

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: 30/22

Date to Members: 29/07/2022

Member's Deadline: 04/08/2022 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

Always make your referral request by email to MemberReferral@southglos.gov.uk (not individual email addresses), where referrals can be picked up quickly by the Technical Support Team.

Please note a copy of your referral e mail will appear on the website.

Before referring an application always contact the case officer or Development Manager first to see if your concerns can be addressed without the application being referred.

If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward Member(s) to see what their views are, before referring the application.

Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Please do not leave it to the last minute.

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

1. Application reference number:
2. Site Location:
3. Reasons for referral:

The referral should include the reasons for the referral indicating why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issues the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay of the referral

4. If the site is outside your ward have you contacted the ward Member(s) to inform them of the referral?

5. Have you discussed the referral with the case officer or Development Manager?

6. Do you feel a site visit is required or can issues be addressed by other means e.g. further information in the report, additional presentation material, video etc.

Do you consider this is an application of strategic importance such that you would request the Director to consider using his discretion to refer the matter to the Strategic Sites Delivery Committee? If so please set out your reasons:

Date:

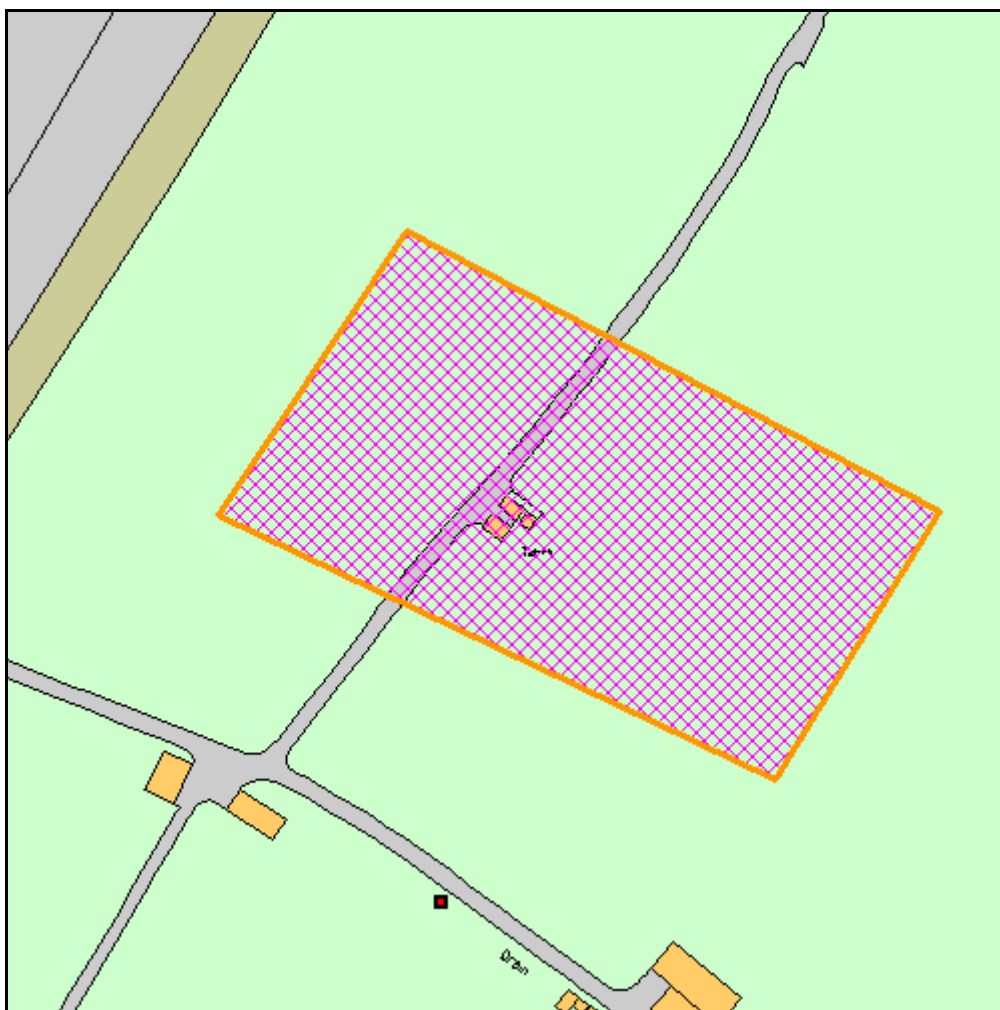
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE 29 July 2022

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/04868/F	Approve with Conditions	Shaftesbury Park Frenchay Park Road Frenchay South Gloucestershire BS16 1LG	Frenchay And Downend	Winterbourne Parish Council
2	P21/05225/F	Approve with Conditions	41 Court Farm Road Longwell Green South Gloucestershire BS30 9AD	Longwell Green	Hanham Abbots Parish Council
3	P21/05242/F	Approve with Conditions	Rose Cottage Church Lane Rangeworthy South Gloucestershire BS37 7ND	Frampton Cotterell	Rangeworthy Parish Council
4	P21/05366/F	Approved Subject to Section 106	Land At Chief Trading Post Barry Road Oldland Common South Gloucestershire BS30 6QY	Bitton And Oldland Common	Bitton Parish Council
5	P21/07017/F	Approve with Conditions	Land East Of Golden Valley Lane And South Of Mill Lane Bitton South Gloucestershire BS30 6NY	Bitton And Oldland Common	Bitton Parish Council
6	P21/08207/RM	Approve with Conditions	Land Adjacent Willowherb Road And Thistle Close Emersons Green South Gloucestershire BS16 7GW	Emersons Green	Emersons Green Town Council
7	P22/00340/F	Approved Subject to Section 106	Plot 2 Land Off Merlin Way/Highwood Lane Patchway South Gloucestershire BS34 5TQ	Charlton And Cribbs	Almondsbury Parish Council
8	P22/01534/F	Approve with Conditions	Land At 1 Standish Avenue Patchway South Gloucestershire BS34 6AJ	Bradley Stoke North	Stoke Lodge And The Common
9	P22/02439/HH	Approve with Conditions	Landsdown View 106 Dragon Road Winterbourne South Gloucestershire BS36 1BL	Winterbourne	Winterbourne Parish Council
10	P22/02492/LB	Approve with Conditions	5 Lower Court Road Almondsbury South Gloucestershire BS32 4DX	Severn Vale	Almondsbury Parish Council
11	P22/02704/LB	Approve with Conditions	5 Horseshoe Lane Chipping Sodbury South Gloucestershire BS37 6AP	Chipping Sodbury And Cotswold Edge	Sodbury Town Council

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P21/04868/F	Applicant:	Rob Stevens
Site:	Shaftesbury Park Frenchay Park Road Frenchay South Gloucestershire BS16 1LG	Date Reg:	16th July 2021
Proposal:	Installation of 8 no. floodlights to grass sports pitch.	Parish:	Winterbourne Parish Council
Map Ref:	363366 177880	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	9th September 2021



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P21/04868/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

5 objection comments have been received from local residents contrary to Officers recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the installation of 8no. floodlights to grass sports pitch at Shaftesbury Park, Frenchay Park Road, Frenchay.
- 1.2 The application site comprises a sports park that is predominantly the home of the Dings Crusaders RFC. The sports park lies between the south-east side of the M32 motorway and north-west edge of Frenchay Park Road, outside the defined settlement boundary within the Bristol and Bath Green Belt.
- 1.3 The sports facility comprises from north-east to south-west:
 - 2no. junior pitches (grass, pitches 2 and 3);
 - Training pitch (grass, floodlit);
 - First pitch (3G, floodlit) with building to its south-west and car parking to its south-east;
 - Second pitch (grass);
 - Junior pitch (grass, pitch 1).
- 1.4 The 8no. new floodlights would have a height of approximately 15 metres and would be installed around the north-east and south-west edges of the second pitch.
- 1.5 During the course of the application revised lighting details have been submitted. A 10 day re-consultation was carried out.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plan

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS24	Green Infrastructure, Sport and Recreation Standards

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

PSP1	Local Distinctiveness
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PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP44	OpenSpace, Sport and Recreation

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007
 Development in the Green Belt (Adopted) June 2007
 Assessing Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/1631/RVC
 Variation of condition 31 (approved plans) of permission ref: PT15/0493/F (Demolition of existing derelict buildings and development of a new community sports facility for relocation of Dings Crusaders Rugby Football Club comprising all weather sports pitch and grass rugby pitches (including floodlighting to two pitches), erection of clubhouse building (including community sports hall, changing rooms, spectator seating and viewing area, function/meeting rooms and club shop), car parking, creation of new vehicular and pedestrian/cycle accesses, grounds equipment area and fencing, landscaping, sustainable urban drainage and associated infrastructure works), to allow minor material amendments to the approved plans (amendments include changes to the car parking layout, 2 no new sub-bench canopies, relocation of maintenance store and sub-station, alterations to fencing, alterations to the clubhouse building and external stand seating and access steps.
 Approve with Conditions (27/09/2016)
- 3.2 PT15/0493/F
 Demolition of existing derelict buildings and development of a new community sports facility for relocation of Dings Crusaders Rugby Football Club comprising all weather sports pitch and grass rugby pitches (including floodlighting to two pitches), erection of clubhouse building (including community sports hall, changing rooms, spectator seating and viewing area, function/meeting rooms and club shop), car parking, creation of new vehicular and pedestrian/cycle accesses, grounds equipment area and fencing, landscaping, sustainable urban drainage and associated infrastructure works.
 Approved with Conditions (21/03/2016)

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
 No objection.
- 4.2 Ecology Officer
 Objection -

“The floodlighting has the potential to impact on nocturnal and crepuscular wildlife, namely foraging and commuting bats. Pictures have not been sent for

western boundary, however based on the contour plan and the proposed timings to be 11pm during summer months further adjustments/surveys are required.

There are several options, the lighting can be reduced to reduce the light spill onto these habitats to 1lux (cowls and hoods to prevent light spill can be used), or timings of floodlights are to be switched off before sunset in the summer months when bats are more active (May – September inclusive), alternatively bat activity surveys are to be completed based on the foraging potential for the site. This will assess what species if any are using the site and lighting can be adapted as per the results.”

4.3 Environmental Protection

No objection subject to the inclusion of an informative.

4.4 Flood and Water Management Team

No objection.

4.5 Landscape Officer

No objection.

4.6 Lighting Engineer

No objection.

4.7 Public Open Space

No comments.

4.8 Sports England and the RFU

No objection.

4.9 Sustainable Transport

No comments.

4.10 Local Residents

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

- Proposal would allow community sports facility to continue to grow and provide a top class sporting venue. Proposal would enhance the area's sports facilities providing physical and mental health benefits.

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

- The additional light and noise would have a detrimental impact on, and disturb the quality of life for, adjacent residents.
- Increase in traffic to the site.
- The additional light and noise would have an impact on wildlife.
- Clarity required regarding the use of the floodlights.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is part of an existing sport and recreational area. No change of use is proposed. The issue for consideration is whether the proposed floodlights would give rise to any additional material impact in the vicinity.

5.2 Policy PSP44 of the Policy, Sites and Places Plan supports the development, expansion or improvement of outdoor sports and recreation. The proposals impact on visual amenity, residential amenity, transportation, and ecology will be assessed below.

5.3 Green Belt

Development in the Green Belt is by definition inappropriate development, unless it constitutes specific types of development which are considered acceptable within this designated area as set out in the National Planning Policy Framework. The NPPF states that one of these exceptions can be for the 'provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

5.4 The proposed development involves the installation of 8no. floodlights at a height of approximately 15 metres. There are existing floodlights on the site serving a separate pitch at a height of approximately 18 metres. The proposal would be seen in the context of these existing floodlights and the large two storey clubhouse on the site.

5.5 It is considered that the proposed floodlights would support the continued use of the existing site as an appropriate facility for outdoor sport so the principle of the scheme in the Green Belt is acceptable. The proposals would be seen in the context of the existing higher floodlights and the large two storey clubhouse on the site so it is considered that the proposed development would not harm the openness of the Green Belt or conflict with the purposes of including land within it.

5.6 Design and Visual Amenity

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

5.7 The proposed floodlights would support the continued use of an existing outdoor sports facility and would be seen in such a context. The proposals would be seen in the context of the existing higher floodlights and the large two storey clubhouse on the site. It is not considered that the proposed development would detract from visual amenity of the site or its context.

5.8 Residential Amenity

- Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.9 The nearest residential properties to the application site are to the east/south-east along Frenchay Park Road, approximately 75-90 metres from the nearest proposed floodlight. These properties back onto the application site with their rear boundaries adjacent to the site boundary. Concerns have been raised regarding the impact of the increased light and noise from the proposed development on the residential amenity of the occupiers of these properties.
- 5.10 Regarding the impact from light, the Council's senior lighting engineer has confirmed that on the basis of the information submitted, the calculated obtrusive light figures (light spill) towards the adjacent properties would be within the threshold recommended by the relevant Institute of Lighting Professionals Guidance (GN01). Environmental Protection have noted that based on the information submitted, the glare and spillage data are confined within the curtilage of the club premises.
- 5.11 A condition would be required with any consent requiring the floodlights to be switched off promptly when the use of pitches has finished and all floodlights shall be turned off at 11:00pm at the latest.
- 5.12 Regarding the impact from noise, the submitted noise report refers to the relevant criteria and specific guidance provided by Sport England. There is no sustainable noise objection given the dominant effects of the near M32 traffic, recorded LAeq data to meet the Sport England levels and the marginal, barely audible club activity at some near noise sensitive properties.
- 5.13 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.14 Highway Safety and Transport
The information provided indicates that although some ambient light may be visible from the adjoining highway network, the proposed floodlights have been carefully designed to minimise spillage thereby maximising the lighting available on these pitches. Hence, they would not be directed towards drivers, so it is not considered that they are likely to create any severe or unacceptable road safety issues.
- 5.15 Concerns have been raised regarding an increase in traffic to the site. Whilst these concerns are noted it is not considered that the proposed development would lead to a material increase in trips to and from the site, so it is not considered that they are likely to create any severe or unacceptable road safety issues.

5.16 Ecology

The western boundary of the site consists of trees, grassland and balancing pond, and is likely to provide foraging habitat for more light tolerant species of bats due to the close proximity to the motorway and existing light pollution present. The proposed floodlights do however still have the potential to disrupt foraging or commuting bats along this route which could be used as a corridor for bats.

5.17 To reduce this potential disruption to acceptable levels a condition would be required with any consent ensuring the floodlights are switched off before sunset in the summer months when bats are more active (May to September inclusive). It is considered that the inclusion of this condition would ensure that the impacts of the proposed development on protected species would remain at acceptable levels.

5.18 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Site Location Plan (Received 15/07/2021)

Site Plan and Details (Received 12/07/2021)

Floodlight Elevation (Received 13/07/2021)

DCRFC S3 - 200 LUX HID Spillage ISO Contours (Received 26/04/2022)

DCRFC S4 - 200 LUX HID Spillage Results (Received 26/04/2022)

Supporting Statement (inc Lighting Information) (Received 12/07/2021)

Floodlight Manufactures Details (Received 12/07/2021)

Noise Assessment for Planning (Received 12/07/2021)

HID Optivision - Luminaire and Lamp Extract (Received 26/04/2022)

HID Optivision Brochure (Received 26/04/2022)

Performance Results and Spillage Charts (Received 26/04/2022)

Reason

To define the terms and extent of the permission.

3. The floodlights hereby approved shall be switched off promptly when the use of the pitch has finished and shall not be illuminated other than within the following periods:

May 1st - September 30th (inclusive)..... Sunrise or 09:00 (whichever is later) - Sunset or 23:00 (whichever is earlier);

October 1st - April 30th (inclusive)..... 09:00 - 23:00.

Reason

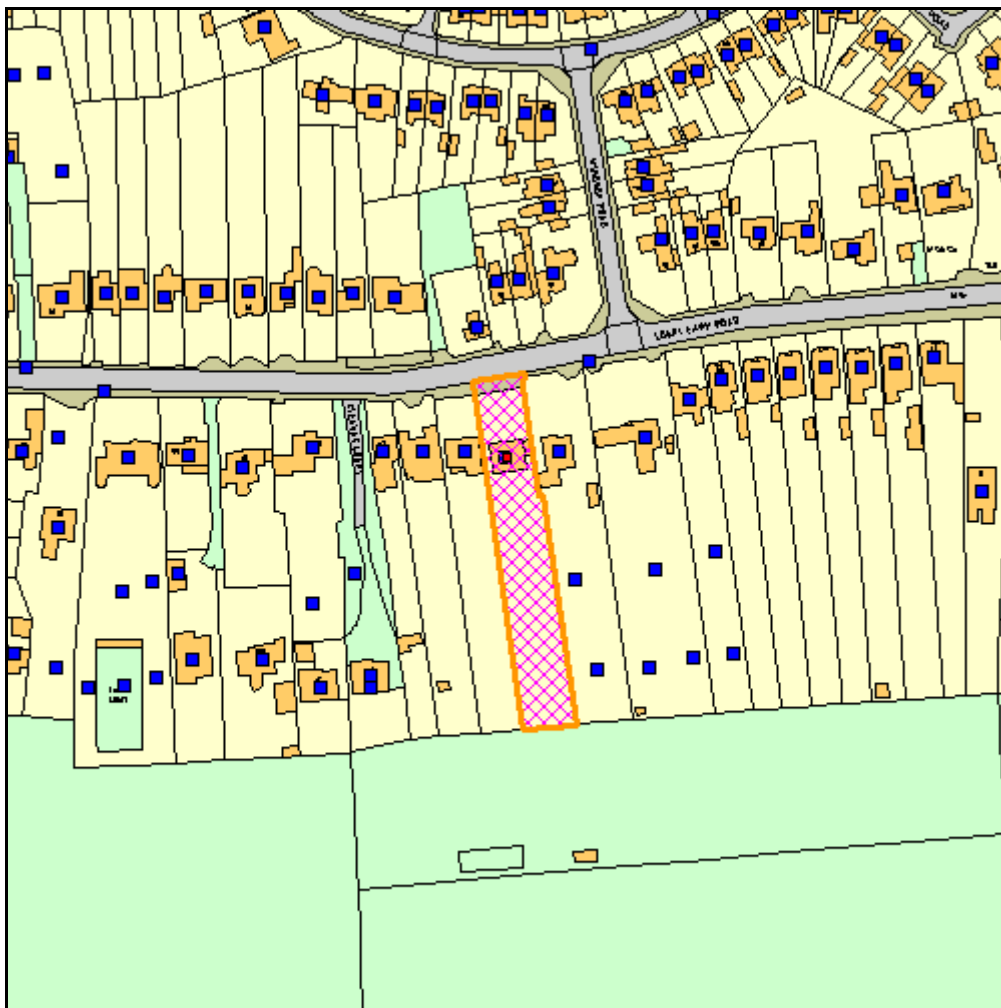
To avoid causing disturbance to local residents during anti-social hours and to avoid any significant negative impact on the local bat population, to accord with Policies PSP8, PSP19 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

Case Officer: Oliver Phippen

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P21/05225/F	Applicant:	Mr Tovey
Site:	41 Court Farm Road Longwell Green South Gloucestershire BS30 9AD	Date Reg:	9th August 2021
Proposal:	Demolition of 1 no. dwelling. Erection of 3 no. dwellings with access, parking and associated works.	Parish:	Hanham Abbots Parish Council
Map Ref:	365692 170594	Ward:	Longwell Green
Application Category:	Minor	Target Date:	4th October 2021



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N.T.S.

P21/05225/F

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of 1no. dwelling and the erection of 3no. dwellings with access, parking and associated works.
- 1.2 The application site relates to 41 Court Farm Road, Longwell Green. The site is located within the defined settlement boundary and sites adjacent to, but not within, the Bristol and Bath Green Belt.
- 1.3 During the course of the application, revised plans were submitted to amend the roof design of the proposed dwellings in response to concern raised by the case officer.

2 POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS2 Green infrastructure
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of Bristol Urban Area

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

Waste Collection SPD (Adopted) 2015 (Updated 2017)

3 RELEVANT PLANNING HISTORY

3.1 **PK07/3528/O**

Erection of 5 no. detached dwellings (Outline). All matters to be reserved. (Resubmission of PK07/2857/O).

Refusal: 09/01/2009

Reasons:

1. The absence of a Section 106 Agreement or Unilateral Undertaking and resultant failure to secure contributions towards Education Requirements resulting from the development is contrary to Policy LC2 of the South Gloucestershire Local Plan (adopted).
2. The absence of a Section 106 Agreement or Unilateral Undertaking and resultant failure to secure contributions towards Public Transport Infrastructure Improvements made necessary by the development is contrary to Policy T12 of the South Gloucestershire Local Plan (adopted).

4 CONSULTATION RESPONSES

4.1 **Hanham Abbots Parish Council**

Objection- overdevelopment and concerns over access onto Court Farm Road which is becoming increasingly busy.

4.2 **Sustainable Transport**

No objections, conditions recommended.

4.3 **Lead Local Flood Authority**

No objection in principle, subject to condition.

4.4 **Ecology**

Sufficient bat survey effort made, conditions recommended.

- 4.5 **Highway Structures**
Details of excavations and temporary support to be provided during construction of new access.
- 4.6 **Environmental Protection**
No objection, subject to condition.

Other Representations

- 4.7 **Local Residents**
None received.

5 ANALYSIS OF PROPOSAL

- 5.1 **Principle of Development**
Policy CS5 of the South Gloucestershire Core Strategy outlines the locations at which development is considered to be appropriate; new development is directed towards the existing urban areas and defined rural settlements. The site is located within the East Fringe of Bristol Urban Area and is contained within an existing residential curtilage. As such, based solely on the location of the site, the principle of development is acceptable.
- 5.2 However, the impacts of the development proposal must be further assessed to identify any potential harm. The further areas of assessment are discussed below.
- 5.3 **Design and Visual Amenity**
The character of the Court Farm Road is made up of a mixture of housing styles, mainly detached properties of varying scale and roof designs. There is an abundance of existing backland development along the south side of Court Farm Road, including immediately adjacent to the application site. The introduction of further backland development is therefore not considered unacceptable. The layout would somewhat reflect that of the existing backland development to the immediate east, with a dwelling fronting the highway, one to the rear of the site and another centrally. The access road would run along the eastern boundary of the site, leading to garages and parking areas for the two additional dwellings, with garden areas located at the rear of each property. This is considered to be in keeping with the pattern of development in the area.
- 5.4 In terms of appearance, each dwelling would consist of a dual pitched roof with front facing gables. Gables are a feature of the area and their inclusion in the design is therefore entirely appropriate. Furthermore, the revised design better reflects the surrounding roof pitches and results in gables that are proportionate to the size of the proposed dwellings. The properties get progressively larger moving towards the rear of the site, however given the mixture of surrounding housing styles and scale of nearby backland development, it would not cause

- any substantial harm to the character of the area. The site is also capable of comfortably accommodating the proposed scale of development without it appearing cramped or contrived.
- 5.5 The application form states the proposed materials would include: cut stone frontage with block and render side/rear elevations; interlocking concrete roof tiles; and wood effect uPVC window and doors. This is considered acceptable in principle, however no detail has been provided. As such, a condition will be included for material details to be agreed in writing by the Council.
- 5.6 Detached single garages would be provided for plots 1 and 2 which would consist of a simple dual pitched roof design; the siting of the garage for plot 1 would be along the front boundary. Although this is not an ideal, similar arrangements can be found further along Court Farm Road, at no.'s 9, 11 and 51 Court farm Road, also 3 Stratton Place which fronts Court farm Road. Therefore, in this instance, this arrangement is considered to be acceptable. Plot 3 would be provided with an integral garage.
- 5.7 Overall, subject to conditions, the proposed development is deemed to be acceptable in terms of design and would comply with policy CS1 of the Core Strategy.
- 5.8 **Landscape**
No detailed landscaping plan has been provided, however the proposed site plan does show some unspecified planting within the site. No details of the hard surface finishes has been indicated, nor have the proposed boundary treatments. For a robust and attractive appearance, it is suggested the boundaries should be a stone or rendered wall rather than a timber fence. To ensure an acceptable appearance, details of all hard and soft landscaping will be required by condition.
- 5.9 **Residential Amenity**
There is considered to be sufficient separation distance between each of the proposed properties as not to result in any harmful impact on residential amenity of the future occupiers through loss of light, privacy or overbearing. Both the backland plots (2 and 3) would be sited a significant distance from the adjacent dwellings and would broadly correspond to the siting of the neighbouring backland developments. The proposed side elevations would be blank or only provide windows at first floor level for bathrooms, this would sufficiently protect the privacy of neighbouring dwellings.
- 5.10 The proposed rear gardens for each property are considered to be in compliance with the requirements of policy PSP43 of the PSP plan.
- 5.11 **Ecology**
A bat emergence survey was submitted in support of the application and found that no bats emerged from the building and general activity was low. As such,

no objection is raised in terms of ecology, subject to the development proceeding in strict accordance with the mitigation measures provided in the report. The ecology officer has also suggested a condition for external lighting to be agreed, however it is thought unnecessary in this instance given the surrounding residential development which produces an existing level of external light in the area.

