001 P04 Proposed Drainage Strategy (plan appended to the above FRA).
- Soakaway Test Results and Trial Pit Log Sheet carried out by CC Ground Investigations Ltd - Project No: C7130 and dated 01/04/21

Reason:

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2018.

19. Archaeology (Investigation and Recording)

Prior to the first occupation/use of the development, the results of a programme of archaeological work in accordance with a WSI prepared by Avon Archaeology (February 2021), including the results of post-excavation assessment and a programme for post-excavation analysis and publication where necessary, shall be submitted to and approved by the local planning authority. Thereafter the approved programme of post-excavation shall be implemented in all respects.

Reason

To ensure an understanding and significance of any archaeological heritage assets and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP17 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017 and the provisions of the National Planning Policy Framework.

20. Construction Hours

The hours of working on site during the period of construction shall be restricted to

Monday - Friday.....7:30am - 6:00pm

Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) January 2013 and the provisions of the National Planning Policy Framework.

**Case Officer: David Stockdale**

**Authorising Officer: Marie Bath**