5.12 **Contamination**

The site is located less than 250m from a former quarry which has subsequently been used as a Landfill site. In order to ensure the site is suitable for its intended use, a risk assessment is required to assess whether the proposed development could be at risk from ground gases. Therefore, a suitably worded condition will be included on the decision notice.

5.13 **Transport**

Although some concern has been raised by the Parish Council in regards to the proposed access, the proposed access road is suitably wide and the 1m height of the neighbouring wall means that there is sufficient visibility for vehicles entering and exiting to/from Court Farm Road. The proposal would therefore not cause any severe highway safety issues. Furthermore, each property would be provided with off-street parking in accordance with the requirements of policy PSP16 of the PSP plan. Any bin collection would take place at the roadside, close to the access. This is similar to other developments along Court Farm Road.

5.14 Cycle parking can be accommodated in the proposed garages, though to further promote sustainable forms of transport, electric vehicle charging points will be required by condition for each dwelling. Overall, subject to conditions, no objections are raised in regards to highway safety or transportation.

5.15 **Drainage**

The Council's drainage engineer has raised no objection in principle to the proposed development, however no detailed layout has been provided that shows the surface water and SUDS proposals. Therefore, this will be required by condition prior to the commencement of ground works.

5.16 **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.

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

6 CONCLUSION

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

7 RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. Prior to first occupation of the development hereby approved, full details of both hard and soft landscaping works shall be submitted and approved in writing by the Council and these works shall be carried out as approved. These details shall include a detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting; including tree pit detail. Hard landscape work shall include details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required, together with supporting schedule of proposed manufacturer hard landscape materials. The approved details are to be implemented in the first planting season following completion of construction works.

Reason

To ensure a satisfactory standard of external appearance and to protect the character and appearance of the area, in accordance with and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP1 and PSP2 of the Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

3. Prior to the commencement of the relevant works, details of all external facing materials, including the roof and garages, shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the details so approved.

Reason

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

4. Prior to the first occupation of the dwellings hereby approved, the proposed off-street parking and widened access shall be implemented in accordance with the agreed plans and retained as such thereafter.

Reason

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

5. Prior to first occupation of the dwellings hereby approved, each dwelling hereby approved shall be provided with a 7Kw 32 Amp electric vehicle charging point.

Reason

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

6. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Roost Assessment (Acer Ecology, November 2021) and the Bat Survey Report (Acer Ecology, May 2022).

Reason

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

7. Prior to the first occupation of the development hereby approved the ecological enhancement features recommended in the Preliminary Roost Assessment (Acer Ecology, November 2021) and the Bat Survey Report (Acer Ecology, May 2022) are to be implemented and retained as such thereafter, these include but are not limited to bat boxes.

Reason

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

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

For the avoidance of doubt, this should include the following details:

- A clearly labelled drainage layout plan showing the exact location of any soakaways.
- Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal
- Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
- Sp. Note; - Soakaways must be located 5 Metres from any structure including the Public Highway
- Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.

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. This is required prior to commencement of development to avoid any unnecessary remedial action.

9. 1) Desk Study - No development shall commence until an assessment of the risks posed from ground gases from the landfill site located to the west of the site has been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with current best practice and guidance¹.

2) Intrusive Investigation/Remediation Strategy - Where following the risk assessment referred to in (A), a potential risk from ground gases is identified, no development shall take place until a ground gas survey has been carried out. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes. Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria; and identification of the preferred remediation option(s). The programme of the works to be undertaken should be described in detail and the

methodology that will be applied to verify the works have been satisfactorily completed.

The approved remediation scheme shall be carried out before the development is first occupied.

3) Verification Strategy - Prior to occupation, where works have been required to mitigate potential ground gases (under condition B) a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

Reason

The proposed development is located less than 250m from a former quarry which has subsequently been used as a Landfill site. A risk assessment should therefore be undertaken to assess whether the proposed development could be at risk from ground gases. This is required prior to commencement of development to avoid any unnecessary remedial action in future and to ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

10. The development hereby approved shall be carried out in accordance with the following documents:

Received by the Council on 28th July 2021:

Site Location Plan

Block Plan

Received by the Council on 27th October 2021:

Existing & Proposed Site Plan (80593-1 REV B)

Plot A- Proposed Elevations & Floor Plans (80593-2 REV B)

Plot B- Proposed Elevations & Floor Plans (80593-3 REV B)

Plot C- Proposed Elevations & Floor Plans (80593-4 REV B)

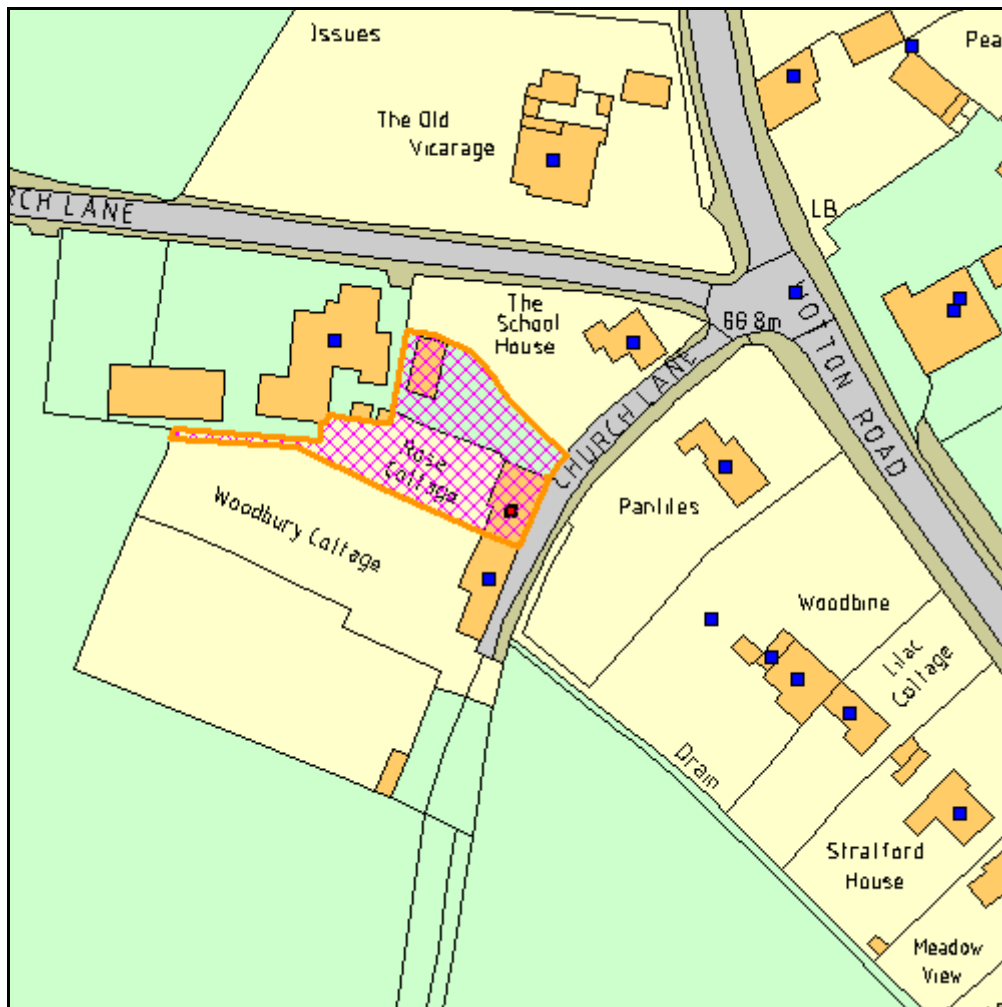
Reason

To define the terms and extent of the permission.

Case Officer: James Reynolds
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P21/05242/F	Applicant:	Mr And Mrs Neil And Sally Kinnerly
Site:	Rose Cottage Church Lane Rangeworthy South Gloucestershire BS37 7ND	Date Reg:	2nd August 2021
Proposal:	Demolition of existing outbuildings. Erection of 1 no. dwelling with associated works	Parish:	Rangeworthy Parish Council
Map Ref:	368856 186180	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	24th September 2021



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P21/05242/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is reported to the Circulated Schedule, as Rangeworthy Parish Council have objection to the proposal, which is contrary to Officer recommendation. The objection is due to overdevelopment of the site, adverse impact on the locally listed buildings and an increase in traffic movements into and out of Church Lane.

1. THE PROPOSAL

- 1.1 Rose Cottage is a detached cottage, sited amongst mixed style dwellings. The rear of the site is characterised by a variety of outbuildings. Rangeworthy Primary School is adjacent to the rear (western) boundary and The School House is to the north. Both of these buildings are on the Local List.
- 1.2 The site is also considered to lie within the wider setting of the Grade II* listed Rangeworthy Court and the Grade II* listed Holy Trinity Church.
- 1.3 This is a full application for the erection of a dwelling, following the demolition of the existing outbuildings. The proposed dwelling would be a single storey 2 bedroom dwelling. It would be constructed of a mix of sandstone, cladding and render with a concrete tile roof. There would be provision for two parking spaces.
- 1.4 There have been two previous applications for a new dwelling on this site refused (refs: P20/16784/F and P21/02555/F). Both these applications were refused because of the adverse impact of the proposed dwelling on the adjacent heritage assets. The principal difference between this application and the previously refused applications is the ridge height has been lowered. The proposed ridge is approximately 1.6m lower than the scheme refused under application P20/16784/F.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013
CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS9 Managing the Environment and Heritage

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 P20/16784/F – Demolition of existing outbuilding. Erection of 1 dwelling with associated works – Refused 12th March 2021
- 3.2 P21/02555/F – Demolition of existing outbuilding. Erection of 1 dwelling with associated works – Refused 16th September 2021

4. CONSULTATION RESPONSES

- 4.1 Rangeworthy Parish Council
Object to the application, raising the following points;
- Notes minor amendments made compared to previous applications
 - Consider it to be overdevelopment of the site
 - Appears to be positioned extremely close to adjacent locally listed buildings
 - Increase in traffic movements in and out of Church Lane, which is narrow with double yellow, no parking markings at the entrance
- 4.2 Other Consultees
Conservation: No objection
Ecology: No objection, subject to conditions
Sustainable Transport: No objection, subject to conditions
Arboricultural: No objection
Lead Local Flood Authority: No objection
Highway Structures: Comment that details of the excavations and temporary supports that are provided during the construction of the vehicular access are to be submitted to the highway authority for approval to ensure highway support is provided at all times.
Public Rights of Way: No objection

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is located within the settlement boundary of Rangeworthy and is therefore acceptable in principle, under the provisions of Core Strategy Policy CS5, subject to other material considerations.

5.2 Impact on surrounding heritage assets

The two previous applications on this site have been refused as the scale and siting of the development would be harmful to the relationship between the locally listed school and school house, as well as being out of character with the historic grain of development in the local area. They were therefore contrary to Core Strategy Policy CS1 and Policies PSP1 and PSP38 of the Policies, Sites and Places Plan, as well as the guidance within the NPPF.

5.3 The current application has reduced the height of the proposed dwelling, resulting in a modest, single storey dwelling. This is considered to be materially different to the previously refused schemes. Whilst it is acknowledged that the proposed dwelling would be larger than the building it would replace, it is not considered that this would result in a material change to the existing situation, in terms of overall visual impact and change in character in respect of how the site contributes to the setting of the locally listed buildings.

5.4 The reduced scale and massing of the proposed dwelling is therefore considered to mitigate the harm identified in the previously refused applications and would preserve the setting of the locally listed buildings and the contribution to their significance.

5.5 The application site lies within the settings of the Grade II* listed Rangeworthy Court and Holy Trinity Church. The proposed development is considered to be infilling, which could result in the perception of increasing the density of Church Lane. It is not considered that this change in character would result in harm to the setting of either of the listed buildings.

5.6 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

5.7 Impact on the street scene and character of the area.

The proposed dwelling would be sited towards the rear of the site and would be glimpsed from Church Lane from the access. It would be viewed in the context of the primary school to the rear. Whilst the adjacent pair of cottages are located on the back of the carriageway rather than set into the site, it is not considered that the proposed dwelling would have an adverse impact on the character of the area in terms of its siting.

5.8 The proposed design and materials would be broadly similar to the previous applications and the Council raised no objection to them. The proposed

materials are apparent in the local vernacular and are considered to be acceptable in the context of the local area.

5.9 Impact on highway safety

Policy PSP16 of the Policies, Sites and Places Plan sets out the minimum parking standards required for new development. The proposed dwelling would have two bedrooms, which has a requirement of 1.5 spaces (rounded up to 2). The existing dwelling has a required for 2 spaces. The submitted plan shows 4 spaces, two allocated to each the existing and proposed dwelling, and this is considered acceptable. A condition will be imposed to ensure that the parking is provided and retained for both of the dwellings.

5.10 The proposed dwelling would be accessed directly from Church Lane using the existing access. The proposed dwelling would not result in a significant increase in the number of trips and would not have a severe impact on the safe operation of the highway.

5.11 The concerns of the parish council are noted in terms of the adverse impact on highway safety. For the reasons given above, it is considered that there would not be a significant increase in vehicle movements that would be prejudicial to highway safety in Church Lane.

5.12 Impact on residential amenity

Due to the relationship between the proposed dwelling and adjacent dwellings, it is not considered that there would be any significant overlooking between the properties. It is not considered that there would be a significant adverse impact on the residential amenity of any adjacent occupiers from this development.

5.13 Policy PSP43 of the Policies, Sites and Places Plan sets out the minimum requirements in terms of private amenity space. The proposed dwelling would require a minimum of 50 square meters and the existing 4 bedroom dwelling would require a minimum of 70 square metres. Both the proposed dwelling, at 150 square metres, and the existing dwelling, at 90 square metres, exceed this requirement and would be in accordance with the requirements of the policy.

5.14 It is therefore not considered that there would be any adverse impacts on the residential amenity of either existing or future occupiers as a result of this proposal.

5.15 Other matters

The application is accompanied by an ecological assessment. This assessment has concluded that the site has potential for bats. A further assessment has been undertaken that found a feeding roost for brown long eared bats was found. Though no bats were seen using the building. No additional survey work is required, though the applicant will need to apply to Natural England for a low impact licence, prior to the commencement of works.

5.16 There are 2 waterbodies within 500m of the site, which is contrary to what is written in the ecology report. There is limited habitat for Great Crested Newts (GCN) and reasonable avoidance measures will be required to safeguard GCN. A condition will be imposed to ensure this takes place.

5.17 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission should be **GRANTED**, subject to the conditions set out below.

CONDITIONS

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

Reason

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

2. The development hereby approved shall be constructed in the following materials

Blue Engineering brick to external leaf of wall upto DPC level

Ibstock Ivanhoe Olde Village Brick to Base Plinth

Local Sandstone finish to external walls of Utility Room & Bathroom

Weber render finish (Chalk) to side rear and front elevation

HardiePlank smooth horizontal cladding (cobble stone) to side and front elevations

Agate UPVC windows and doors

Agate UPVC Fascia and Soffits

Marley Smooth Grey Edgemere Interlocking slate concrete tiles to roofs

Velux conservation roof windows

Black UPVC gutters and downpipes

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

3. Prior to the occupation of the dwelling hereby approved, 4 parking spaces shall be provided (2 for the approved dwelling and 2 for Rose Cottage) shall be provided and retained thereafter.

Reason

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

4. All works shall be carried out in accordance with the Silverback Arboricultural Report (dated April 2021).

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.

5. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Assessment (Quantock, November 2021)

Reason

To ensure that protected species are protected in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 , Policy PSP19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

6. Reasonable Avoidance Measures (RAMs) are to be submitted prior to commencement of works to safeguard great crested newts and other amphibians as there are two ponds within 500m of the site which were not recorded during the initial ecological survey.

Reason

To ensure that protected species are protected in accordance with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 , Policy PSP19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

This is condition precedent to ensure that any works would not cause harm to the potential habitats and needs to be assessed before work begins on site.

7. The development hereby approved shall be carried out in accordance with the following drawings

Drawings numbered RC.SEPT20.ESP.1.A, .E.1, RC.JUN21.PSP.1.D rev D, .P1.G Rev G, .P.2.G Rev G, and RC.MAR21.LP.BP.1, received by the Council on 28th July 2021.

Reason

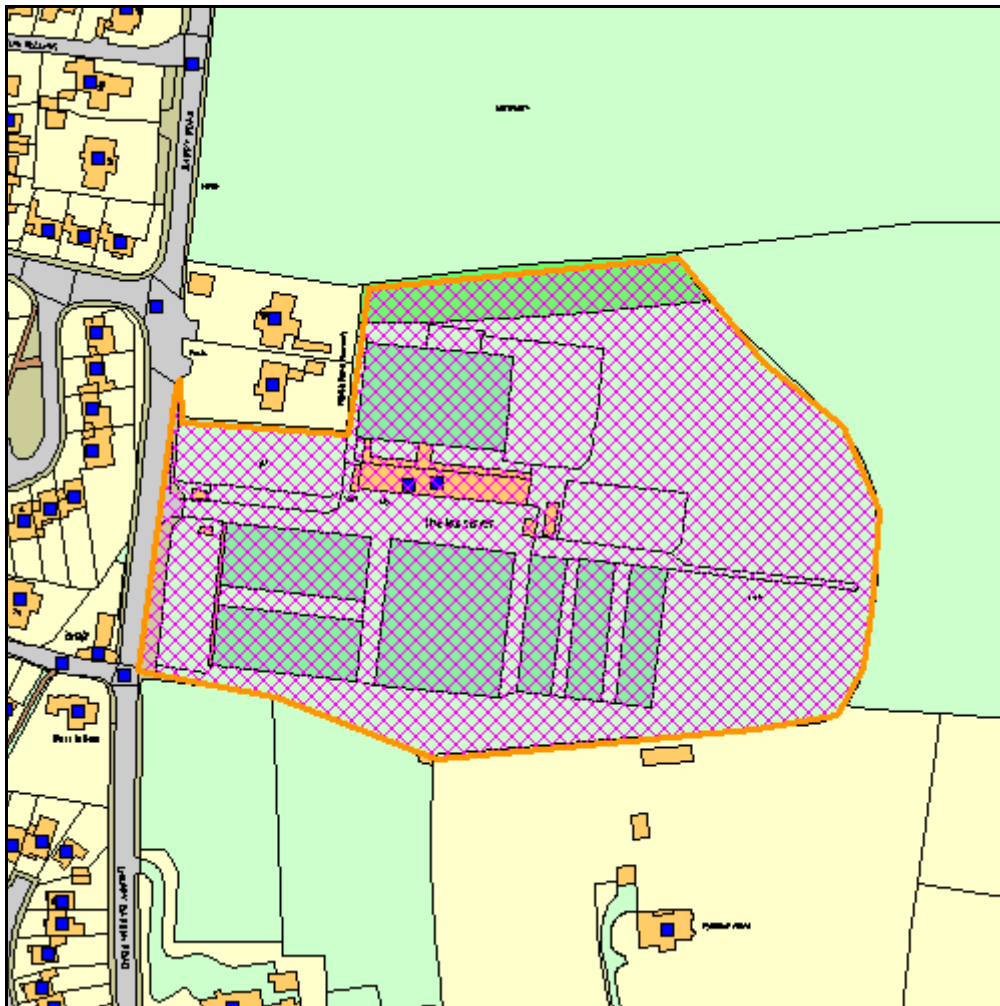
To define the terms and extent of the permission

Case Officer: Suzanne D'Arcy

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P21/05366/F	Applicant:	Oldland Common LLP
Site:	Land At Chief Trading Post Barry Road Oldland Common South Gloucestershire BS30 6QY	Date Reg:	19th August 2021
Proposal:	Hybrid planning application seeking full planning permission for the demolition of existing buildings; erection of 1 no. retail/cafe building (Class E); 6 no. supported living dwellings and 1 no. associated management building, and site infrastructure, access and associated works. Erection of 1no. building for community and health services, 50 no. dwellings with associated works (Outline) with access to be determined, all other matters reserved.	Parish:	Bitton Parish Council
Map Ref:	367250 170659	Ward:	Bitton And Oldland Common
Application Category:	Major	Target Date:	17th November 2021



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P21/05366/F

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

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application has previously appeared on the Circulated Schedule (13th May 2022) due to the level of objection received and the Parish Council objection. Following the publication of the report, there has been an amendment to the level of affordable housing proposed. The application is therefore recirculated on this basis.

1. THE PROPOSAL

- 1.1 This is a hybrid planning application at Chief Trading Post (CTP), Barry Road, Oldland Common, it comprises:
- (i) Full planning permission for the demolition of existing buildings; erection of 1 no. retail/cafe building (Class E); 6 no. supported living dwellings and 1 no. associated management building, and site infrastructure, access and associated works.
 - (ii) Outline permission for the erection of building for community and health services, 50 no. dwellings with associated works with access to be determined, all other matters reserved.
- 1.2 Following the publication of the previous report, there has been a request by the application to amend the level of affordable housing proposed. The previous proposal was for 35% of the 56 dwellings (the total number of dwellings across the whole site), whereas it is now proposed to reduce this to 35% of the 50 market dwellings and exclude the six supported living dwellings. This reduces the number of affordable housing across the site from 20 to 18.
- 1.3 There are no other changes to the scheme. This report will assess the affordable housing as set out above and its impact on the planning balance. The previous report, which contains a full assessment of all the issues raised as part of the report, is appended to this report.

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
CS4	Renewable or low carbon district heat networks
CS4a	Presumption in favour of sustainable development
CS5	Location of Development (inc. Green Belt)
CS6	Infrastructure and Developer Contributions
CS8	Improving accessibility

CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS20	Extra Care Housing
CS23	Community Infrastructure and cultural activity
CS24	Green Infrastructure, Sport and Recreation Standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP37	Internal Space Standards and Accessibility Standards for Affordable Dwellings
PSP43	Private Amenity Space Standards
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
 Affordable Housing Supplementary Planning document (Adopted)
 South Gloucestershire Residential Parking SPD (Adopted)
 South Gloucestershire Landscape Character Assessment SPD (Adopted)
 South Gloucestershire Waste Collection SPD (adopted Jan 2015)
 South Gloucestershire Community Infrastructure Levy (CIL) & Section 106
 Tree and development sites (Adopted 2021)

3. CONSULTATION REPONSES

Housing Enabling - Object to the reduction in the level of affordable housing to be provided through planning policy. The total development should provide 35% of affordable housing on site at nil subsidy. The 6 supported living units would be grant funded (receiving public subsidy) and therefore cannot count towards the level of affordable housing that should be provided through planning policy. Remain supportive of the proposed supported housing scheme coming forward as part of the proposed development. Remaining comments and HoTs as per the previous decision report.

4. ANALYSIS OF PROPOSAL

4.1 Affordable Housing matters

- The application needs to be assessed against the criteria set out in Core Strategy Policy CS18. Point 1 sets out the requirement for developers to achieve 35% on-site affordable housing, normally without public subsidy (my emphasis). This therefore requires the provision of affordable units at a cost to the developer, either through their construction or the sale of the land at below market rate to a registered provider.
- 4.2 In the explanatory text accompanying CS18, paragraph 10.37 sets out that the Council will take the whole site for the purposes of determining whether a site falls above the threshold. This prevents sites being artificially split to fall below the threshold or to provide a lower level of units. In the case of this application, this means that the entire development of 56 units should be taken into account, rather than considering the part for 6 and then the part for 50 to fully comply with this policy.
 - 4.3 The 6 units that are to come forward under the full application would provide supported housing to a specific cohort of people, who require a specialist form of housing to allow them to live independently. This form of housing is needed within Bristol and South Gloucestershire. In order to bring these units forward, there will be public funding to allow them to come forward. The land that forms this part of the site was sold to Elim (the Registered Provider) at market value. It is therefore considered that these units will not be provided at nil subsidy thus not exempting them from consideration in the numbers for affordable housing.
 - 4.4 In order to comply with Policy CS18, it would be expected that 20 affordable housing should come forward, ideally with 2 from the 6 specialist units with the remaining 18 from the 50 market dwellings. The previous heads of terms set this out with an alternative provision of 20 units from the 50 dwellings in the outline section if this isn't forthcoming.
 - 4.5 Given the provision of the 6 specialist units, the agent has requested that these are taken as part of the 20 required affordable units, thus leaving a balance requirement of 14 needed on the market section. This would result in a provision of 25% nil subsidy, which is 10% below the policy requirement. The Housing Enabling team have objected to this, as they are seeking a policy compliant level of affordable units at 20.
 - 4.6 The provision of the 6 specialist units is welcomed and, due to the agreed need for these units, it is considered that these should be taken into account, even though they would not be provided at nil public subsidy. On this basis, it is considered that in this case, an acceptable position would be the provision of 18 units, which represents 35% of the 50 market units. The mix would be as set out below;

Social Rent	14		
Percentage	Type	SHMA/ requirement	Min size m2
22%	1 bed 2 person flats	3	50
16%	2 bed 4 person flats	2	70
29%	2 bed 4 person houses	4	79
29%	3 bed 5 person houses 2 storey	4	93
4%	4 bed 6 person houses 2 storey	1	106

Shared Ownership	4		
Percentage	Type	SHMA	Min size m2
16%	1 bed 2 person flats	1	50
17%	2 bed 4 person flats	1	70
34%	2 bed 4 person houses	1	79
33%	3 bed 5 person houses 2 storey	1	93

4.7 This position has been discussed with the Housing Enabling team, who have maintained their objection as it would fall below compliance with the Council's adopted affordable housing policy. Whilst it is less than the policy requires, it is considered that, on balance with the provision of the 6 specialist units, that 18 affordable dwellings would be acceptable.

4.8 Overall Planning Balance

The planning balance was set out in paragraphs 5.76 to 5.90 of the previous report. It is noted that the balance has changed as a result of this amendment as there would be two less affordable units, which would slightly reduce the public benefits of the proposal. The overall planning balance is set out in the following paragraphs and it should be noted that it is broadly similar to the previous report.

4.9 Section 38 (6) of the 2004 Act requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

4.10 The proposal does not accord with the development plan, due to its location outside of the settlement boundary of Oldland or Bitton, and within the open countryside. It is therefore contrary to CS5 and CS34. Paragraph 12 of the NPPF states that planning permission should not normally be granted where a proposal conflicts with the development plan. However, in accordance with the statutory test set out above, it also recognises that material considerations may justify a departure from the development plan.

- 4.11 The NPPF is an important material consideration. An objective of the NPPF is to significantly boost the supply of homes and it carries a presumption in favour of sustainable development. The NPPF sets out in para. 11 the situations where the balance is tilted in favour of approving development. *“d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

In this instance, there are relevant development plan policies, as set out in Section 2 of this report.

- 4.12 The Council can demonstrate a 5 Year Housing Land Supply ('5YHLS') of 5.99 years. Therefore, although this is an application for the provision of housing, the tilted balance does not apply by virtue of the most important policies being deemed out of date in accordance with the test outlined in footnote 8 of para. 11 of the NPPF.
- 4.13 However, it is still necessary to consider whether the most important policies for determining the application should be considered to be out of date for some other reasons. There are a number of steps involved in this exercise. Firstly, it is necessary to identify the most important policies for determining the application. Then, it is necessary to consider whether any of those policies are out-of-date. Finally, a judgement needs to be made as to whether the most important Policies are out of date.
- 4.14 Assessing the policies in terms of attaching weight in the planning balance, most important policies outlined from the Policies Sites and Places Plan (PSP2, PSP11, PSP17 and PSP20) and the remainder of the Core Strategy Policies (CS1, CS2, CS4A, CS5, CS6, CS8, CS9, CS18, CS23, CS24 and CS34) are considered to attract full weight in the planning balance. They are up to date and consistent with the NPPF.
- 4.15 In conclusion, it is considered that the tilted balance as set out in para. 11 (d) of the NPPF is not engaged. The most important policies for determining the application are not out of date when considered as a whole.
- 4.16 A standard planning balance is required considering whether there are any material considerations in this case, such as any benefits that would justify a departure from the development plan in this instance.
- 4.17 Public Benefits
The NPPG identifies that Public Benefits can be anything that deliver economic, social or environmental progress and be of a nature or scale to benefit the public at large.

- 4.18 It is noted that the Council's 5YHLS is now 5.99, however, this proposal provides an opportunity for the Council to increase the surplus and strengthen the 5YHLS position. The proposed scheme would make a material contribution to the supply of a total of 50 no. new dwellings and 6 no. supported living dwellings. (35% of the total number of units will be affordable housing units).
- 4.19 The application would provide 6 supported living dwellings, which specially designed for a specific cohort of harder to house people to allow them to live independently. Accommodation of this nature is difficult to achieve through the development management process and it is therefore considered that this carries moderate weight in the balance.
- 4.20 On addition to the above, it is the opinion of the Planning Officer, when considering the merits of the application site, that it is located in a relatively sustainable location. The site sits to the close proximity to a primary school, secondary schools, bus stops with relatively regularly services. It is also relatively close to some community facilities, e.g. place of worship, public house, community centres. Also, the proposal is to redevelop the existing previously developed land. As such, the site is therefore well contained.
- 4.21 In terms of the planning obligations sought, 18 no. affordable housing would be secured, and financial contribution would be secured toward off-site POS provision / enhancement and maintenance, library enhancement and additional stock to mitigate the development and there would be improvements to the existing services and facilities which would result in some benefits to the wider community. In addition, the proposal would also help to improve the condition of the existing allotment and would provide future residents having access to a full range of open spaces.
- 4.22 There would also be some economic benefits through the direct formation of construction (temporary), retail and small business employment opportunities. Further, the development would enable greater economic spending in the area through additional population growth close to nearby services and facilities. The development would also generate a financial contribution through CIL receipts which again, whilst forming mitigation for the development, could result in benefits to the wider community through increased spending on infrastructure.
- 4.23 When considered together these benefits are considered to hold significant weight in favour of the proposal.
- 4.24 Overall Balance
Overall, having considered carefully the weight attached to public benefits, it is Officers judgement that in this particular case, it is considered that the benefits of the scheme outweigh the conflict with the development plan, the harms that arise from that conflict, including in relation to landscape setting, and any additional harms that have been identified.

4.25 Summary

It is considered that this hybrid planning application would conflict with the development plan due to its open countryside and green belt location. Namely Policies CS5 and CS34 as well as CS1 and CS9. The tilted balance does not automatically apply as the Council can demonstrate a 5YHLS. In assessing the most important Policies for the determination of the application in this case, it is considered that the development plan as a whole is not out of date. As such, when assessing the proposal under para. 11(d) of the NPPF the tilted balance does not apply.

4.25 Overall, the public benefits of the additional market and affordable housing, supported living dwellings, the provision of health / community centres, the enhancement of existing library and provision of additional stock, the provision of employment opportunities, the site's sustainable location, the economic benefits of development, the planning obligations agreed particularly in relation to public open space outweigh all the harms that have been identified.

4.26 Consideration of likely impact on Equalities

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

With regards to the above this planning application is considered to have a positive impact on equality as it would provide supported housing to a protected group.

5. CONCLUSION

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

5.2 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.

6. RECOMMENDATION

6.1 (1) That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106

of the Town & Country Planning Act 1990 (as amended) to secure the following:

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

As set out in detail in 5.23 of the original report, the following shall be provided:

On-site POS Schedule

- Informal Recreational Open Space (IROS) to be included to secure its ongoing management and maintenance
- Natural and Semi-natural Open Space (N&SN) to be provided on site
- Equipped provision for Children and Young People (PCYP) to be provided on site

Off-site POS Schedule

Contributions to be provided prior to commencement of development.

- Outdoor Sports Facilities. Contributions towards off-site provision and/or enhancement £117,482.20 and Maintenance contribution £35,558.01
- Allotments. Contributions towards off-site provision and / or enhancement £2,693.00 and Maintenance contribution £3,433.75

The above figures are subject to the Schedule of Rates for Grounds Maintenance 1987.

Reason:

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

b) Affordable Housing

Affordable Housing of a total of 18 no. units to be provided on site at nil public subsidy from the outline application.

The above to be provided on-site and distributed throughout the development in clusters of no more than 6 units. To meet identified housing need (Wider Bristol SHMA), the following should be provided;

Social Rent	14		
Percentage	Type	SHMA/ requirement	Min size m2
22%	1 bed 2 person flats	3	50
16%	2 bed 4 person flats	2	70
29%	2 bed 4 person houses	4	79
29%	3 bed 5 person houses 2 storey	4	93
4%	4 bed 6 person houses 2 storey	1	106

Shared Ownership	4(5*)		
Percentage	Type	SHMA	Min size m2
16%	1 bed 2 person flats	1	50
17%	2 bed 4 person flats	1	70
34%	2 bed 4 person houses	1	79
33%	3 bed 5 person houses 2 storey	1	93

8% of the affordable units shall be provided as wheelchair units.

The Affordable Housing shall be provided fully in accord with the requirements in terms of design, wheelchair provision, delivery and phasing, rent levels and affordability.

c) Highway works

Provision of highway on Barry Road together with all associated works as shown in principle on plan reference 0971-006 A (or plan reference 0971-008 if the northbound bus stop to remain as existing). For avoidance of doubt, the off-site highway works involves,

- i. Provision of traffic calming measures on Barry Road,
- ii. Provision of zebra crossing on Barry Road,
- iii. Improvements to site access at its junction with Barry Road as well as improvement to the junction with Oakleigh Gardens junction,
- iv. Improvement to footway facilities along Barry Road
- v. Relocation and improvement two nearest bus stops to the application site on Barry Road.
- vi. Implementation of the approved travel plan by the applicant including payment of a monitoring fee of £2,000 per year for 5 years with first payment to be made before 1st occupation of any Dwelling on the Site.

d) Community Infrastructure

As set out in detail in 5.36 of the original report, the following shall be provided:

Contribution required towards library enhancement £997.92
Contribution required towards additional stock is £1,045.00.

Reason: To accord with Policy CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, the Infrastructure Delivery Plan (IDP) and the National Planning Policy Framework.

d) Monitoring fee

1% of the total financial contributions contained within the agreement.

e) Land reserved for health / community centre

The land associated with proposed health / community centre shall be reserved for the development proposed for at least 2 years.

6.2 It is recommended that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.

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

CONDITIONS

1. Time Limit for full application (Phases A, B and C)

The development within Phases A, B and C (as shown on drawing ref: 1201 rev 3 Parameter Plan - Phasing) hereby permitted in full 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. Required details in Reserved Matters application (Phases D and E)

For development within Phases D and E (as shown on drawing ref: 1201 rev 3 Parameter Plan - Phasing), approval of the details of the layout, scale and appearance of the buildings and the landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced save for Enabling Works. The development shall be carried out in accordance with the approved details.

In this condition, "Enabling Works" means demolition of buildings on the site, site clearance, investigations for assessing ground conditions, remedial work in respect of any land contamination, diversion and laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements,

ecological mitigation measures, offsite highway works and such other enabling works as the Local Planning Authority shall agree in writing ("Enabling Works").

Reason

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

5. Time limit for submitting reserved matters application

Application for approval of the reserved matters (Phases D and E) shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

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

6. Overall time limit for implementing reserved matters application (Phases D and E)

The development (Phases D and E) hereby permitted in outline shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

7. Demolition and Construction Management Plan for all phases (pre-commencement condition)

For each phase of development approved in both full and outline, a site specific Demolition and Construction Management Plan (DCMP) for that phase shall be agreed in writing with the Local Planning Authority prior to commencement of development including any demolition of existing buildings or clearance of vegetation. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The DCMP must include, but not be limited to:

-Processes for keeping local residents informed of works being carried out and dealing with complaints.

-details of all working hours to be agreed with the Local Planning Authority.

-Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

-Measures to control the migration of mud from the site by vehicles during construction.

-Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works. Piling will not be undertaken.

-Procedures for emergency deviation of the agreed working hours.

- Control measures for dust and other air-borne pollutants; to be incorporated into a dust management plan in order to minimise the impacts of construction dust.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of the development.
- The control and removal of spoil and wastes.
- Access and traffic arrangements for construction 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 and visitor parking.
- A lorry routing schedule.
- Contact details of the main contractor.
- Pedestrian, cyclist and horse rider protection.
- Proposed temporary traffic restrictions.
- Arrangements for turning facilities on site for vehicles.
- Arrangements to receive abnormal loads or unusually large vehicles
- Methods of communicating the Demolition Management Plan to staff, visitors and neighbouring residents and business.

The DCMP as approved by the Council shall be fully complied with at all times.

Reason: In the interests highway safety and amenity of the locality and to accord with Policy PSP11 of the South Gloucestershire Policies, Sites and Places Plan (Adopted November 2017) and Policy PSP8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013). This is a pre-commencement condition to ensure that appropriate measures in place.

8. A programme of archaeological work and mitigation for all phases (pre-commencement condition)

Prior to the commencement of any groundworks within the site, including any exempt infrastructure, geotechnical or remediation works, a programme of archaeological work and subsequent mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, must be submitted to and approved in writing by the local planning authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

Reason

In order to ensure the adequate protection of archaeological remains, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework. This is a pre-commencement condition to ensure the archaeological remains are fully protected before any site clearance or ground works commenced on site.

9. Arboricultural method statement for all phases (pre-commencement condition)

The proposed development approved both in full and outline shall be carried out in accordance with the submitted Arboricultural Impact Assessment, Report Reference Number: 211112-1.1-CTP-AIA-MW, dated 12 November 2021.

For each phase of development approved in both full and outline, prior to the commencement of the development hereby approved, an Arboricultural Method Statement for that phase as per BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. No Enabling Works of any kind shall begin on the site until the approved fences have been erected around the retained trees in the position and to the specification detailed in the Arboricultural Method Statement and Tree Protection Plan to be approved. The Local Planning Authority shall be given not less than two weeks prior written notice of the completed installation of the protective fencing by the developer prior to the commencement of works on the site in order that the Local Planning Authority may verify in writing that the approved tree protection measures are in place when the work commences.

The approved fences and ground protection shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of demolishing or development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority. Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed. Landscaping works within protected areas is to be agreed with the Local Planning Authority and carried out when all other construction and landscaping works are complete.

Reason

In the interests of the long term health of the tree, and to accord with Policy PSP 2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

10. Surface Water Drainage for all phases (pre-commencement condition)

For each phase of development approved in both full and outline, prior to commencement (excluding enabling works), details of surface water drainage for that phase shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include:

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

Drainage calculations to show the volume of attenuation provided and evidence that there will be no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year storm event plus 40% allowance for climate change (winter and summer).

b. A clearly labelled drainage layout plan showing:

c. the pipe networks and any attenuation features;

d. pipe node numbers referred to within the drainage calculations;

e. exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.

f. A plan showing the cross sections and design of the attenuation features and their components.

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

h. Ownership and/or responsibility, along with details of the maintenance regime (in accordance with CIRIA753) in relation to the Surface Water Network and any components such as Attenuation features and Flow Control Devices where applicable for the lifetime of the development.

Development shall be carried out in accordance with the approved details.

Reason

To reduce surface water runoff and minimise the off-site flood risk, and to comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework July 2021. This is a pre-commencement condition to make sure an appropriate drainage strategy has been taken into considered at the design stage.

11. Construction environmental management plan (CEMP: Biodiversity) for all phases (pre-commencement condition)

No development shall take place in any development phase approved in both full and outline (including demolition, ground works, vegetation clearance) until a construction environmental management plan for that phase (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall be written in accordance with BS42020, including mitigation details on birds, reptiles, badger and any other wildlife that may be impacted by the proposal, as well as any pollution prevention measures. The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason

In the interests of protected species and the biodiversity of the location, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013. This is a pre-commencement condition to ensure that appropriate precautionary measures in place prior to any works start on site.

12. Contamination Investigation / Remediation Strategy for all phases

A) All phases of the development approved in full shall proceed in strict accordance with the recommendations set out in the Phase 2 Site Investigation Report Reference B05585-CLK-XX-XX-RP-GT-0002 Clarkebond dated 30 July 2021.

B) Post demolition Site Investigation/Remediation Strategy - Where land affected by contamination is found which could pose unacceptable risks, no construction shall take place until the results of the said site investigations of the areas affected have been submitted to and approved in writing by the Local Planning Authority. A report shall include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems. Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of the works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed. The approved remediation scheme shall be carried out before the development (or relevant phase of development) is occupied.

C) Verification Strategy - Prior to first occupation, where works have been required to mitigate contaminants (under Part B) a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

D) Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found additional remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework.

13. Public Art Programme (pre-commencement condition)

Prior to the commencement of any development phase hereby approved in full (excluding enabling works), a detailed public art programme shall be submitted to and approved in writing by the Local Planning Authority. The programme shall be relevant and specific to the development, and its locality and commensurate with its size and importance. In addition, it shall be integrated into the site and its phasing plan.

Reason

To safeguard the visual amenity of the locality and a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan:

Core Strategy (Adopted) December 2013 and Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

14. Sustainability and Energy Statement for all phases

Notwithstanding the submitted Energy & Sustainability Statement (Darren Evans, January 2022), prior to the commencement of the relevant stage of the development hereby approved, a revised energy statement for all phases shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include where relevant (but limit to):

- i. unregulated energy use and unregulated emission,
- ii the increase in emissions of the air source heat pumps,
- iii. details on the heating and hot water systems,
- iv. refrigerant leak detection and monitoring,
- v. specification of the PV systems,
- vi, overheating and
- v. the power output of the EV charging points.

Development shall be carried out in accordance with the approved details.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

15. External materials for Phases B and C

For each phase of development approved in full (Phase B and C), prior to the relevant works commencing, details and samples of the roofing, external facing materials and windows to be used on the proposed buildings in that phase shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

16. Green roofs for supported living dwellings

Detailed construction and planting details for the green roofs in any relevant phase of development approved in full shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing. Development shall be carried out in accordance with the approved details.

Reason

To protect and enhance the landscape character of the area to accord with Policy PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted November 2017), Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

17. Planting Scheme for Phases B and C

For each relevant phase of development approved in full (Phases B and C), detailed planting plans specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting for that phase (to be implemented in the first season following completion of construction works), supported by an implementation specification including tree pit details, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of that phase (excluding enabling works). Development shall be carried out in accordance with the approved details.

Reason

To protect and enhance the landscape character of the area to accord with Policy PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted November 2017), Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

18. Boundary Treatment and Hard Landscape for all phases

For each phase of development approved in both full and outline, details of all proposed boundary and hard landscape surface treatments for that phase (including POS area), including proposed levels and any soil retention/retaining walls that may be required, together with supporting schedule of proposed manufacturer hard landscape materials and site furniture products shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing. Development shall be carried out in accordance with the approved details.

Reason

To protect and enhance the landscape character of the area to accord with Policy PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted November 2017), Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

19. Implementation of Ecological Mitigation Measures

The development approved in both full and outline shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Assessment (Ethos, July 2021).

Reason: To protect wildlife habitats, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy

PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

20. Landscape and ecological management plan (LEMP)

For each phase of development approved in both full and outline, a landscape and ecological management plan for that phase covering the enabling works operations/period and a subsequent 20 Year management period, identifying existing and proposed landscape and ecology related site assets, associated management objectives, schedules of annual maintenance work together with longer term management operations shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The LEMP shall include all ecological enhancements including specifications and locations to ensure that positive biodiversity net can be obtained. Development shall be carried out in accordance with the approved details.

Reason: To protect wildlife habitats, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

21. Lighting design

For each phase of development approved in both full and outline, prior to the commencement of relevant works, a detailed lighting design for that phase (including POS area) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To minimise light pollution, protect the wildlife habitats and landscape character, and safeguard the amenity of neighbouring occupiers, and to accord with Policy PSP1, PSP2, PSP8, PSP19 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

22. Opening hours for retail / cafe unit

The retail/cafe unit hereby approved shall not open to customers outside the following hours 07:30 -19.30 Monday to Sunday (including Bank Holidays).

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

23. Delivery hours for retail / cafe unit

No deliveries pursuant to the retail and cafe building hereby approved shall occur at the site outside of the following hours: 07:00 - 20:00 Monday - Saturday and 09:00 - 18:00 Sunday and Bank Holidays.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

24. Provision of vehicular access

The vehicular access shall be provided in accordance with the approved the vehicular access arrangements (as shown on plan reference 0971-006 A) prior to the first occupation of the development hereby approved in both full and outline (Phases B, C, D and E) and thereafter maintained.

Reason

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

25 Internal access construction

For each phase of development approved in both full and outline (Phases A, B, C, D and E), internal access roads including off-site turning area shall be constructed to the Council's adoptable standards.

Reason

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

26. Landscaping scheme for Phases D and E

The plans and particulars of the reserved matters for Phase D and Phase E, required by condition 2, shall include a scheme of landscaping for the relevant phase, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hard surfacing. Development shall be carried out in accordance with the agreed details.

Reason

To protect and enhance the landscape character of the area to accord with Policy PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted November 2017), Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

27. Building Height for Phase D and E

The plans and particulars of the reserved matters for Phase D and Phase E shall accord with approved drawing ref: 1206 rev 5 Parameter Plan - Building Heights.

Reason

To ensure a satisfactory standard of external appearance, and the character of the locality and the openness of Bristol / Bath Green Belt, and to accord with Policy PSP1 and PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS1 and CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

28. Updated Tree and Hedgerow Protection Plan (Phases D and E)

The development shall proceed in strict accordance with the Arboricultural Impact Assessment (Treework Environmental Practice, July 2021), including the Tree Protection Plan. The plans and particulars of the reserved matters for Phase D and Phase E shall include an updated tree/hedgerow protection plan as part of the landscaping, required to condition 2, to reflect the details of development comprised in Phase D and Phase E.

Reason: To protect and enhance the landscape character of the area to accord with Policy PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted November 2017), Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

29. Restricted Use of proposed health / community centre

The building to be developed as part of Phase D shall be used for medical services (Class E(e)), non-residential creche, day centre or nursery (Class E(f)) or learning and non-residential institutional uses (Class F1) and for no other purposes.

Reason: To define the approved development in planning terms.

30. Opening hours for health / community centres

The health / community centre hereby approved shall not open to patients or customers outside the following hours:
07.30hrs to 21.00hrs Mon to Sat and 08.00hrs to 20.00 hrs on Sundays and Bank Holidays.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

31. Off-street parking for Phases D and E

- a) All off-street parking facilities for residential units developed as part of Phase E (residential development) shall be provided with electrical charging points and retained satisfactory for that purpose.
- b) A minimum of 20% of all parking for the building to be developed as part of Phase D (health / community centre) shall be fitted with electrical charging points with the other spaces to be provided with passive facility for future connection to electrical charging point.

Reason: To promote sustainable travel and aid in the reduction of air pollution levels, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

32. Travel Plan (Phase E)

Prior to the first occupation of the residential development (Phase E) hereby approved in outline, a residential travel plan shall be submitted and approved in writing by the Local Planning Authority. The revised travel plan shall include:

- i) The predicted opening date for the residential development;
- ii) The predicted date for appointment of Travel Plan Co-ordinator;
- iii) The predicted monthly build rate for the development;
- iv) The predicted Travel Plan Implementation Period;
- v) The timing of other relevant facilities to be delivered and estimated completion dates (e.g. cycling links, play areas etc.); and vi) Details of a travel plan monitoring scheme for a 5 year period to check the effectiveness of the travel plan in achieving the aim of reducing the level of single occupancy travel by 10% from the first annual residents survey.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling, and to accord with CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

33. Designs for informal children's play area

The plans and particulars of the reserved matters for Phase E, required by condition 2, shall include detailed designs for the informal children's play area and key viewpoint seating area. Development shall be carried out in accordance with the approved details.

Reason

To protect and enhance the landscape character of the area to accord with Policy PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted November 2017), Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

34. Affordable Dwellings shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2).

8% of Affordable Homes to meet Part M of the Building Regulations accessibility standards M4(3)(2)(a).

Reason

To ensure inclusive design access for all in accordance with Policy PSP37 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan.

35. The development proposed shall be carried out in accordance with the following drawings:

The following drawings received by the Council on 5 August 2021

Site location plan, drawing no. 1001 L,
Proposed site layout (Chief Trading Post), drawing no. 1020 Rev 6
Proposed site layout (Supported Housing), drawing no. 1100 Rev 10
Parameter plan - phasing, drawing no. 1201 Rev 3
Parameter plan - land use, drawing no. 1202 Rev 4
Parameter plan - developable area, drawing no. 1203 Rev 3
Parameter plan - Habitat, drawing no. 1205 Rev 4

The following drawings received by the Council on 22nd November 2021

Proposed elevations and floor plans for Retail and Cafe, drawing no. 1208 Rev P6

The following drawings received by the Council on 10 August 2021

Elim Housing Association - Proposed elevations for Staff and Residential Buildings, drawing no. 2235 2210 Rev 01

Elim Housing Association - Proposed site (floor) plan for Staff and Residential Buildings, drawing no. 2235 2110 Rev 01

The following drawing received by the Council on 12 August 2021

Parameter plan - building heights, drawing no. 1206 Rev 5.

Reason:

To define the approved development in planning terms.

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

APPENDIX

1. THE PROPOSAL

1.1 This is a hybrid planning application at Chief Trading Post (CTP), Barry Road, Oldland Common, it comprises:

- (iii) Full planning permission for the demolition of existing buildings; erection of 1 no. retail/cafe building (Class E); 6 no. supported living dwellings

- and 1 no. associated management building, and site infrastructure, access and associated works.
- (iv) Outline permission for the erection of building for community and health services, 50 no. dwellings with associated works with access to be determined, all other matters reserved.
- 1.2 The site lies off the east side of the A4175 Barry Road, adjacent to the settlement boundary of Bristol East Fridge. The site is previously development land in the Bristol and Bath Green Belt. Oldham Ridge, a Visually Important Hillside, lies to its east. Much of the surrounding higher land to the North, East and South of the site is crossed by a network of public footpaths. Several listed buildings lie near the site, the closest being the Grade II Turnpike Cottage that is lies adjacent to its Southwest corner at the junction of Cherry Garden Lane and Barry Road.
- 1.3 The site comprises a former nursery site, which currently houses a mixed retail and café business operated by CTP, and storage areas relating to 2 no. separate building companies. An inverted 'L-shaped' area of amenity grassland straddles the site entrance from which a spine of parking and open storage areas extends eastwards across the central part of the site. Two large buildings together with a variety of smaller building structures lie either side of this spine. The eastern and southern site boundaries comprise an arc of semi-natural vegetation around further areas of storage, glass houses, portacabins etc., with intermittently taller trees intermittently located along the eastern section. A line of conifers along the northern boundary forms an incongruous feature in the landscape. Beech hedging delineates the road frontage to the north of the entrance, with green mesh fencing extends south of the entrance along the road frontage.
- 1.4 The existing ground level of the site rises south eastwards across the site from its Barry Road frontage. Several protected and notable animal species have been found on the site. An overhead power line diagonally crosses the NW part of the site. Existing site development is visible from several local and medium distance viewpoints along the surrounding network of public footpaths. and roads, as well as from residential properties overlooking the site from the west.
- 1.5 No. 67 Barry Road, adjacent to the Northeast corner of the site, is in the same ownership.
- 1.6 With regard to the existing use of the site, Chief Trading Post is long established local garden nurseries in the area. The site comprises a number of small businesses, such as, dog grooming, farm shop, fruit & vegetable shop. A certificate of lawfulness 'CLE' for the existing use was granted in 2020.
- 1.7 In support of the application the following documents have been submitted:
- Design and Access Statement 'DAS'
 - Ecological Statement
 - Biodiversity Net Gain Assessment
 - Energy and Sustainability Statement
 - Flood Risk Assessment and Drainage Strategy

- Arboricultural Impact Assessment 'AIM'
- Landscape Impact Visual Assessment 'LIVA'
- Transport Statement
- Travel Plan Framework
- Heritage Statement
- Lighting Assessment
- Revised landscape strategy plan and plant schedule
- Phase 1 Preliminary Risk Study and Phase 2 Site Investigation

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
CS4	Renewable or low carbon district heat networks
CS4a	Presumption in favour of sustainable development
CS5	Location of Development (inc. Green Belt)
CS6	Infrastructure and Developer Contributions
CS8	Improving accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS20	Extra Care Housing
CS23	Community Infrastructure and cultural activity
CS24	Green Infrastructure, Sport and Recreation Standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP37	Internal Space Standards and Accessibility Standards for Affordable Dwellings
PSP43	Private Amenity Space Standards
PSP44	Open Space, Sport and Recreation

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
Affordable Housing Supplementary Planning document (Adopted)
South Gloucestershire Residential Parking SPD (Adopted)
South Gloucestershire Landscape Character Assessment SPD (Adopted)
South Gloucestershire Waste Collection SPD (adopted Jan 2015)
South Gloucestershire Community Infrastructure Levy (CIL) & Section 106
Tree and development sites (Adopted 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 K1743/AP Erection of detached dwellinghouse with integral garage, construction of new vehicular and pedestrian access. Allowed at appeal 17.02.1978
- 3.2 K1743/1 Erection of 'Linkspan' polythene tunnels for horticultural use. Approved 05.12.1979
- 3.3 K1743/2 Retention of 'Linkspan' polythene tunnels for horticultural use. Approved 01.12.1982
- 3.4 P19/09172/CLE Application for the continuation of mixed use commercial premises as retail (Class A1), café (Class A3) and storage (Class B8). Approved 17.02.20

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council - Concerns no bus services to Keynsham or Longwell Green, insufficient parking, create more traffic using Barry Road, set a precedent in the area. There is much about the scheme that we support - the demolition of existing buildings, the re-building and re-location of the Chief Trading Post, the provision of supported living accommodation, the medical facility, and the provision of a buffer of open space at the rear of the site. However, we do have a few serious concerns:

We believe that the level of car parking for the Chief Trading Post is inadequate and is a long way short of current provision, which itself has been insufficient at busy times. We are concerned that the development will create more traffic using Barry Road and the road safety issues this will cause. We are concerned that the greater use of the site will cause more traffic because of the poor bus services serving the site (including the recent loss of the 18 service which provided the only link to Keynsham and to North Common). Finally, we are concerned that the overall level of development of site (which is a Green Belt location and surrounded by Green Belt) on that side of Barry Road, if approved, will encourage other applications in the local area who will use this development as a precedent

- 4.2 Public Open Spaces – Contributions towards POS are required. Clarifications were sought regarding the management of POS, details of fencing around "the nature conservation areas and badger sets.

- 4.3 Community Infrastructure Officer – Contributions towards library enhancement and additional library stock are required.
- 4.4 Enabling Housing - Sought 18 no. affordable housing units from residential scheme and 2 no. units from the supported living units, if that is not provided, 20 no. affordable housing units are sought from the residential scheme.
- 4.5 Schools and Early Year Planning Officer - No additional education infrastructure required as there is sufficient Early Years Provision and Primary and Secondary surplus places to absorb the pupil yield shown in the table above. Therefore, there is no requirement for a contribution to the education infrastructure.
- 4.6 Sustainable Transport – No objection subject to S106 and conditions
- 4.7 Lead Local Flood Authority - No objection subject to conditions.
- 4.8 Listed Building and Conservation Officer - No heritage objections to this particular hybrid application, with the final design, detailing, position, appearance and landscaping of the GP surgery/community building to be considered at the Reserved Matters stage
- 4.9 Archaeology - No objection subject to condition
- 4.10 Landscape Officer - No objection subject to conditions
- 4.11 Arboricultural Officer – no objection subject to arboricultural method statement to be submitted.
- 4.12 Ecology Officer – No objection subject to conditions
- 4.13 Environmental Policy and Climate Change Team - further clarifications are required on energy table, air source heat pump, refrigerant leak detection and monitoring, resilience to overheating, EV charging points (secured by condition or Building Regulations) heating and hot water systems (secured by condition) specification of the PV system (secured by condition)
- 4.14 Environmental Protection (Acoustic) – no objection in principle
- 4.15 Environmental Protection (Contamination) – planning conditions are required to seek the implementation of the submitted report and further site investigation following the demolition of the existing buildings.
- 4.16 Arts and Development – a condition for public art programme is required.
- 4.17 Urban Designer – acceptable in principle subject to conditions on materials, boundary treatment, clarify on the density
- 4.18 Lighting Engineer - A detailed lighting design is required. The lighting proposal is clashing with the proposed vegetation, no. of columns are sited within trees.

Appropriate MF is required. The lighting for S278 area to comply with the current BS

- 4.19 Police Community Safety / Crime Prevention Design Advisor - No objection. The revised information is in order and complies appropriately with the crime prevention through environmental design principles.
- 4.20 Wessex Water – no response received.
- 4.21 Economic Development – no response received.
- 4.22 National Grid - This application falls outside of Cadent's distribution network. Please contact your local Gas distributor and/or National Grid for comments on this application.

Other Representations

4.23 Local Residents

35 no. letters of objections and 26 no. letters of support were received from members of the public to the original consultation. Comments summarised as follows:

Objection comments

Highway comments

- A4175 is a very busy road, and would lead to a substantial increase in traffic with noise and pollution
- Increase traffic movement
- Increase potential for road traffic accidents
- The Travel Plan Documents submitted on March 2022 is out of date, the bus timetables in Appendix B are dated May 2021 and do not give a true reflection of the bus times.
- Why is there no right hand lane being proposed into the sight?
- Object to the proposed traffic calming measures
- More houses are being proposed but nothing is being done to improve the roads to allow for the increase in traffic
- No bus service
- Lack of information on traffic management
- A full update to all in the junctions need to be undertaken, e.g. a mini roundabout
- Further information is needed regarding the effect on traffic on the roads that will feed the site (e.g. Court Road)
- Increase traffic, generate more traffic than Barry Road through to Oldland village can cope with
- Severe parking problems
- Inadequate parking (and charging points) for the development
- Too many planned houses
- Additional traffic can only exacerbate any danger
- The demolition of Chief Trading Post, which is a quirky building, has no particular appeal

- The beginning to further encroachment on the surrounding green belt land
- Underestimate the amount of parking
- Overspill congest the surrounding road
- Unreliable, inadequate and infrequent bus service
- Riding a bicycle along Barry Road is not a comfortable experience
- hope that safe pedestrian crossing facilities would be installed to access the footpath on the West side of Barry Road
- There is a bus stop beside the site that is already difficult to cross to at busy times.
- Does not appear to have off-road parking with electric vehicle charging points
- Nowhere to park additional or visiting cars
- Existing public transport in the area is poor
- Parking at GP surgery will be inadequate for staff let alone patients
-

Other comments

- It is within the Green Belt
- Concerns that Bitton Parish Council are already deciding how to spend the money they will receive under the S106
- It is not a new doctors surgery, it is to replace the existing one. Nothing has been said what will happen to the land of the old surgery
- No consultation with the National Grid, the overhead powerlines that go across the site is an important issue
- Overhead power lines that are not supposed to go over dwellings and the risk they cause to peoples; heath
- Does not provide much of a green landscape buffer
- Used as a wedge to get development into the green belt in Oldland Common,
- No effort has been made to use the land for agriculture
- Could 'open the flood gates' to future requests
- The site is tied to agriculture and horticulture, residential use is prohibited.
- Proximity to a protected Roman settlement, almost certainly hides further points of historic interest
- May wildlife creatures rely on the openness of this land
- Can it be guaranteed that no Roman remains on the site, has this be investigated?
- Will the badger sets be protected?
- The site was put up for sale subject to an Agricultural Occupation condition, how has this suddenly changed?
- Concerns the density of the housing
- Concerns the quality of the housing on energy efficiency, insulation, etc.
- Significant impact upon the quality of life for the residents and (protected) wildlife
- It will be a further expansion into the beautiful local countryside
- Light, air and noise pollution
- The development will destroy the wildlife habitat and the current natural balance of the wild ecosystem
- Lack of landscape buffer
- The existing primary school, Cherry Garden School, has been oversubscribed over the last three years, where will the children go?

- Will follow for 'infill' with the adjacent field north of the proposed development which reappears every couple of years
- Lead to more destruction of beautiful walks
- Intrusive within the AONB (the upper part of the adjacent fields and the adjacent Ryedown Lane area)
- Out of keeping with the area, will spoil the adjacent lane

Supporting comments

Councillor Erica Williams - The application as a whole is extremely well planned with a good mix of housing, and additional services. CTP will benefit from new premises, the relocation of Oldland Surgery will be hugely beneficial for the local community and the practice itself, as they will have a fit for purpose building that will allow provision of additional Primary Care Services. The inclusion of supported living for people with learning difficulties and special needs demonstrates the sensitive approach that has been apparent during previous discussions. The setting is well thought out with the protection of habitats and access green open space that will encourage the growth of new habitats and also be of benefit to the community. Improvements to road safety are vital as well as the re-siting of bus stops will reassure residents who have voiced their concerns over the years about the need for traffic calming measures on Barry Rd. Overall this application will benefit so many and be an excellent use of the land that is currently tired and careworn

Other supporting comments are summarised as follows:

- Provide a good balance of uses for this brownfield site both employment and much needed housing
- Provide valuable (new) housing
- Provide new and preserve existing jobs
- The current site does look tired and the development will improve the area providing valuable services to its residents
- Preserve the much loved CTP.
- Continuing to supply a meeting place for community
- Need more of this style of home being built
- Bring much needed space for the relocation of Oldland Surgery, benefit the local practice population and expand the Primary Care services
- Make the site look aesthetically better
- will make much better use of the land
- Keeping the community together
- Café brings the elderly a place for social lunch
- CTP is a vibrant part and at the heart of the community
- Trading from more modern premises will help safeguard the future of the existing businesses, as well as insure long term sustainability for the businesses and staff

5. **ANALYSIS OF PROPOSAL**

Principle of Development

5.1 This is a hybrid planning application seeking

- (i) full planning permission for the demolition of existing buildings, erection of 1 no. retail / café building and 6 no. supported living dwellings, and 1 no. associated management building, site infrastructure, access and associated works, and
- (ii) outline planning permission for the erection of 1 no. building community and health services, 50 dwellings with associated work with access to be determined and all other matters reserved.

Key constraints of the site

- 5.2 The application site is located outside the defined settlement boundary in the open countryside. It is also situated within the Bristol / Bath Green Belt. Policy CS5 (Location of development) of the adopted Core Strategy directs new development to the existing communities which are set out in the adopted plans. Policy CS5(e) states that new development will be strictly limited in the open countryside. Policy CS34 (Rural Areas) set out clear objectives and requirements on how to assess development proposals. The criteria (not limited to) are to protect the designated Green Belt and the Cotswolds AONB from inappropriate development, provide affordable housing, protect rural employment sites, services and facilities, and seek contributions to providing green infrastructure.

Rural economy

- 5.3 As the proposal comprises of retail use and residential uses, Policy PSP28 (Rural Economy) and PSP40 (Residential Development in the Countryside) of the adopted PSPP would be particularly relevant for the assessment and determination of this application.
- 5.4 Policy PSP28 supports boosting rural economy in rural areas. In the first instance, a certificate of lawfulness was granted for the existing commercial premises as retail, café and storage on this site. There are some single storey structures and a number of large green houses on site, however these structures, due to their condition and structure, would not be capable for conversion for residential uses or health / communities centre. The proposal is to demolish the existing buildings including greenhouses and outbuildings, and to erect a no. retail / café building, which would be situated on the grassed area, which is outside the approved CLE area. However, this parcel of land is used to support the existing retails and café, there is no objection to the proposed new retail / café buildings.

Residential scheme in open countryside

- 5.5 Policy PSP40 indicates that some forms of residential development will be acceptable in the open countryside. There are two elements of residential development in this scheme - 6 no. supported living dwellings (full application) and 50 no. dwellings (outline application). Given the nature of the scheme, neither of these schemes would fall within any of the allowable forms of development contained within Policy PSP40.

Location of Development - Relationship with Nearest Defined Settlement

- 5.6 As stated in Policy CS5 (5e) of the adopted Core Strategy, new development will be strictly limited in the open countryside.

- 5.7 In terms of the relationship with the nearby defined settlement, although the site lies immediately adjacent to the edge of the settlement boundary of Oldland, it would not read as a natural extension to the settlement boundary. This is due to its size and the character of the site. Paragraph 78 to 80 of the National Planning Policy Framework supports housing developments that reflect local needs while avoiding the development of isolated homes in the countryside. Whilst the proposal would not fall neatly within the criteria set in the NPPF, weight is being given to the authorised commercial use of the site and the number of buildings that exist. Whilst this is a rural site, it certainly does not have a traditional rural appearance. Furthermore, the site is already supported by some key essential infrastructures (which are discussed further in paragraph 5.13 Travel Sustainability), it is considered that the proposal forms one of the few cases where could be supported.
- 5.8 Policy CS34 of the Core Strategy states that the defined settlement boundaries will be maintained around rural settlements until they are reviewed either through Neighbourhood Plans, the Policies, Sites and Places DPD or a replacement Local Plan. No review of settlement boundaries was undertaken as part of the PSPP, and there is no Neighbourhood Plan for Oldland / Bitton at this stage. Therefore, a review of settlement boundaries is next likely to take place as part of the new South Gloucestershire Local Plan, which will replace the Core Strategy and PSPP.
- 5.9 The proposed development is therefore contrary to Policies CS5 and CS34 of the Development Plan. However, as the Councils Core Strategy is more than five years old and predates the latest version of the NPPF it is important to consider how much weight should be afforded to the Policies, having regard to their consistency with the NPPF and any other material considerations. An important material consideration in addition to whether the Council is able to demonstrate a 5 Year Housing Land Supply is the extent of any surplus supply of land, and the Government's clear objective set out in para. 60 of the NPPF to significantly boost the supply of housing. The Council is currently able to demonstrate a greater than 5- year housing land supply.

Green Belt

- 5.10 Policy CS34 seeks to protect the Green Belt. The site is previously developed land. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless the scheme fall within the exceptions that set in the NPPF. With this regards, the proposal could be considered as ' the partial or complete redevelopment of previously development land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - would not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

In terms of the definition of 'Previously Development Land', the NPPF clarifies this includes 'land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed'. Given the Certificate of Lawfulness for the existing use and the location of the site, which is outside the built-up areas, officers are satisfied that the land in associated with the proposed supported living dwellings, the health and community centre and the residential development would meet the definition of 'previously developed land'.

- 5.11 The proposal comprises the demolition of the existing buildings and the erection of a mix of retail, café, supported living dwellings, health and community facilities and 50 no. dwellings. The site is approximately 2.99 hectares. The proposed site layout shows that the new development including the new retail / café unit would be located to the east of the site and to release the current 'storage' area for semi-natural and natural public open space. Officers are satisfied with this approach for this redevelopment as it would allow the proposal to create an openness and buffer within the site and that would help the proposal to integrate with the open fields to the north and the west of the site. In terms of the scale of the proposal, detailed elevations were submitted for the proposed retail/café building and the supported living dwellings, which would be single storey in height. The scale and appearance for the proposed health / community centre and the residential development are not determined at this application, however, a drawing was submitted to indicate the height of these new dwellings which would be within a range of single storey, 1 and half storey, and 2 storey buildings. As such, it is considered that the proposal can be considered an appropriate development in the Green Belt, therefore there is no objection in this regard.

Travel Sustainability

- 5.12 The sustainability credentials of the application site are required to be assessed against Policy PSP11. This Policy sets out that residential development should be located on:
- i. safe, useable walking and, or cycling routes, that are an appropriate distance to key services and facilities and then
 - ii. where some key services and facilities are not accessible by walking and cycling, are located on safe, useable walking routes, that are an appropriate distance to a suitable bus stop facility, served by an appropriate public transport service(s), which connects to destination(s) containing the remaining key services and facilities."
- 5.13 The proposed development itself is a mixed development and it includes housing (marketing housing, supported living dwellings and affordable housing) as well as the provision of a GP surgery and café/retail unit that are likely to be used by the local community. Similarly, children residing in the new development are likely to go to (subject to place availability) the local Cherry Garden Primary School or St Annes CoE Primary School, and on to the Bristol to Bath Railway Path, which would provide a safe route to the nearest secondary school, Sir Bernard Lovell Academy. For cyclists, access to the Bristol to Bath Railway Path is available from Cherry Wood, which is a 650m, or two minute, ride via Oakleigh Gardens and Cherry Gardens Lane. There are

bus stops on both sides of Barry Road to the south, both within 80 metres of the site entrance, or a one-minute walk. The stops are used by First bus services 19 and 42. Service 19 operates on a route from Cribbs Causeway – UWE – Downend – Kingswood – Bath and Service 42 operates between Bristol Centre – Kingswood – Bitton. Both services operate an hourly service in both directions. It is however noted that there are no direct bus services near the site to / from Keynsham, which is one of the closest town centre in the locality. The nearest bus stop is located on Keynsham Road, and it is approximately 15 minutes walking distance.

In terms of accessibility to services, the below table summarised the availability of key infrastructure or services near the application site.

Infrastructure and services	Description	Walking distance (metres approx.)	Walking distance (one direction) (mins approx.)
bus stops	No. 19 and 42	20 metres (north bound) and 50 metres (south bound)	1-2 mins
Primary school	Cherry Garden Primary School	0.2 miles	3 mins
	St Anne CoE Primary School	0.4 miles	7 mins
Secondary school	SBL	0.8 miles	15 mins
Sport or playing fields	Castle Road	0.6 miles	12 mins
Allotments	Redfield Hill	0.7 miles	14 mins
A place of worship	St Anne's Church	0.5 miles	9 mins
	Oldland Common Tabernacle United Reform Church	0.4 miles	7 mins
Public house	High Street	0.6 miles	11 mins
Village Hall	St Anne's Hall	0.3 miles	6 mins
Surgery / Dentist	Oldland Surgery	0.4 miles	8 mins

Pharmacy	High Street	0.5 miles	9 mins
Post Office	High Street	0.5 miles	9 mins

- 5.14 Whilst the site is located outside of and adjacent to the settlement boundary of Oldland / Bitton, key services and infrastructures are available within a reasonable walking distance (as shown in the above table). It is noted that Oldland does have timed public transport to other areas, although there is no direct bus services to Keynsham. In addition, the proposal would provide a retail / café, which would continue to support the adjacent settlement. Whilst it is inevitable that there would be some reliance on private motor vehicles, the Framework recognises opportunities to maximise sustainable transport solutions will vary between urban and rural areas. In this instance, officers consider that the location of the site is such that there would be opportunities for the occupiers of the development to walk, cycle and use public transport to access key services and facilities. The development is therefore in accordance with PSP11, and it is considered that the site is in an accessible location.

Access

- 5.15 The site is located on the east side of the A4175 Barry Road and is served by a simple priority tee junction. It is proposed to utilise the existing access point although the geometry of this access would be modified. In the vicinity of the site, Barry Road is a single two-lane carriageway subject to a 30mph speed restriction. Although the main road (Barry Road) outside the development is subject to 30mph, the result of the speed reading (as contained within Transport Statement) indicates speeds of 35mph. South Gloucestershire Council's own speed survey carried out in 2019 indicates the actual vehicular speeds of 39mph. High vehicular speed at this location is considered a barrier for pedestrian safe crossing and given the nature of the proposed development and increase footfall from the development, the Highway Officer considers that it is appropriate to provide suitable mitigating measures in order to enhance road safety at this location. There is a continuous footway on the west side of Barry Road between Cherry Gardens Lane and Oakleigh Gardens. This footway continues to the north of Oakleigh Gardens on the west side of Barry Road. A footway continues south of Cherry Gardens Lane on the east side of Barry Road. However, there are no footways on the east side of Barry Road in the vicinity of the site, nor are there any facilities for pedestrians to cross Barry Road to the west side. Therefore, some improvement to pedestrians' facilities and provision of suitable crossing facility is considered necessary.
- 5.16 For cyclists, access to the Bristol to Bath Railway Path is available from Cherry Wood, which is a 650m, or two-minute, ride via Oakleigh Gardens and Cherry Gardens Lane. For those cyclists leaving the development and wishing to join the Bristol to Bath Railway Path then, they need to cross the road on Barry Road. Provision of a safe crossing on Barry Road would assist cyclists at this location.
- 5.17 There are bus stops on both sides of Barry Road to the south, and both within easy walking distance of the site entrance. Current bus services 19 and 42 pass the site providing connections to Kingswood, Longwell Green, Keynsham,

Bath and Bristol city centres, and Cribbs Causeway. None of the existing bus stops have real time information display. Improvements to the existing public transport infrastructure at this location will clearly assist with travel sustainability and will provide alternative mode of travelling other than private cars.

5.18 In terms of traffic, the application is for a mixed-use development comprising of a) 335m² retail unit and café, b) up to 50 residential units and c) GP surgery. In order to provide a comparison of the lawful uses and the proposed uses, the applicant has used TRICS database (Industry standard norm – a trip computer model) to establish the trip generation. The lawful uses for the site include retail and open storage – given the number of greenhouses on site, the applicant has also considered the trip generation from Garden Nursery use. Overall, the assessment shows that the proposed development would generate less vehicular traffic than is estimated for the lawful uses in both peak hours and over the course of the day. The Council's Highway Engineer is satisfied that a robust methodology has been used to calculate traffic and agrees with the overall conclusion on the TA that vehicular impact of the development would not be severe. Notwithstanding this, there is general acceptance that nature of traffic movements would change as the result of the new development with an increase of 'footfall' at this location particularly in relation to pedestrians including children walking to school. Furthermore, it is agreed that there are local transportation issues (such as vehicular speed issue and lack of footway facility) in immediate vicinity of the site that needs addressing. In this context, through discussion with the applicant and in consultation with other colleagues in Council's traffic management teams as well as the Council's road safety officer, the officer has agreed with a package of mitigating measures as part of the development - these measures include the followings.

- Alteration to the existing site access at its junction with Barry Road together with the provision of new footway.
- Alteration to corner radii of Oakleigh Gardens with Barry Road
- Provision of four speed tables on Barry Road
- Provision of pedestrian 'zebra crossing' to be located north of the site access
- Upgrade two bus stops in vicinity of the site (i.e. works involves the relocation of bus stops including provision of bus shelter and Real Time information facility).

All of the above off-site highway works would be secured through a S106 legal agreement in event of approval.

5.19 As part of the highway works, it is proposed to relocate those two nearest bus stops to new position. It is proposed to relocate the South-bound bus stop closer to the site entrance and the north-bound bus stop to be relocated just north of Oakleigh Gardens junction. It is understood that the Parish Council wishes for the north bound bus stop opposite to the site entrance to remain in its current position. However, with a new pedestrians' zebra crossing as proposed, it is considered appropriate that north-bound bus stop is relocated to a new position. The Highway Officer confirms that the scheme of highway works has been safety audited report independent of the designer. The safety

auditor assessed two schemes - first option being with north bound bus stop being retained in its current position and the second scheme showing north bound bus stop in a new position. The recommendation of the safety auditor is that the North-bound bus stop is relocated from its current position.

Parking

- 5.20 Policy PSP16 sets out the Council's parking standards for residential development. There is an illustrative masterplan accompanying this application - this plan indicates a potential site wide parking strategy with parking provision that broadly meets the adopted South Gloucestershire Council Residential Parking Standards SPD. However, as the illustrative layout is not necessarily the final layout of the development then, the officer confirms that the final car and cycle parking provision would have to be decided as part of a later application once the final site layout has been developed in greater detail. The applicant confirms that sufficient parking will be provided on site for each use in accordance with local parking standards to avoid overspill parking on local streets. According to the information as included within the application form, total number parking spaces on site would be circa 145 spaces on site. The indicative plan shows a mixture of approaches in terms of parking arrangement – this includes on street, unallocated spaces with lamp post or bollard electric charging points. There is also on-plot parking for some of houses proposed. Details of car parking and electric vehicles charging facility for each element of the development would be secured by a suitable condition.

Travel Plan

- 5.21 The applicant has submitted a 'Framework Travel Plan' as part of the application. Nevertheless, a planning condition is imposed to secure a full travel plan to be submitted for written approval by the Council. An obligation for implementation of the Travel Plan would also be included in a S106 legal agreement.

Summary

- 5.22 Subject to the on-site and off-site highway works via S106 and planning conditions, it is considered that the access is deemed acceptable, and the development is not considered to result in a significant adverse highway safety impact. As such, the application accords with Policies CS8 and PSP11.

Public Open Space

- 5.23 Policy CS24 states provision for green infrastructure, outdoor space, sport and recreation facilities will be sought for all new developments, to the appropriate local standards of provision in terms of quantity, quality and accessibility. This is a new residential development, and it is reasonable to expect the future residents to have access to a full range of open spaces.

- 5.24 Using current average occupancy data and the proposed number of dwellings, we estimate the proposed development of 56 dwellings (consisting of 50no. houses in the outline application and 6no. one bed supported living units detailed in the full application) would generate a population increase of 126 residents. The following tables shows the minimum open space requirements arising from the proposed development and shows the contributions that will be required if open space is proposed on site. Policy CS24 requires provision to

be delivered on site unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal.

5.25 In terms of the contribution towards public open spaces, the following are the key elements of the proposal

Policy CS24 requires provision to be delivered on site unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal:

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount proposed on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space (IROS)	The audit shows an adequate existing supply of IROS accessible from the proposed development. However the Landscape Strategy Plan includes POS that would be classed as IROS, so it would be included in a S106 on-site POS schedule to secure its ongoing management and maintenance				
Natural and Semi-natural Open Space (NSN)	1,890	The Landscape Strategy Plan shows that subject to suitable design it is likely that there is scope to provide sufficient N&SN on-site			
Outdoor Sports Facilities (OSF)	2,016	0	2,016	£117,482.20	£35,558.01
Provision for Children and Young People (PCYP)	300	?	?	Must be provided on-site	
Allotments	252	0	252	Allotments should be provided on site (see response to point 5) £2,693.00	Allotments should be provided on site (see response to point 5) £3,433.75

5.26 In this instance, the applicant has agreed to make full financial contribution towards POS requirement, as stated above.

5.27 The provision of allotments or community garden has been carefully considered. Given the scale of the proposal, allotments or community gardens should be provided on site. However, given the constraints of the sites, i.e. the mature landscaping features along the boundary, the presence of the badger sets, the elevated topography to the rear of the site, officers are concerned about the practicality of providing such facilities on site. In addition, there are already 2 no. allotments nearby (near Redfield Hill and North Road), and one of them needs some improvement on the existing access. Both allotments are also located within a walking distance from the application site. As such, it is would be more appropriate to seek such financial contribution to improve the quality of the existing allotments.

5.28 In terms of management of POS provision, the applicant has indicated that the POS will be managed by a private management.

5.29 The detailed design of play area, the proposed play area needs to be equipped. Furthermore, the location will need to be reconsidered given to the proximity to the new dwellings.

- 5.30 In terms of the provision of outdoor sports facilities, the proposal would not provide such facilities within the site, therefore a financial contribution towards the provision and maintenance would be secured via S106.
- 5.31 Regarding the provision nature & semi-natural open space, further details in relating to the surface water infrastructure, boundary treatment, detailed layout for residential development, detailed topographical survey, are required in the reserved matters stage.
- 5.32 In summary, it is considered that the proposed open space provision meets the policy requirements, and as such the proposals accord with Policies CS24 and CS25 of the adopted Core Strategy subject to a Section 106 obligation as set outline the Heads of Terms at the end of this report.

Affordable Housing

- 5.33 Policy CS18 of the Council's adopted Core Strategy Development Plan Document requires developers to achieve 35% on-site affordable housing on all new housing development, without public subsidy, in rural areas where the proposal would provide 5 or more dwellings on site. It is also so with the National Planning Policy Guidance: Planning Obligations and other requirements.
- 5.34 Enabling officer note that this is a hybrid application comprising a total of 56 units across the whole scheme. The developer has split the site into a full application for a specialist supported housing scheme of 6 units and an outline planning application for the residual 50 units.
- 5.35 In line with policy CS18 35% of 56 units generates a requirement for 20 Affordable Housing units at nil public subsidy. The 20 units can either be secured as 18 units on the main residential scheme (35% of the 50 units) and 2 units from the supported living dwellings (35% of the 6 Supported Housing units), or if none of the 6 supported housing units form part of the 35%, the requirement of full 20 units will need to come from remaining phase. It should be noted that no more than 35% (or 2 of the 6) supported housing units to be provided as part of the S106 contribution, because an even distribution of s106 units is sought across phased developments. The applicant has agreed with the above approach.

To meet identified housing need (Wider Bristol SHMA) the following tenures shall be provided:

76% Social Rent
24% Shared Ownership

Therefore, subject to a S106 incorporating the Heads of Terms set out at the end of this report, the proposal is acceptable in terms of affordable housing.

Community Infrastructure (library)

- 5.36 New residential development of this scale is expected to give rise to significant demand for community and cultural facilities. Enhancements to existing facilities are required to provide for a wide range of activities for different age

groups, abilities and interests. It is reasonable to expect future residents to have access to community and cultural space within reasonable walking distance in line with policy CS23 and the Infrastructure Delivery Plan (IDP). The nearest South Gloucestershire library is Cadbury Heath library 2.4km from the application site, and accessed via a 25 minute walk through residential areas. Cadbury Heath library would benefit from internal remodelling and modernisation to create more space and better use of space for additional users plus upgrades to stock, IT and digital services. Based on a future population of 126 residents the following is requested: 126 x £7.92. Contribution required towards library enhancement is £997.92. Furthermore, additional stock is required to meet the demand arising from the new residents. Based on a future population of 126 residents the following is requested: 126 x 0.75 = 95 (rounded) items of stock to be supplied. The average cost per item of stock is £11 (including processing costs) Contribution required towards additional stock is £1,045.00. In summary, a total contribution of £2,042.92 is required to improve the local library service to meet additional demand.

Dedicated Community Centre (DCC)

5.37 There are no DCCs within the recommended access standard identified in the South Gloucestershire Infrastructure Delivery Plan (IDP) and the closest DCCs are Longwell Green Community Centre, North Common Village Hall, and The Batch Cadbury Heath which are all around 2km from the application site. The proposals include a Class E and Class F1 health/medical centre in a flexible building that could accommodate a range of functions and adapt as necessary. The proposals include a café to re-provide the existing café at Chief Trading Post. An area of 750sqm total volume 2,850sqm across 1.5 – 2 storeys has been identified within the design and access statement for health centre/community building use. Further details regarding the design of this facility, how it is intended to be used, managed and accessed by local residents, will be considered at reserved matter stage. Therefore there is no objection in this regard.

5.38 Archaeology

The application is supported by a heritage statement that includes an archaeological appraisal. This appraisal identifies some archaeological potential to the site but also notes that buried archaeology is likely to have been truncated by the existing development, thus reducing its significance. On the basis of this, the Archaeology Officer has no objection to the scheme. However, as the extent of disturbance and survival of archaeology is unclear and as there is still potential for archaeology to survive, it is necessary to impose a condition to seek the form of an initial programme of work to identify archaeology (trial trenching) followed by any mitigation necessary upon completion of this work. As such, subject to the condition, there is no archaeological objection to the proposal.

5.39 Heritage

The site lies opposite the grade II listed Turnpike Cottage, believed to date from 1835 although there is a suggestion that it dates to 1819, erected for the turnpike route that opened up c1820. It is a very modest structure, with canted bay frontage facing Barry Lane and the side elevation running along Cherry Garden Lane. As is typical of such structures, the angled elevation facing the

turnpike has windows (fixed) looking out onto the road in both directions and an opening casement window in the centre, formerly an infilled doorway, which would have allowed the toll collector to control the route and collect tolls. The structure historically faced out over the opening countryside, enjoying a rural context although this has been eroded by the extensive suburban expansion to the west. The building faces the open grassed area at the front of the application site and therefore has little in the way of competition with built form on the east side of the road. On the west side, a late 19th century detached house sits to the south, opposite the entrance to Cherry Garden Lane but this is set back slightly behind a mature hedgerow boundary, maintaining the visual dominance of the Turnpike Cottage with its projecting bay in views along the road from the south. From the north, a mix of 19th and 20th century housing form a suburban edge to the west, with hedges and the grassed open frontage of the application site providing a largely green edge on the east side of the road. As with the southerly view, the angled frontage of the listed building juts out from the building line established by the boundary walls, reinforcing it as an important historic feature of this part of the street-scene.

- 5.40 To the west of the application site is the historic group of buildings at (Lower) Cullyhall Farm, the farmhouse dated to c1700 with grade II listed gate piers and garden walls ascribed a date in the 18th century. The grade II listed barn is early-mid 19th century in date. As noted in the Heritage assessment, “the historic (and current) setting of these assets is one of a highly rural and somewhat isolated pair of hillside farmsteads, along with Upper Cullyhall Farm, with extensive views westwards over the valley of the Siston Brook and north-west to Kingswood, set in a mixture of pasture and arable land at the time of the Bitton Tithe Map (1841) and now.”
- 5.41 The application is supported by a comprehensive Heritage Statement (Rev C, 28th July 2021) which covers both archaeology and built heritage issues. The Council’s Listed Building and Conservation is satisfied with the methodology and approach to assessment.
- 5.42 In respect of built heritage, the assessment concludes that the development will result in ‘No change’ to the significance of the Lower Cullyhall Farm group of heritage assets and to the identified heritage assets at Park Farm, north of the application site, and Barry Hill Cottage, a locally listed building to the south of the application site. Officers agree with both assessments.
- 5.43 In terms of the grade II listed Turnpike Cottage, it is recognised that the proposed development will result in a change to its setting, with the proposed GP surgery being closer to the road edge and taller than the existing dilapidated greenhouses. Two sets of 3-D imagery have been provided, the one contained in the heritage statement illustrating a slightly less pronounced building with more screen planting compared to the separate NPA Visually Verified Montages. The location that the images have been taken from does differ, which will account for the change in perceived scale/massing, and a scheme of appropriate planting behind the roadside hedge will hopefully help soften this edge further. The aspect of the asset’s setting that makes a positive contribution to its significance is recorded in paragraph 5.7 of the heritage statement. This notes that “the building’s location and prominence at

the junction of Cherry Garden Lane and Barry Road, the start of the former turnpike road running north, remains as the most significant element of its setting, formerly providing visibility up and down the road for the toll-keeper and, along with the now removed toll-gate, clearly signalling its presence and function to approaching travellers.” Although the new development will be an appreciable change to the urbanised context of the cottage, the historic, functional relationship between the road and the canted bay of the toll-house will not be directly affected by the proposed development. The development will also not impinge on longer-distance views of the along the road from the south or north where the prominence of the projecting bay is most noticeable.

5.44 The health / community (GP surgery) centre falls under the outline part of this hybrid application (only access to be determined and all other matters reserved), an indicative impression was received, and it showed the design of the proposed new building, coupled with a parameter plan limiting development along Barry Road to 1.5-2 storey. The developable area parameter plan does show the developable area as extending up to the proposed new boundary hedge. Officers agreed with the finding of the submitted statement that “the noticeable changes to the setting of the asset resulting from the development proposals which will face it across the road fit firmly within the minor magnitude of impact range utilising Table 2 above”. This equates to a change of setting such that it is noticeably changed, rather than ‘significantly modified’, the building already being within an area characterised by 20th century urbanisation that has eroded the historic, rural qualities of the area. Taking into account the key aspects of the building’s setting that contribute to its significance, Officers are satisfied that the development proposals should, providing they are of high-quality design (particularly the GP surgery/community building) and implemented along with appropriate landscaping, result in a neutral significance of effect on the overall heritage significance of the designated heritage asset. Therefore, there are no heritage objections to this particular hybrid application, with the final design, detailing, position, appearance and landscaping of the GP surgery/community building to be considered at the Reserved Matters stage.

5.45 Arboricultural and Landscape matters

The site is bounded by a number of mature trees growing along the boundary of the site. An arboricultural Impact Assessment was submitted with the application. The submitted report has addressed issues regarding T11 and T12, missing information on the submitted Tree Survey and the Tree Protection Plan. Due to the excavation within the Root Protection Area of the trees located by the proposed car park, it is necessary to impose a pre-commencement condition to seek an AMS as per BS 5837:2012.

5.46 From landscape perspective, a phasing plan for the proposed development was submitted with an indicative layout for the outline part of the proposal, i.e. residential development for 50 no. dwellings and a health / community centre. The order of phasing is as follows:

- A - upgrade central spine road infrastructure
- B - replacement retail/cafe building (with parking to rear), within the western margin of the site to the north of the access

- C - 6 No. supported living, single storey dwellings and associated management building (with green roofs) within the northern margin of the site, to the NE of the café building
- D - Health centre / community building (with parking to rear) within the western margin of the site to the south of the entrance
- E - 50 no. dwellings within the southern and central site areas, comprising a mix of 1.5 and 2 storey units

In terms of the general site layout, new public open space within the eastern and Northeast margins of the site including - various ecological buffers along the site boundaries, new footpath routes (including link to retained permissive access on southern boundary), informal children's play area, seating area on high point within SE part of site, reinforcement of the existing boundary vegetation, including replacement of the northern conifers.

5.47 A Landscape Visual Impact Assessment (LVIA) Report and an Addendum LVIA November 2021 were submitted with the application. It provides a clear and comprehensive analysis of the baseline condition of the site and the potential landscape and visual effects that will arise from its redevelopment. Additional VPs to the N, E and S of the site have also been included. The photographic analysis shows that:

- There will be local views into the new development from the adjacent section of Barry Road and from properties overlooking the site in which the frontage buildings will be prominent, with a funnel view between them extending further into the site; further tree planting would soften the appearance of the development and create a stronger landscape frontage/spine road treatment
- Medium distance views from elevated land lying to the SE of the site forming a view corridor taking VPs 6 and 7 for example, from where small areas of the new development will be seen against the backdrop of the wider settlement area of Willsbridge and Oldland Common
- Redevelopment of the site will be screened by intervening landform and vegetation in views from many potential viewpoints from the network of public footpaths lying to the E and NE of the site, and generally limited to intermittent glimpses mostly in winter views.
- Visualisation image for VP2 shows a number of trees along the spine road and to its north, which are not reflected in the current landscape design strategy.

5.48 A revised Landscape Design and Mitigation Strategy dated November 2021 was submitted shows play area moved further away from the proposed housing. A revised landscape strategy plan (December 2021) and a new accompanying technical note with outline plant schedule submitted stating that a detailed planting plan will be prepared for each development phase and a comprehensive list for different types / locations of structure planting species provided, with more detailed species to be agreed at a later stage. Also a planning condition will be imposed to seek a detailed hard and soft landscape plans including tree pits details, additional tree and structure planting within POS, and the LEMP.

5.49 In summary, officers are generally satisfied with the findings of the LVIA and addendum, subject to the following conditions:

For the full application area – retails / café and supported living dwellings:

- Detailed planting plans
- Detailed construction and planting details for the green roofs
- A landscape and ecological management plan covering the enabling works operations/period and a subsequent 20 Year management period
- Details of all proposed boundary and hard landscape surface treatments

For the outline application area – health / community centre and residential development

- Updated tree/hedgerow protection plan
- Detailed planting plans
- A landscape and ecological management plan covering the enabling works operations/period and a subsequent 20 Year management period
- Details of all proposed boundary and hard landscape surface treatments
- Detailed design for the informal children's play area, and key viewpoint seating area.
- Detailed light sources/structures adjacent to and within the POS

Ecology

5.50 An Ecological Assessment (Ethos, July 2021) was submitted with the application. The Council's Ecology Officer advised that the site is not covered by any designated sites for Nature Conservation (European Sites, SSSI's and local sites (Sites of Nature Conservation Interest or Regionally Important Geological Sites)

The impact upon the following protected species have been considered as part of this application:

Bats - The habitats were assessed as being of high potential for foraging bats. Mature trees were identified in the hedgerow, however none of them supported potential roosting features for bats.

Eleven buildings were assessed for their bat roosting potential and they were found to be of negligible potential due to them being predominantly glass construction.

Bat activity surveys were undertaken in 2019 and 2021 and found common pipistrelle, noctule, brown long-eared, Leisler's, serotine and soprano pipistrelle. Static detector results consisted of common pipistrelle, soprano pipistrelle, Nathusius', noctule, Leisler's, serotine, myotis, brown long-eared, lesser horseshoe bat and greater horseshoe bat. The hedgerows were identified as being the most valuable for bats.

Lighting details have been submitted and these are acceptable.

Great crested newt (GCN) - There are two man-made ponds on site which were subjected to eDNA surveys and these were returned as negative

indicating that GCN are not present. No other ponds were present within 500m of the site.

Dormice - Dormice surveys were undertaken on the hedgerows and found no evidence of dormice.

Birds - Suitable habitats are present for nesting birds on site, mitigation has been recommended which is acceptable and enhancements have been detailed which are welcomed.

Reptiles - Reptile surveys were undertaken in 2020 which found low numbers of slow worm and grass snake. The majority of suitable reptile habitat will be retained and a precautionary working method has been recommended which is acceptable.

Badgers - Three badger setts are present, comprising a main sett and two outlier setts. Mitigation has been recommended and it is to include that the fencing is to be installed under the supervision of a suitable qualified ecologist, however this can be outlined within a Construction and Environmental Management Plan (Biodiversity).

Hedgehog - There are suitable habitats for hedgehogs and appropriate mitigation/enhancements have been recommended.

Invertebrates - The site was considered to offer low potential for invertebrates and unlikely to support rare or notable species. Enhancements have been recommended and this is welcomed.

5.51 Biodiversity Net Gain (BNG) - A review of the BNG report using the DEFRA metric 2.0 demonstrates that the development can achieve a positive biodiversity net gain. The proposed habitats on the site would generate 8.74 biodiversity units and deliver a biodiversity net gain of 91.95%. The proposed hedgerows would generate 5.75 biodiversity units and deliver a biodiversity net gain of 12.31%.

5.52 In summary, sufficient survey effort has been undertaken and there are no ecological objections, recommendations have been made for enhancements and these are to be expanded on in a Landscape and Ecological Management Plan. As protected species have been noted on site a Construction and Environmental Management Plan (Biodiversity) is to expand on the mitigation detailed within the report to safeguard wildlife during development.

Drainage

5.53 A Flood Risk Assessment and Drainage Strategy were submitted with the application. The Council Drainage Engineer has reviewed the submitted details. In terms of the runoff rate, the Greenfield Runoff Rate of 5.6l/s is considered acceptable. The proposed Attenuation storage volume appears reasonable for 1.039ha of impermeable area. It is also accepted that green roofs and permeable paving will provide water quantity and quality benefits. The applicant has also clarified that the Public Open Space is located on the

higher ground in the East, to link with the area of Green Belt beyond the eastern boundary. The proposal also provides landscaping (eg swales) to mitigate overland flow from the Public Open Space and confirmation that permeable construction is proposed for the footpaths around the site. It is understood that a drainage survey will be undertaken to investigate the cut off drains/ditches along the northern, southern and eastern boundary to establish their route, condition and capacity. As they deal with overland flow from beyond the site boundary and therefore recommended that this is undertaken at the earliest opportunity.

- 5.54 As detailed design has not been submitted at this stage, it is necessary to impose a planning condition to seek further drainage details. Subject to the condition, there is no objection in this regard.

Environmental Protection

- 5.55 It is noted that no acoustic reporting was submitted in relating to the proposal. However, given its established business use and the nature of the proposal, officers consider that the proposal would not result in material harm to the amenity of the neighbouring occupiers. In addition, the plot layout and final design details for the health / community centres and the residential development will be submitted at reserved matters application.

- 5.56 With regard to potential contamination, Phase 1 Preliminary Risk Assessment and Phase 2 Site Investigation Report were submitted. The Council Environmental Protection Team (Contamination) has no objection subject to conditions.

Sustainable Energy and Climate Change

- 5.57 A revised Energy Statement was submitted with the application. After reviewed the submitted statement, some elements would require further clarification, for example, unregulated energy use, the increase in emissions on the addition of air source heat pumps, details on the heating and hot water systems, refrigerant leak detection and monitoring, the specification of the PV system, resilience to overheating, and the power output (kW) of Electric Vehicles charging points. Subject to condition to seek further details on the above elements, there is no objection in this regard.

Lighting strategy

- 5.55 According to the "Design & Access Statement", some of the roads (and therefore the associated road lighting equipment) would be offered for adoption. However, the "Lighting Assessment" doesn't show the detailed specification of the proposed equipment. A detailed lighting design (including the full specification of the proposed equipment) would be required to be able to fully assess. Therefore, a planning condition is imposed to seek details of the lighting strategy.

Site Layout and Design

- 5.59 Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that development should have appropriate: siting, form, scale, height, massing, detailing, colour

- and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.60 The site itself is outside of the settlement boundary and within Green Belt land. Both of these factors could present significant planning issues. The application has been split in a hybrid format and as such, therefore they are discussed in turn.
- 5.61 Chief Trading Post - officers are satisfied with the approach to relocate the Chief Trading Post premises to a new building on the western edge of the site, as will allow the use to continue and then enable the existing structures to be demolished. The general design of the building is positive with a simple but modern form and style. The associated car park is generally acceptable, officers welcome additional tree planting to break up the rows of parking bays and would help to provide shading in the summer.
- 5.62 The proposed materials of timber cladding and profiled metal roof are acceptable in principle, a planning condition is imposed to seek details of these materials, either as physical samples, brochure style information or panels erected on-site.
- 5.63 Supported Living Dwellings – They are also acceptable in principle, subject to high quality materials and secure boundary treatments, given the exposed rear garden areas. Materials are indicated as light buff bricks with dark grey timber-effect cement fibre board, both of which should work well. Officers consider that a good quality, textured and multi finish brick is used, which would add visual quality. The layout of these uses is positive, with green roofs a significant benefit.
- 5.64 Boundary treatments and paving materials are not indicated on the layout or elevation plans, and a planning condition is imposed to seek these details. Officers expected that solid construction walls should be used for the defined areas of public realm, possibly a natural stone or brick to match the elevations of the buildings, as fencing would break down quickly over time with higher maintenance liability.
- 5.65 In terms of the site access, there is no objection from design perspective as it would be utilised for the proposal.
- 5.66 Outline application comprises a health / community centre and a residential development for 50 no. dwellings. The submitted residential layout offers a reasonable density and more open approach which defines areas of public realm fairly well. One issue needs to be looked into at the reserved matters stage is how interfaces will function between private and public areas and how boundaries will be designed. For example, a few the blocks have rear gardens backing onto areas of public realm, which would not be generally supported due to security reasons. This also applies to the properties which define the northern and eastern edges.

- 5.67 The two blocks located in the southern half of the site are positive and form secure perimeter blocks. The roof forms indicated are also visually strong, with front pitched gables facing the street.
- 5.68 In terms of density, the application states the total site area is 2.99 Ha. After taking away the area for the retail / café, the supported living dwellings, the health / community buildings, other areas, such as access, private amenity space and POS. This would leave approximately 2.55 Ha, and this scheme of 50 no. residential units would equate to a density of approximately 20 dwelling per hectare. This is a low-density development, and it is right to consider whether this represents the most appropriate approach to this site. As described above, the site is situated within the Bristol / Bath Green Belt and bounded by open fields, and the indicated layout reflects the topography of the site by locating all new developments towards the west side of the site. It is accepted that this would be a reasonable design approach and would allow scope for a high quality design within the site.
- 5.69 A further reason for questioning the appropriateness (or otherwise) of the density is in relation to whether there is an attempt to avoid affordable housing triggers. This is not the case here as will be seen from the section on affordable housing.

- Public Art
- 5.70 The NPPF highlights the social objective of the planning system by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support health, social and cultural well-being. Within the NPPG there is reference to cultural facilities and services that meet community needs. In line with this Policy CS23 of the adopted Core Strategy states that 'The Council will work with partners to provide additional, extended or enhanced community infrastructure and encourage participation in cultural activity'. Specific, detailed and measurable criteria for good design are most appropriately set out at the local level. Public art is clearly required as a specific local criteria in South Gloucestershire planning guidance and as such should be included in proposals for new developments. However, this application makes no reference to public art in its Design and Access statement nor has a specific document relating to public art. Therefore, it is necessary to impose planning condition to seek a public art plan prior to work commencing out of the ground.

- 5.71 Residential Amenity
Policy PSP8 of the PSP Plan (November 2017) sets out that development proposals will be acceptable provided they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from; loss of privacy, and overlooking; overbearing and dominant impact; or loss of light; noise or disturbance; and odours, fumes or vibration. Residents' concerns regarding loss of privacy and overbearing are noted.
- 5.72 Full application – the proposed retail / café building would sit on the existing outdoor seating / grass area. The proposed building would measure approximately 15 metres by 22.3 metres and 6.7 metres to its ridge

(approximately 2.7 metres to its eaves) in height. The building would be approximately 7.7 metres from the nearest neighbouring, No. 67 Barry Road. As the building would retain a reasonable distance, with eaves height approximately 2.7 metres with a shallow pitched roof, it is considered that the new building would not have significant impact upon the neighbouring properties in terms of overbearing or overlooking impacts.

- 5.73 With regard to the proposed supported living dwellings, they are single storey buildings with a green roofs, the dwellings would be approximately 3.2 – 3.5 metres in height. Furthermore, some forms of boundary treatment would be installed to provide a private outdoor space for each dwelling. As such, it is considered that the proposal would not have any unreasonable adverse impact upon the neighbouring properties, in terms of overbearing or overlooking impact.
- 5.74 Outline application – the proposed health / community centre and the residential development. It is acknowledged that the access is to be determined with all other matters are reserved at this stage. Therefore, it is not possible to make a full assessment of the potential impact of the development on the residential amenity of the neighbours. Nonetheless, the submitted site layout plan gives an indicative layout showing these elements would be situated to the south of the site. The existing footpath, which is currently closed with a gate along Barry Road, would be retained and would be changed to a public pedestrian footpath. Given the new dwellings along the southern boundary of the site would be approximately 7 – 8 metres away from the site boundary, there would be reasonable separation distance, as such, the siting of the proposal as indicated on the indicative plans would unlikely result in significant unacceptable impacts to the amenity of the neighbouring occupiers through loss of light, overbearing or loss of privacy. Nevertheless, officers are mindful that the existing ground level of the site of the application and the neighbouring properties may not be the same. As such, site level plans will be required and to be considered at the reserved matters stage. A planning condition is therefore imposed to seek the details. The plan also shows that the site is likely large enough to accommodate the proposed number of dwellings with reasonable level of private amenity space for the proposed dwellings. Furthermore, a public open space would be provided within the site, officers are satisfied with the proposal.
- 5.75 Provision of Health / Community Centre
Policy CS23 of the adopted Core Strategy seeks a provision or contribution towards additional, extended or enhance community and cultural infrastructure where it would generate a need for such facilities. In this instance, it is noted that a health / community centre is proposed as part of the outline application. As such, there is no objection in principle to the proposed facilities. The existing Oldland and Hanham Practice has recently expressed their interest in relocating the existing practice in Oldland to the new building at CTP, it should however be noted that any business case or application for seeking NHS funding to support the project will be subject to the availability for funding (either capital investment or rent reimbursement). The Bristol, North Somerset and South Gloucestershire Clinical Commissioning Group has confirmed it is not supporting this development or formally agreed to review any formal

application/business case to consider such a proposal. Although it is noted the desire of Oldland Surgery to relocate to the CTP site, the CCG currently has no identified funding available to support such facilities at this stage. As such, it is unknown if such facilities would be delivered in foreseeable future. Such provision therefore can only be given limited weight when exercising planning balance. Nonetheless, a clause will be included in the S106 agreement to ensure that the site is retained for this building and its use for a minimum 2 year period to allow the developers to seek funding for the proposed building.

5.76 Planning Balance – Weighing Up Exercises

Section 38 (6) of the 2004 Act requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

5.77 The proposal does not accord with the development plan, due to its location outside of the settlement boundary of Oldland or Bitton, and within the open countryside. It is therefore contrary to CS5 and CS34. Paragraph 12 of the NPPF states that planning permission should not normally be granted where a proposal conflicts with the development plan. However, in accordance with the statutory test set out above, it also recognises that material considerations may justify a departure from the development plan.

5.78 The NPPF is an important material consideration. An objective of the NPPF is to significantly boost the supply of homes and it carries a presumption in favour of sustainable development. The NPPF sets out in para. 11 the situations where the balance is tilted in favour of approving development. *“d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- iii. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- iv. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

In this instance, there are relevant development plan policies, as set out in Section 2 of this report.

5.79 The Council can demonstrate a 5 Year Housing Land Supply ('5YHLS') of years. Therefore, although this is an application for the provision of housing, the tilted balance does not apply by virtue of the most important policies being deemed out of date in accordance with the test outlined in footnote 8 of para. 11 of the NPPF.

5.80 However, it is still necessary to consider whether the most important policies for determining the application should be considered to be out of date for some other reasons. There are a number of steps involved in this exercise. Firstly, it is necessary to identify the most important policies for determining the

- application. Then, it is necessary to consider whether any of those policies are out-of-date. Finally, a judgement needs to be made as to whether the most important Policies are out of date.
- 5.81 Assessing the policies in terms of attaching weight in the planning balance, most important policies outlined from the Policies Sites and Places Plan (PSP2, PSP11, PSP17 and PSP20) and the remainder of the Core Strategy Policies (CS1, CS2, CS4A, CS5, CS6, CS8, CS9, CS18, CS23, CS24 and CS34) are considered to attract full weight in the planning balance. They are up to date and consistent with the NPPF.
- 5.82 In conclusion, it is considered that the tilted balance as set out in para. 11 (d) of the NPPF is not engaged. The most important policies for determining the application are not out of date when considered as a whole.
- 5.83 A standard planning balance is required considering whether there are any material considerations in this case, such as any benefits that would justify a departure from the development plan in this instance.
- 5.84 Public Benefits
The NPPG identifies that Public Benefits can be anything that deliver economic, social or environmental progress and be of a nature or scale to benefit the public at large.
- 5.85 It is noted that the Council's 5YHLS is now 5.99, however, this proposal provides an opportunity for the Council to increase the surplus and strengthen the 5YHLS position. The proposed scheme would make a material contribution to the supply of a total of 50 no. new dwellings and 6 no. supported living dwellings. (35% of the total number of units will be affordable housing units).
- 5.86 On addition to the above, it is the opinion of the Planning Officer, when considering the merits of the application site, that it is located in a relatively sustainable location. The site sits to the close proximity to a primary school, secondary schools, bus stops with relatively regularly services. It is also relatively close to some community facilities, e.g. place of worship, public house, community centres. Also, the proposal is to redevelop the existing previously developed land. As such, the site is therefore well contained.
- 5.87 In terms of the planning obligations sought, 20 no. affordable housing would be secured, and financial contribution would be secured toward off-site POS provision / enhancement and maintenance, library enhancement and additional stock to mitigate the development and there would be improvements to the existing services and facilities which would result in some benefits to the wider community. In addition, the proposal would also help to improve the condition of the existing allotment and would provide future residents having access to a full range of open spaces.
- 5.88 There would also be some economic benefits through the direct formation of construction (temporary), retail and small business employment opportunities. Further, the development would enable greater economic spending in the area

through additional population growth close to nearby services and facilities. The development would also generate a financial contribution through CIL receipts which again, whilst forming mitigation for the development, could result in benefits to the wider community through increased spending on infrastructure.

5.89 When considered together these benefits are considered to hold significant weight in favour of the proposal.

5.90 Overall Balance

Overall, having considered carefully the weight attached to public benefits, it is Officers judgement that in this particular case, it is considered that the benefits of the scheme outweigh the conflict with the development plan, the harms that arise from that conflict, including in relation to landscape setting, and any additional harms that have been identified.

5.91 Summary

It is considered that this hybrid planning application would conflict with the development plan due to its open countryside and green belt location. Namely Policies CS5 and CS34 as well as CS1 and CS9. The tilted balance does not automatically apply as the Council can demonstrate a 5YHLS. In assessing the most important Policies for the determination of the application in this case, it is considered that the development plan as a whole is not out of date. As such, when assessing the proposal under para. 11(d) of the NPPF the tilted balance does not apply.

5.92 Overall, the public benefits of the additional market and affordable housing, supported living dwellings, the provision of health / community centres, the enhancement of existing library and provision of additional stock, the provision of employment opportunities, the site's sustainable location, the economic benefits of development, the planning obligations agreed particularly in relation to public open space outweigh all the harms that have been identified.

5.93 CIL Issues

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

5.94 Consideration of likely impact on Equalities

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

requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

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

As set out in detail in 5.23 above, the following shall be provided:

On-site POS Schedule

- o Informal Recreational Open Space (IROS) to be included to secure its ongoing management and maintenance
- o Natural and Semi-natural Open Space (N&SN) to be provided on site
- o Equipped provision for Children and Young People (PCYP) to be provided on site

Off-site POS Schedule

Contributions to be provided prior to commencement of development.

- o Outdoor Sports Facilities. Contributions towards off-site provision and/or enhancement £117,482.20 and Maintenance contribution £35,558.01
- o Allotments. Contributions towards off-site provision and / or enhancement £2,693.00 and Maintenance contribution £3,433.75

The above figures are subject to the Schedule of Rates for Grounds Maintenance 1987.

Reason:

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

b) Affordable Housing

Affordable Housing of a total of 20 no. units to be provided on site at nil public subsidy.

The 20 units could either be secured as 18 units on the outline application (35% of the 50 units) and 2 units from the full application (35% of the 6 Supported Housing units) or if the 2 units on the full application cannot be delivered as S106 units, these will need to be provided from the residual 50 unit outline application (i.e. the full 20 units from the 50 (35% of 56)).

The above to be provided on-site and distributed throughout the development in clusters of no more than 6 units. To meet identified housing need (Wider Bristol SHMA) the following tenures shall be provided:

76% Social Rent
24% Shared Ownership

The Affordable Housing shall be provided fully in accord with the requirements in terms of design, wheelchair provision, delivery and phasing, rent levels and affordability.

c) Highway works

Provision of highway on Barry Road together with all associated works as shown in principle on plan reference 0971-006 A (or plan reference 0971-008 if the northbound bus stop to remain as existing). For avoidance of doubt, the off-site highway works involves,

- vii. Provision of traffic calming measures on Barry Road,
- viii. Provision of zebra crossing on Barry Road,
- ix. Improvements to site access at its junction with Barry Road as well as improvement to the junction with Oakleigh Gardens junction,
- x. Improvement to footway facilities along Barry Road
- xi. Relocation and improvement two nearest bus stops to the application site on Barry Road.
- xii. Implementation of the approved travel plan by the applicant including payment of a monitoring fee of £2,000 per year for 5 years with first payment to be made before 1st occupation of any Dwelling on the Site.

d) Community Infrastructure

As set out in detail in 5.36 above, the following shall be provided:

Contribution required towards library enhancement £997.92

Contribution required towards additional stock is £1,045.00.

Reason: To accord with Policy CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, the Infrastructure Delivery Plan (IDP) and the National Planning Policy Framework.

d) Monitoring fee

1% of the total financial contributions contained within the agreement.

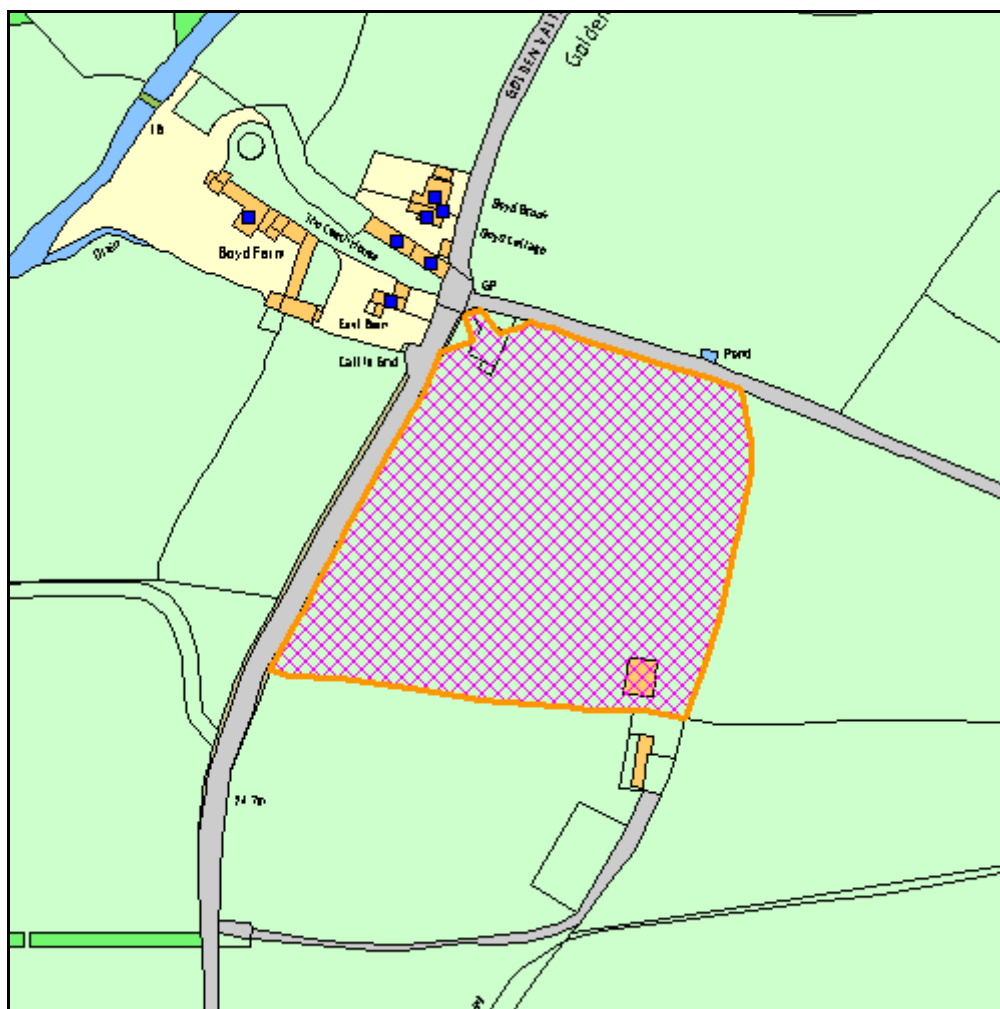
e) Land reserved for health / community centre

The land associated with proposed health / community centre shall be reserved for the development proposed for at least 2 years.

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

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P21/07017/F	Applicant:	Mr G Wilkins
Site:	Land East Of Golden Valley Lane And South Of Mill Lane Bitton South Gloucestershire BS30 6NY	Date Reg:	4th November 2021
Proposal:	Siting of 1 no. temporary mobile home for an essential rural worker and the erection of 1no. stable block.	Parish:	Bitton Parish Council
Map Ref:	368600 170441	Ward:	Bitton And Oldland Common
Application Category:	Major	Target Date:	1st February 2022



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P21/07017/F

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

INTRODUCTION

This report is referred to the Circulated Schedule in accordance with procedure given that objections have been received contrary to the officer recommendation

1. THE PROPOSAL

- 1.1 This application seeks planning permission for siting of 1 no. temporary mobile home for an essential rural worker and the erection of 1no. stable block (with four individual stables) on land east of Golden Valley Lane and South of Mill Lane, Bitton,
- 1.2 In detail the structures will be as follows:

Stable Block – 15.2m (length) 4.1m (height) Stable depth 3.8m overall with projecting canopy approx. 5m. Timber finish. Roof tiles

Mobile Home – Approx 20m (length), 4m (height) and depth 6m (6.8 to front of canopy). External Materials are timber.
- 1.3 The buildings are to be situated at the south east corner of the site with the access entering the site at the north-western corner and “grasscrete” track following the northern and part of the eastern boundary to reach the site of the proposed dwelling.
- 1.4 The site area comprises approximately 1.45 hectares on land which includes a small stable block located close the south-eastern corner of the field. It is indicated that the proposed development is needed as the applicant intends to breed horses on the site and trained off site. The stables will be used to house the horses owned by the applicant. The case put forward by the applicant is that there is now a full time role to *“oversee the horses on the site and the new breeding programme....this will necessitate someone being on site to oversee mares, foals and young horses kept at the site”*.
- 1.5 The site is situated within the open countryside and within the Bristol/Bath Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework

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 Environment and Heritage
CS16 Housing Density
CS17 Housing Diversity
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodlands
PSP7 Development in Green Belt
PSP8 Residential Amenity
PSP11 Transport Impact Assessment
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Water Management
PSP28 Rural Economy
PSP29 Agricultural Development
PSP42 Rural Workers Dwellings

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Development in the Green Belt SPD

3. RELEVANT PLANNING HISTORY

- 3.1 K669/1 OUTLINE APPLICATION FOR THE ERECTION OF A DWELLING HOUSE & GARAGE. CONSTRUCTION OF VEHICULAR & PEDESTRIAN ACCESS. REFUSED 8th March 1977
- 3.2 OUTLINE APPLICATION FOR THE ERECTION OF A DWELLING HOUSE & GARAGE. CONSTRUCTION OF VEHICULAR & PEDESTRIAN ACCESS. REFUSED 17th April 1975

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
This application is in the greenbelt and in the AONB. Councillors are concerned over the development in the Golden Valley. Concerns are also raised over how it will enhance the rural economy and whether this will start a trend within the greenbelt. The mobile home appears to be extremely large for 1 rural worker. Bitton Parish Council Objects to this application

Archaeology Officer – no objection subject to condition. The proposal is nearby prehistoric activity identified from previous investigations and in a broad area of archaeological interest. As such, a HC11 condition for a programme of archaeological work to monitor construction activity (a watching brief) should be applied to any consent granted

Lead Local Flood Authority – initial queries method of foul sewage disposal however following the submission of additional information no objection is raised.

Sustainable Transport – no objection

Ecology Officer – no objection subject to conditions

Landscape Officer – no objection subject to conditions

Listed Building and Conservation Officer (summary)

No objection raised. The site for the temporary mobile home is c.200 metres from the grade II listed Boyd Farm which is, in turn, well-screened from the site by existing buildings, hedgerows, established trees and Golden Valley Lane. There may be potential glimpses of the structure from the adjacent lanes through the boundary hedges and at the access gate, but this will not affect the setting or significance of the grade II listed building and is a planning/landscape matter rather than a heritage one.

Agricultural Consultant (summary – full details on the website)

The development passes the relevant tests for a dwelling on a temporary basis. There are questions over the long term nature of the business given doubts over access to other land.

Other Representations

4.3 Local Residents

One letter has been received neither objecting to or supporting the proposal. The correspondence questions the need for the size of the building if it is just for an agricultural worker

3 letters have been received objecting to the development and can be summarised as follows:

There is a question as to whether this business justifies a dwelling

The available land is insufficient

This should not be used to override Green Belt Policy

There could be too many horses for the available land

A temporary dwelling could lead to a permanent one in due course and set a precedent for future development in the Green Belt and Golden Valley

Impact on heritage assets

The area is prone to flooding

The proposal will lead to traffic and light pollution

The site is not currently in use

The applicant lives elsewhere, security on the site could be provided by other means

The building is too large for a workers dwelling

Access is too far from the stables (in an emergency)

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is located within the open countryside and Green Belt.

The NPPF makes a presumption in favour of sustainable development and has a strong emphasis in respect of supporting economic growth in rural areas. Both national and local plan policy state that isolated dwellings in the countryside should be avoided, but rural workers dwellings can be an acceptable form of development subject to meeting strict criteria. This is discussed in depth below.

5.2 *Green Belt*

The site is however also located in the Green Belt where new buildings are considered to be inappropriate development unless they meet the relevant considerations within the exception list. The new building is for residential purposes and therefore is assessed as not meeting any of these exceptions. As such, paragraphs 149/150 of the NPPF set out that the development would be inappropriate development in the Green Belt, which should not be approved except in 'very special circumstances'. The genuine need for the development to support a business is such a "special circumstance". It is necessary therefore to assess whether that need exists

5.3 *Dwellings in the Countryside*

Para 80 of the National Planning Policy Framework indicates that:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building;

or e) the design is of exceptional quality, in that it: - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly

enhance its immediate setting, and be sensitive to the defining characteristics of the local area

In the case of the current proposal only criteria “A” above has the potential to be applicable.

On 22nd July 2021 National Planning Policy Guidance was issued to further clarify Criteria A as set out in paragraph 80 of NPPF i.e. to set out those considerations that may be relevant as follows:

With respect to the Local Development Framework Local Plan Policy PSP41 relating to Rural Workers Dwellings is compliant with the above National criteria and states the following:

Outside of the defined settlement boundaries, the erection of dwellings for permanent workers in agriculture, forestry or other rural businesses will be acceptable, where the applicant can demonstrate that:

1) the dwelling is required to satisfy a clearly established existing functional need to live at the place of work or within the immediate area, which can't be met within the defined settlement boundaries; and

2) the rural business has been established for at least three years, has been profitable for at least one of them, is financially sound, and has a clear prospect of remaining so; and

3) the need could not be fulfilled by another existing dwelling or building capable of conversion on the unit, or any other accommodation or building capable of conversion in the area, which is suitable and available for occupation by the worker concerned; and

4) the proposal(s) is satisfactorily sited in relation to the rural business and wherever possible, is sited within a hamlet or existing group of buildings. In the case of new businesses, where the need and location have been established, but permanence cannot be demonstrated, the consideration will be given to temporary accommodation, whilst the business establishes.

5.4 The applicant has provided information which describes the business, the buildings, the land holding including off-site land availability, labour requirement, the functional need, and projected cash-flows. Given the potential complexity of these type of applications, it is the recognised practice for the LPA to engage an independent assessor to scrutinise the applicant’s case and provide advice accordingly. The findings of the independent assessment are summarised as follows –

5.5 Business Description

The application site comprises 1.45 hectares of land. The applicant has indicated that a further 4 hectares have been rented for the previous 8 years on a “gentleman’s agreement” (NB the Case Officer has secured some evidence/confirmation that there is an agreement in place albeit this is does not

reference the area/size of the land made available). The applicant has indicated that another 2 hectares could be available for purchase within 12 to 18 months.

The applicant has been involved in the breeding and competing of horses. 3 mares are bred on an annual basis with foaling taking place off site. In total 5 horses are owned, 2 on site and 3 on rented land.

The applicant indicates that the location of the accommodation on the site will allow this enterprise to grow and the foaling that currently takes place off this site could be moved to it. Some training liveries could also take place. The applicant has indicated the following projections

	2021-22	2022-23	2023-24
Brooding mares	3	4	4
Foals bred	3	4	4
Foals sold	0	2	3
Yearlings sold	0	1	2
Trained horses kept	2	3	2
Trained horses sold	2	2	2
Livery horses	1	4	4

In terms of a Labour requirement this is estimated based on the third year above at 2.17 labour units. A right move search provided by the applicant indicates no available housing within half a mile of the site.

5.6 Evaluation of the Development against Planning Policy

5.6.1 *Functional Need*

A functional test is needed to understand what it is about the running of the business that requires someone to be present most of the time. This need must relate to the business based on the stocking and cropping requirements and not the personal needs of those running the business. The need must also relate to a full time worker.

A functional need can exist where there is a requirement for a worker to be on hand day and night in case the housed animals require essential care at short notice i.e. on welfare grounds. In principle, given the proposal relates to housed livestock, subject to the necessary planning permissions being in place, a functional need potentially exists. As to whether the need for on-site accommodation is satisfied, this then depends on the scale of the activity.

In this case, the labour calculation suggests that there is a theoretical requirement for 2.17 full time labour units on the holding. The Council's

Agricultural Consultant's is satisfied that the need relates to more than a full time worker and therefore the functional test is satisfied.

5.6.2 *Financial viability*

As set out in 5.3 above it is necessary to consider the financial viability of an enterprise and that assessment includes the degree to which there is confidence that the enterprise will remain viable for the foreseeable future.

The Agricultural Consultant has reviewed the current financial reports and those that provide a profit projection for the next 3 years.

In this case, financial reports have been provided for trading years 2019/20 and 2020/21 in addition to a profit projection for the next 3 years. Profits of £16,280, £18,289 and 22,548 are shown for 2019, 2020 and 2021 respectively with projections of £22,000, £36,000 and £41,000 for the following 3 years.

The Consultant considers that:

On paper, the business appears profitable and the forecast likewise suggests continued profit. With projected sales of £71,000 for 2023/24, and £59,000 from sales alone, there is considerable reliance on a stable/buoyant market which appears to be the case currently. The costs fluctuate from £21,000 to £30,000 and appear largely to be upscaled from historical data. There appears to be no fees for the purchase of an additional mare in the projections and no labour costs throughout. Costs may also rise in the coming months given the increased costs relating to fertilizer, fuel etc.

For a holding to be considered financially sound or planned on a sound financial basis, it is necessary to ensure that it can be shown to provide a reasonable return on the land, labour and capital used in the business. In this case, given there are more than 2 FTE labour units, these costs must be accounted for, either within the budget, particularly for any additional part-time/seasonal labour, or in the case of the applicants, covered in the final return to unpaid labour/profit figure.

It is generally considered that a return of £20,000-£22,000 per labour unit is deemed to be acceptable and, in this case, relates to a return/profit of £40,000 to £44,000. The projected profit of £41,000 is broadly on par with the advisory figures, although it is for the local planning authority to decide what income criteria it wishes to apply in each case. The business appears to be currently profitable, and the projections indicate continued viability for the next 3 years. Therefore, given this is an application for a temporary dwelling, it is considered that the financial test is met.

5.6.3 *Ability to Develop the Business/Permanency*

The Consultant notes the provision of 4 additional stables in addition to those presently available on the site and notes that otherwise horses are grazed outdoors. It is considered that even with the additional stables for mares, foals

and livery some horses would still need to be permanent grazed outdoors with the provision of temporary field shelters being a possibility.

It is noted that the business will be greatly dependent on additional 4 hectares (10 acres) on the land opposite. It is noted that this is an informal arrangement (the Case Officer has secured evidence albeit the confirmation does not quantify the land area provided). It is considered that the informal arrangement leads to doubts over the permanency of the business. Furthermore the stated intention to purchase further land is not a factor that can be taken into account.

5.6.4 *Other Accommodation*

Given that no properties have been located within half a mile of the site and the need to be close to the site given the nature of the business involving close care of animals, it is considered that there is no other accommodation that could fulfil the specific functional need for this development.

5.7 Conclusions – Principle of Development

Dwelling

Concerns have been raised relating to whether the development is appropriate in the countryside/Green Belt, whether the business is legitimate and whether allowing such a development would set a precedent for other such development. It is important to note that each case is assessed on its own merits with the starting point for considering the development being the Local Development Framework. In the report above are set out the Policy Criteria against which the proposal is assessed and the findings of the Agricultural Consultant who has assessed the proposal against the criteria.

It is considered that the tests have been met to allow the temporary siting of the building for a period of three years. A condition will be attached to the recommendation to restrict the development to a three year period. Three years is the standard period given in these cases to allow the applicant to demonstrate that the business has a “permanency”. As set out above and raised by the Consultant the longer term growth of the business will to an extent depend upon access to the land that is currently the subject of an informal arrangement. It is considered that the current business/employment use constitutes a rural enterprise and that this does form the very special circumstances that outweigh its status as inappropriate development in the Green Belt.

Stables

The proposed stables are considered appropriate development in the Green Belt. Small scale facilities for outdoor sport and recreation are listed as appropriate and the submitted details indicate that the horses are kept for that purpose albeit with some kept as part of a livery enterprise. Small scale stables are a form of development usual within a country setting and are not considered to conflict with the purposes of including the land within the Green

Belt i.e. through encroachment. The provision of stables are therefore considered acceptable in principle.

5.8 The report will now consider the other material planning considerations including design, drainage, highway impact, heritage and impact upon neighbouring residential amenity.

5.9 Heritage

Concern has been raised regarding the potential impact of the proposal upon a nearby heritage asset Boyd Farm which is Grade II Listed. In addition it should be noted that the Upton Cheyney Conservation Area lies approximately 150m to the east of the site.

As a listed building, Boyd Farm benefits from statutory protection under the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66(1) of this act states that *"in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

At a national policy level, the NPPF states in para. 199 that: *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Local plan policies PSP17 and CS9 also require the conservation of designated heritage assets (inc Conservation Areas).

The proposal has been viewed by the Listed Building Officer. The distance of 200 metres between the development and the heritage asset is considered to negate any impact upon the setting of the Listed Building as does the intervening landscape which includes other buildings, hedgerows and trees. Many of the trees are well established and mature specimens. It is not considered that the new structure therefore would affect the setting of the Listed Building.

With respect to the Conservation Area, it is considered that from some elevated locations along Clay Lane especially lower slopes the structures could be seen in the foreground. The building would be seen at distance and the Conservation Advice does acknowledge that such additions may impact upon the character of the countryside. It is considered however that this impact would be extremely limited. A landscaping condition is recommended (see 5.11 below). The Case Officer considers the location in one place to reduce the impact of the development rather than a more sporadic spreading of the dwelling, stable (and existing stable). It is noted that the access will stretch across two sides of the field Furthermore the correct material for the access secured by condition (again see 5.11) will ensure that this feature is hard to make out except when viewed very close up. It is considered that the development would ensure that

the character and appearance of the Conservation Area located 150 metres (approx) to the east would be preserved.

With respect to any impact upon Archaeology, it is noted that discoveries have been found in this area and for this reason it is considered appropriate to apply a condition as a precaution that will secure a “watching brief” during the course of any works.

5.10 Design/Siting/Scale

The proposed dwelling to meet its functional requirements, needs to be suitably located close to the stables, must be able to accommodate the residential needs of the family, and must provide the agricultural worker with appropriate facilities to undertake the work.

The dwelling has been located as close as feasibly possible to the stables allowing the applicant to monitor the animals. The location at the corner of the field will prevent significant encroachment into open land and it would be largely seen at a distance against the backdrop of boundary hedges.

Concern has been raised about the form and size of the proposed dwelling. These concerns are shared by the Case Officer. While the impact is to an extent mitigated by the location nevertheless the building does not meet the highest standards of design required by policy. Notwithstanding this concern it is noted that the consent applied for is temporary and given the assessment undertaken (see above) the consent given would be for a three year period. If prior to the expiry date, the applicant seeks to secure a permanent consent then a more appropriately design building in keeping with the rural character would be expected.

5.11 Landscaping

The application site comprises a field contained by field hedgerows. The site is not within a designated landscape although the Area of Outstanding Natural Beauty lies approximately 110 metres to the east.

It is not considered given the scale and location that the proposed development would have a significant impact upon the landscape in visual terms. It is considered that the access track should not appear over engineered given the rural location. The use of a grass reinforced plastic mesh/grid surfacing rather than grasscrete is preferred.

Subject to a condition to secure full details of hard and soft landscaping and tree and hedgerow protection no objection is raised on landscaping grounds.

5.12 Ecology

Policy CS9 of the Core Strategy states that development will be expected to conserve and enhance the natural environment avoiding or minimising impacts on biodiversity and geodiversity. PSP19 indicates that where appropriate

biodiversity gain will be sought from development proposals with those enhancements being proportionate to the scale of the development.

A preliminary ecological appraisal has been submitted with the application. The application site is not situated in a designated site for nature conservation and comprises dense scrub, broadleaved trees, improved grassland and species-rich hedgerow.

In terms of species:

Bats – No alteration to existing structures and negligible potential for roosting. Sensitive lighting is recommended in the report.

Great Crested Newts - The site does not provide suitable terrestrial habitat, but may provide suitable dispersal habitat, however roads separate the site from any potential breeding sites.

Dormice - The hedgerows contain suitable habitat for dormice, however they will be retained and suitable barriers are to be implemented to protect the boundary habitats.

Mitigation for nesting birds and reptiles (where boundaries could provide foraging and shelter opportunities).

Badgers – There are no setts some mitigation re foraging recommended.

In summary there is no objection on ecology grounds subject to a condition to ensure that the mitigation measures in the ecological report (full details on the Council website) are carried out. A condition to secure details of an external lighting scheme is also considered necessary, given the business use on top of any usual domestic lighting it would be expected that there would be security lighting and lighting around the stables. It would be useful to control any lighting proposed to an appropriate level given the impact that it could have on bats in particular. A condition is also recommended to secure full details of the ecological enhancements set out in the report.

5.13 Residential Amenity

Given the scale and the location of the development in relation to the nearest residential properties there will be no adverse impact upon residential amenity. The occupiers of the dwelling have adequate amenity space for their use.

5.14 Transportation

While concern is noted regarding traffic impact, given the scale of the development it is not considered that any significant vehicle movements would accrue. There is no objection to the access. The proposed development shows that sufficient parking is provided.

It is not considered that the development will result in any adverse impact upon highway safety.

5.15 Drainage

The application site is in Flood Zone 1, the lowest area for flood risk.

PSP21 requires development to avoid pollution of groundwater. This can be a particular issue when considering rural development of the kind proposed where connection to the sewerage system is not possible. The applicant has indicated that a package treatment works will be used, with run off to the field once treated, the field being in the ownership of the applicant. A condition will be added to the decision notice to secure this feature. The proposed development is therefore acceptable in drainage terms.

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 The planning permission be given subject to the conditions set out below

CONDITIONS

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

Reason

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

2. Temporary Consent

The workers dwelling hereby permitted shall be permanently removed and the land restored to its former condition on or before 5th August 2025.

Reasons:

Consent is given on a temporary basis for three years based upon the business case provided and because the site is not in an area intended for residential development. The development has been permitted solely because it is required to accommodate a person working in an Equestrian Use at the site, and; to accord with the provisions of the National Planning Policy Framework 2021 and Policy PSP41 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

The building hereby approved is not considered appropriate as a permanent design solution due to its design/appearance and if a permanent consent were to be given at a future date, a better design solution would be required to meet the aims and objectives of Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013

3. The occupation of the dwelling hereby approved shall be limited to a person working solely in conjunction with the Equestrian Use at the site, or a widow or widower of such a person, and to any resident dependants.

Reason:

The site is not in an area intended for residential development and the development has been permitted solely because it is required to accommodate a rural worker working at the site, and to accord with the provisions of the National Planning Policy Framework Feb. 2019 and Policy PSP41 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Acer Ecology, October 2021) including but not limited to sensitive timing of vegetation clearance and supervision of top soil removal.

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

5. Prior to commencement of works a plan detailing the location and specifications of ecological enhancements detailed within Preliminary Ecological Appraisal (Acer Ecology, October 2021) is to be submitted to the local authority for review. This includes, but not limited to bird boxes. The development shall be carried out in accordance with the approved details.

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

6. Prior to the first occupation/use of the development hereby approved details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority (details to include the specification and location of lighting). The development shall be carried out in accordance with the approved details.

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

7. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the

development; proposed planting (and times of planting); boundary treatments and areas of hard surfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

For the avoidance of doubt the use of a grass reinforced plastic mesh/grid surfacing rather than grasscrete is preferred for the access track.

Reason

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

A pre-commencement condition is required to avoid the need for future remedial action

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

Reason

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

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

Received 1st November 2021

SITE LOCATION PLAN

H6452 / 100 A MOBILE HOME PLANS AND ELEVATIONS AS PROPOSED
H6452 / 101 A STABLE PLANS AND ELEVATIONS AS PROPOSED
H6452 / 102 A SITE PLAN AS PROPOSED

Reason:

For the avoidance of doubt

10. Prior to the first occupation/use of the building hereby approved the Klargester Biodisc Treatment Plant (as per the details submitted by the agent 4th July 2022) shall be installed and shall be retained as such thereafter.

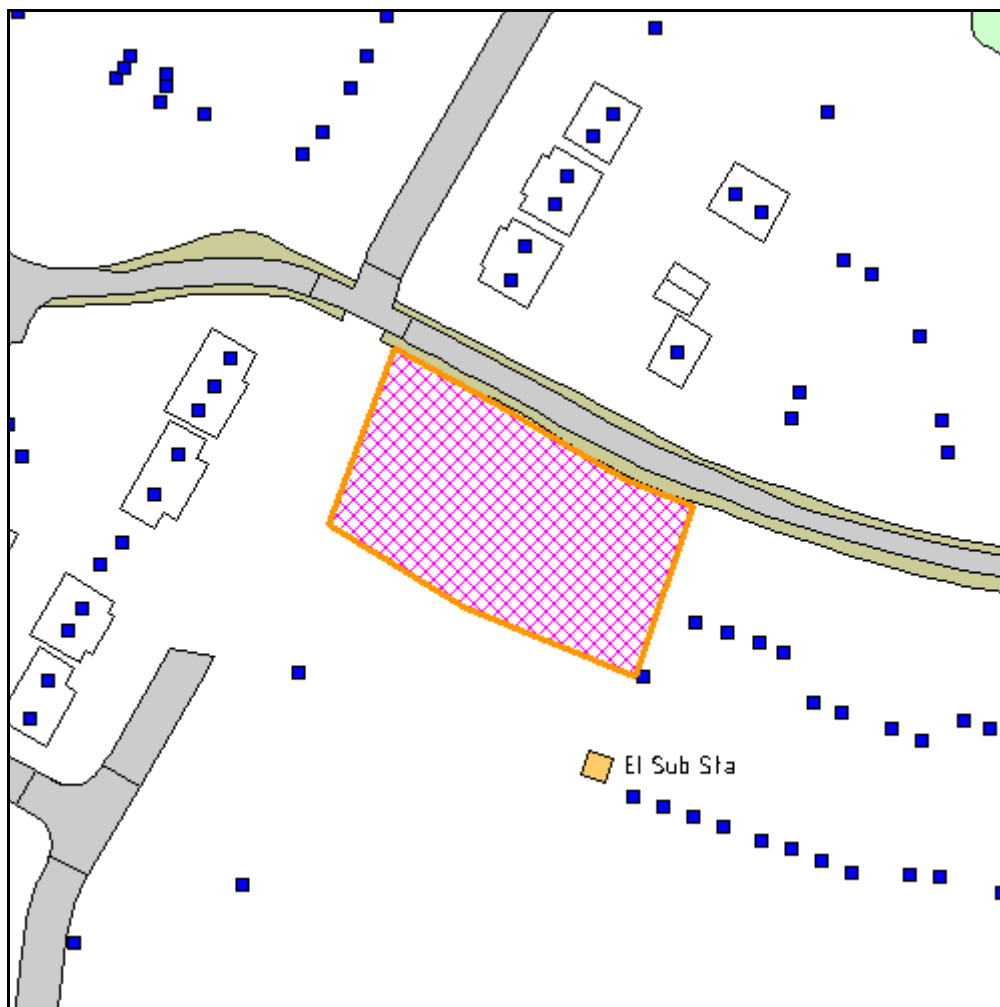
Reason:

In order to avoid adverse impact upon the water environment and to accord with PSP21 of the South Gloucestershire Council Policies Sites and Places Plan 2017.

Case Officer: David Stockdale
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P21/08207/RM	Applicant:	LYDE GREEN RETAIL LTD
Site:	Land Adjacent Willowherb Road And Thistle Close Emersons Green South Gloucestershire BS16 7GW	Date Reg:	31st January 2022
Proposal:	Erection of 1no. Restaurant; 1no Public House; 3no Retail Units at Lyde Green Local Centre with parking and associated works. (Approval of Reserved Matters - appearance, landscaping, layout and scale; to be read in conjunction with Outline Planning Permission PK19/09100/RVC, formerly PK04/1965/O)	Parish:	Emersons Green Town Council
Map Ref:	367543 177826	Ward:	Emersons Green
Application Category:	Major	Target Date:	19th April 2022



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100023410, 2008. **N.T.S.** **P21/08207/RM**

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

INTRODUCTION

This application appears on the circulated schedule because objections have been received from more than three members of the public contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of a restaurant, a public house and three retail units. The reserved matters, which comprise appearance, landscaping, layout, scale and individual access should be read in conjunction with the outline permission ref. P19/09100/RVC (formerly PK04/1965/O). The wider site has the benefit of an approved Detailed Masterplan and Design Code. The Planning Statement sets out how the proposals align with the Masterplan and Design Code.
- 1.2 The application site is within a parcel of land identified on the Masterplan as a local centre. It is located at the junction of Willowherb Road and Thistle Close. The parcel is bounded to the north by Howsmoor Lane, to the east by existing residential properties on Thistle Close, to the south by Thistle Close and Sainsbury's Local and to the west by Willowherb Road.
- 1.3 Through the course of the application process the scheme has been amended in a number of ways:
 - Ensuring an adequate separation distance was maintained to Howsmoor Lane and the Green Infrastructure Corridor protected.
 - Creating a greater separation between the proposed retail units and the rear garden of Thistle Close.
 - Amending the layout so that the proposed buildings fronted the street
 - Reduction in parking
 - Addition of Solar PV panels
 - Improvements to the detailed design of the restaurant and retail units.
 - Improvements to hard and soft landscaping and boundary treatments

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 21
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development

CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS14	Town Centres and Retail
CS29	Communities of the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP31	Town Centre Uses
PSP32	Local Centres Parades and Facilities
PSP47	Site Allocations and Safeguarding

2.3 Supplementary Planning Guidance

Emersons Green East Development Brief – adopted SPD
 South Gloucestershire Biodiversity Action Plan (adopted)
 South Gloucestershire Landscape Character Assessment SPD
 Approved EGE Detailed Masterplan and Design Codes
 Design Checklist SPD (Adopted) 2007
 Waste Collection: Guidance for new developments SPD (Adopted) March 2020.

3. RELEVANT PLANNING HISTORY

Outline Permission

3.1 **PK04/1965/O**

Urban extension on 99 hectares of land comprising of :-Residential development of up to 2550 dwellings; up to 100,000m2 of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m2 of small scale A1, A2, A3, A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavilion (Class D1) and health centre. Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined.

Approved: 14.06.2013

3.2 **P19/09100/RVC**

Urban extension on 99 hectares of land comprising of:- Residential development of up to 2550 dwellings; up to 100,000m² of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m² of small scale A1,A2, A3 A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavilion (class D1). Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined. **Variation of Condition relating to trigger for construction of Tiger Tail on M32 attached to approved Outline application.**

Approved: 17.10.2019

3.3 Development Control East Committee on 15th February 2013 approved the Detailed Masterplan associated with outline planning permission PK04/1965/O at Emersons Green East. The Masterplan was updated under application reference: DOC21/00103.

3.4 An Environmental Impact Assessment was carried out for the Outline planning permission for this development and officers can confirm that the current RM application does not raise any issues that would call into question the EIA conclusions.

Neighbouring development

3.5 **PK18/3739/RM** - Sainsbury's

Erection of 1no. convenience store at Lyde Green Local Centre with parking and associated works. (Approval of Reserved Matters - appearance, landscaping, layout and scale; to be read in conjunction with Outline Planning Permission PK15/4232/RVC, formerly PK04/1965/O).

Approved 11.01.2019

4. **CONSULTATION RESPONSES**

4.1 **Emersons Green Town Council**

No objection in principle but raise the following concerns:

The unloading of deliveries to the site, in particular the proposed pub and restaurant - delivery vehicles should not stop/park on Willowherb Rd, this is a busy road and the site is located very closely to the local school. 2) The opening hours of the pub should be restricted to be in line with those of other

pubs within the area. 3) The outside seating areas should have the hours of use restricted to mitigate any possible noise/disturbance to nearby residents. 4) The proposed parking provision should not be reduced. 5) Members would like the landscaping of the site to include more planting/greenery. 6) Members would ask to receive feedback from the Licensing Officer in relation to the opening hours for the pub, restaurant and the outside seating areas

4.2 Internal Consultees

Urban Design

First Response –

Objection - Welcomed delivery of amenities but raised a number of concerns.

Second Response –

Welcomed changes made but highlighted areas where further consideration was required.

Third Response –

Welcomed further changes. Set out a few outstanding issues but advised these could be deferred to condition.

Landscape

First Response -

Objection: The response highlights the landscape and ecological value of Howsmoor Lane and the importance of retaining existing vegetation. The response sets out that the proposed layout will have a damaging effect on the hedgerow and the rural setting of the lane. Issues with how the layout faces the street are also set out in the response.

Second Response -

No objection : Advised that the scheme has been redesigned in line with officer suggestions to reposition the pub and the shop units away from Howsmoor Lane and provide space for re enforcing vegetation along the side of the lane. Noted that it was a shame that the opportunity to provide residential units above the shops has not been taken to maximise the efficient use of land. Recommended that a planting and maintenance scheme is submitted together with details of hard surface materials to ensure that a good quality of design is achieved.

Climate Change

First Response -

Objection – Sustainable Energy Statement required

Second Response -

Further details required

Sustainable Transport

First Response -

No objection: Noted that as the principal of the development on this site has already been agreed by the Council then, the main transportation issue to consider is a) parking and b) internal site layout.

Advised access and parking acceptable but requested additional details in respect of servicing and auto tracking for service vehicles.

It was queried whether the site met the threshold for requiring a Travel Plan.

Environmental Protection

First Response -

Requested additional information in relation to control of noise and odours from a food business and recommended conditions relating to construction.

Second Response -

Verbally advised detail can be secured by condition.

Lead Local Flood Authority

First response:

No objection – Further information required

Second Response -

Verbally advised detail can be secured by condition.

Crime Prevention Officer

First Response -

Not acceptable in its current format – further details required

Second Response -

No objection

Tree Officer

First Response -

Objection: The response sets out the importance of the hedge bounding Howsmoor Lane and objects to its loss and the loss of a young Oak Tree. The response recommends that the layout is redesigned to accommodate, protect and enhance the hedgerow and a replacement tree should be planted in an appropriate location.

Second Response -

Advised that the revised proposal is more appropriate but the new location of the micropub is not shown on the Arb Report dated 6th April 2022. A revised Tree Protection Plan and Arboricultural Method Statement, written in accordance with BS 5837:2012, is required to determine the impact on, and constraints of, the trees on the revised proposal and to ensure retention during construction.

4.3 External Consultees

Wessex Water

No objection

4.4 Other Representations

Local Residents: 33 letters have been received from local residents with 9 in support of the proposals, 9 mixed responses and 15 objections to the proposal.

The following summarised issues were raised:

Welcome addition to local facilities

Bring a buzz to the area

More jobs

Boost for the estate
Would be better to combine the buildings
Lyde Green lacks facilities
Sustainable location
Wrong kind of facilities
Pub close to school is a bad idea
Sainsbury's already results in bad parking and rowdy behaviour
Site was meant to be a Doctor's Surgery or Health Centre not a pub
Do they need so much parking
The unadopted Thistle Close is causing issues with no parking enforcement and poor parking reducing visibility and safety
Inadequate parking
Noise levels from outdoor seating area
Increase in nuisance and anti social behaviour
What mitigation measures to prevent vandalism and antisocial behaviour
Double yellow lines should be added
Litter
Hours of operation of the pub should reflect residential location
Consider construction management plan
Unsafe access and parking
No appropriate double yellow lines and zebra crossing for access to the school
Infrastructure should be located closer to the park and ride where it is more accessible
Affect value of home
Sufficient facilities nearby
Increased CO2
Loss of hedgerow and tree
Inadequate lighting
Not the right kind of facilities
Design of units look more like a retail park
Design does not reflect local character
Deliveries to business should be considered
Can need for Doctor's Surgery be reconsidered?

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 Outline planning permission ref. PK04/1965/O has previously been granted on this site. This covers a substantial part of the Emersons Green East (EGE) development, which was allocated by saved policy M2 of the South Gloucestershire Local Plan (Adopted) January 2006 and which is superseded by PSP47 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017. The outline planning permission reserved all matters for future consideration, with the exception of the means of access off the 'Rosary' roundabout, which has been approved in detail. The extant outline permission is a Section 73 application, ref. P19/09100/RVC.
- 5.2 In February 2013, the Development Control (East) Committee approved the site wide detailed Masterplan, and subsequently officers approved the Design Code under delegated powers for the outline application site.

- 5.3 This outline consent is for a mixed use development including up to 2,450m² of small scale A1, A2, A3, A4 and A5 uses. Condition 17 of the outline consent restricts the total retail floor space (Class A1, A2, A3, A4 and A5) at Lyde Green to no greater than 2450sqm. In addition, condition 18 stipulates that there can be only one retail unit (Class A1) up to 500sqm, with any additional A1 use class no greater than 200sqm.
- 5.4 The A uses listed above included retail (A1), restaurants (A3), and public houses (A4). The retail and restaurant uses proposed now fall under Class E and the public house is not specified within a Use Class and is Sui Generis.
- 5.5 The neighbouring Sainsbury's retail unit was granted permission in 2019 for a gross internal floor area of 374 sqm. This is the only approved retail development within the wider allocation site. Therefore, the retail units proposed as part of this application must have a GIA of less than 200sqm to comply with Condition 18 and the cumulative retail floor space must not exceed 2450 sqm to comply with Condition 17. The proposed floor areas meet these requirements. These requirements are also consistent with Policies CS14 and PSP32.
- 5.6 A number of objections have been received about the nature of the proposed uses but this is outside the scope of the application as the site is identified for commercial uses appropriate to a Local Centre. Conditions can be used where necessary to mitigate the impact of the uses.
- 5.7 The Masterplan originally identified the site as a potential location for a Health Centre but due to changes to the NHS's own delivery plans they no longer required the site.
- 5.8 Therefore, the principle of development is acceptable, and this application is to assess those matters reserved for later approval in the context of the approved Masterplan, the development plan and other material considerations.

Reserved Matters, Access, Layout, Scale, Appearance and Landscaping

- 5.9 The Design Code specifies that a contemporary architectural response is required. Given the guidance within the EGE Design Code relating to the Central Key Space, the key parameters are considered to be the following:
Provide a strong and continuous frontage to the central Spine Road with occasional set backs;
Provide an interesting and varied roofline with emphasis at key locations;
Promote active frontages with legible, inclusive accesses from foot/cycleway and streets;
Promote surveillance to footpath/cycle links and parking areas.
- 5.10 The application site is the last site to be developed in this Local Centre. Sainsbury Local, Lyde Green Community Centre, a Primary School, a Nursery and School Square have all been developed and provide context for the application site.

Access

- 5.11 The application proposes a single vehicular access from Thistle Close and pedestrian and cycle access from Willowherb Road. The site access is considered to be acceptable and consistent with the approved Masterplan. Some objections have been received relating to the proposed access and the traffic generation to Thistle Close and referencing existing instances of inconsiderate parking. However, the proposed access is considered to be safe and in the appropriate location to serve the site.

It is considered that appropriate, safe, accessible, convenient and attractive access is provided for all mode trips arising to and from the proposal in accordance with Policy PSP 11.

Layout

- 5.12 The layout has been amended during the course of the application to better respond to existing constraints. Initially the scheme saw the loss of a section of hedge and positioned buildings in close proximity to residential neighbours and the proposed buildings did not address the streets. Prior to the submission of the application a young Oak tree was felled.
- 5.13 The amended layout provides space for the retention of the existing hedge along Howsmoor Lane, provides additional soft landscaping and tree planting (including a suitable replacement for the felled Oak), provides a solid boundary and an adequate separation distance to neighbouring residential properties, and the proposed buildings address Willowherb Road and Thistle Close. The amendments have resulted in a reduction of parking spaces. It is considered that the revised layout accords with Policy CS1, CS2, PSP1, PSP2 and PSP3.
- 5.14 Parking was raised as an issue by a number of neighbours concerned that development of the site would make the current parking situation on Thistle Close worse. It is noted that a consultation was carried out by the Council in November 2020 regarding new waiting restrictions in the area to address parking and access issues. A neighbour also commented that there should be less parking in this sustainable location. The council does not have minimum or maximum standards for parking for commercial uses and each case is assessed on its merits. Whilst the council's Transport officer advised that the originally proposed number of spaces were adequate an objection has not been raised to the reduced provision, acknowledging the lack of parking standards, the sustainability of the location and the nature of the proposed uses which are intended to serve the local community. It is also noted that the amount of space given over to parking has to be balanced against other elements of the layout such as providing adequate protection to Howsmoor Lane and the footprint of the proposed buildings.
- 5.15 It is considered that the layout adequately provides for deliveries and refuse storage and collection.
- 5.16 Overall, it is considered that the proposed layout is acceptable and the Transport impacts would not have an unacceptable impact on Highway Safety in accordance with PSP11.

Scale

- 5.17 The proposed buildings are all single storey, but the restaurant is taller due to its high ceiling height. The Design Code allows for taller buildings up to four storeys on the spine road framing School Square. However, the non – residential buildings framing school square are a maximum of two storeys tall and the Sainsbury’s building is single storey with a monopitched roof that is at its highest at the junction of Willowherb Road and Thistle Close. The proposed restaurant is of a similar height to Sainsbury’s. Whilst taller buildings accommodating other uses on upper floors could make more efficient use of land it is considered that the scale of buildings proposed will not appear incongruous on this site as they respond to neighbouring development. It is also noted that the restaurant will also appear taller as it would be on the brow of a hill. Therefore, the scale of the buildings is considered acceptable and in accordance with Policy CS1, CS2, PSP1, PSP2 and PSP3.

Appearance

- 5.18 The detailed design of the retail units and the restaurant have been amended during the course of the application. The restaurant takes some design cues from the approved Sainsbury’s building, the proposed micro pub is designed as a more traditional rustic building and the terrace of retail units have the appearance of a modular build. As originally submitted, it was considered that the three buildings did not relate well to each other but the amendments to the design and choice of materials has helped form a more cohesive arrangement. The restaurant building provides a prominent corner building in a similar style and height to the neighbouring Sainsbury’s. It addresses both Willowherb Road and Thistle Close and has a front and rear terrace and it is considered that it will not detract from the street scene following the design changes made. The public house is set further back than the restaurant and will appear as a unique building in the street scene. Materials that reflect the locality will help the public house building integrate with surrounding development. The public house also has a front terrace and it is considered that the outdoor space in front of the public house and restaurant will activate the street scene and have a positive impact on the character and appearance of the area. The design of the row of single storey retail units has been amended and it is considered it provides an appropriate design response to transition between the proposed restaurant and existing housing. It is considered that the scheme will have an acceptable appearance in accordance with Policies CS1 and PSP1. This is subject to conditions in relation to the submission of sample panels for the proposed materials, to be approved by the Council in writing.

Landscaping

- 5.19 Following amendments, the site layout allows for retention of the existing hedge and provides additional landscaping within the layout to integrate the site with its surroundings as well as a replacement tree. It is considered that the landscaping of the site is acceptable and in accordance with Policies CS1, CS2 and PSP2.

Other Matters

Residential Amenity

5.20 It is considered that the proposed development will not have an unacceptable impact on residential amenity through loss of privacy, outlook, loss of light or result in unacceptable levels of noise and disturbance. The proposed uses are considered to be compatible with residential uses and should not have an unacceptable impact on residential amenity. The restaurant and public house are located away from the boundaries with neighbouring residential properties and deliveries can be restricted by condition. The hours of use of the public house will be controlled by a premises licence and it is considered that a further condition to control this would be unnecessary. Nuisance as a result of inconsiderate parking cannot be controlled by this application but it is observed that any development of the site will increase vehicular movements. Details of extraction including noise and odour can also be dealt with by condition. Overall, it is considered that the proposal will have an acceptable impact on residential amenity in accordance with PSP8 and PSP21 subject to conditions. Furthermore, the Crime Prevention Officer raises no objection to the proposal following revised plans.

Drainage

5.21 The Lead Local Flood Authority (LLFA) have requested additional information and agreed that this could be provided by way of a condition. Therefore, the proposal is considered to comply with PSP20.

Contamination

5.22 The outline permission has conditions relating to contamination. No further information is required as part of this application.

Waste Collection and Storage

5.23 Refuse facilities are provided within the site. The Council's adopted Waste SPD provides guidance for commercial developments which the proposals have had regard to.

Ecology

5.24 There are a series of existing ecology and protected species planning conditions under the original outline permission PK04/1965/O, superseded by P19/09100/RVC. These are compliance conditions which the applicant has confirmed they are adhering to. Given that the development will be subject to these conditions, no objections are raised to these matters. The applicant will also be reminded of the conditions attached to the outline permission by way of an informative note on the decision notice.

Climate Change

5.25 The request made by the sustainability officer regarding the submission of an energy statement was passed on to the applicant during the course of the application process. An Energy Statement was duly provided and sets out that the proposed units will achieve a BREEAM very good rating. However, further detail is required and it is considered that in this case it can be deferred to condition.

Equality Act 2010

- 5.26 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.
- 5.27 With regards to the above this planning application is considered to have a neutral impact on equality.

Planning Balance

- 5.28 This reserved matters application relates to an outline planning permission, and is acceptable in principle. Following negotiations with the applicant, revisions and additional information have been received which have resulted in improvements.
- 5.29 Whilst some issues relating to design and parking have not been fully resolved, officers are mindful that the proposals are consistent with the Masterplan. On balance it is considered that the public benefits of bringing this site into beneficial use outweigh the harm, there is insufficient harm arising from outstanding issues as to warrant a refusal, and overall detailed matters are now considered acceptable and in accordance with policy, subject to conditions. As such, taking all matters into account, this development is recommended for approval, subject to conditions.

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 **approve** reserved matters consent 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

CONDITIONS

1. Prior to the commencement of the development hereby approved a revised Tree Protection Plan and Arboricultural Method Statement written in accordance with BS 5837:2012 shall be submitted to and approved by the Local Planning Authority. Protective fencing shall be erected, in accordance with approved details, around the

root protection area of existing trees and hedgerows to be retained adjacent and within the site. Such fencing as approved shall be retained as such throughout the construction period unless amendments are specified in an approved Arboricultural Method Statement. Thereafter, the trees and hedges shall be retained.

Reason: To protect the character and appearance of the area and in accordance with Policy PSP2 of the adopted South Gloucestershire PSP, and CS2 of the adopted South Gloucestershire Core Strategy. This is a pre-commencement condition to ensure that trees are given sufficient protection and are not damaged by construction activities.

2. No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details (including management and maintenance), drainage design calculations and a flood exceedance plan has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

Reason: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained and to accord with policy PSP20 of the Policies Sites and Places Plan.

3. The development hereby approved shall achieve a BREEAM's 2018 'Very Good' Standard as proposed by the applicant's submitted Sustainable Energy Strategy, and within 6 months of any of the buildings hereby approved being first occupied or brought into use, a post construction stage certificate certifying that a BREEAM 2018 'Very Good' rating has been achieved for the relevant building shall be issued and submitted to the local planning authority for its written approval.

Reason: To ensure that the objectives of sustainable development set out in the approved Sustainable Energy Strategy are achieved as required by Condition 7 of P19/09100/RVC.

4. Notwithstanding the details submitted, prior to construction above Damp Proof Course (DPC) level of the public house hereby approved:
 - sample panels of stonework, demonstrating the colour, texture and pointing shall be erected on site for approval in writing by the Local Planning Authority;
 - sample panels of render demonstrating colour and texture shall be erected on site for approval in writing by the Local Planning Authority; and
 - samples of roof tiles shall be submitted to the Local Planning Authority for approval in writing.

The approved sample panels shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the approved details.

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

5. Notwithstanding the details submitted, prior to construction above Damp Proof Course (DPC) level of the restaurant hereby approved:
- sample panels of brickwork, demonstrating the colour, texture and pointing shall be erected on site for approval in writing by the Local Planning Authority;
 - samples of weatherboarding shall be submitted to the Local Planning Authority for approval in writing; and
 - samples panels of render indicated colour and texture shall be erected on site for approval in writing by the Local Planning Authority.

The approved sample panels shall be kept on site for reference until the brickwork and render are complete. Development shall be carried out in accordance with the approved details.

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

6. Prior to construction above Damp Proof Course (DPC) level of the retail units hereby approved:
- sample panels of brickwork, demonstrating the colour, texture and pointing shall be erected on site for approval in writing by the Local Planning Authority;
 - samples panels of render indicated colour and texture shall be erected on site for approval in writing by the Local Planning Authority.

The approved sample panels shall be kept on site for reference until the brickwork and render are complete. Development shall be carried out in accordance with the approved details.

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

7. Prior to the first use of the development hereby approved, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:
- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
 - 2) Location, type and materials to be used for hard landscaping including specifications, where applicable for: a) permeable paving b) tree pit design c) underground modular systems d) Sustainable urban drainage integration e) use within tree Root Protection Areas (RPAs);
 - 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;

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

8. Notwithstanding the details submitted, prior to the construction of boundary treatment, details of walls and railings (including revised treatment to the northern boundary) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

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

9. The Public House and Restaurant shall not be brought into use until details showing ventilation and extraction equipment for the relevant building (including details of its position, appearance and details of measures to prevent noise and odour emissions) have been submitted to and approved in writing by the Local Planning Authority, and the approved ventilation/extraction equipment has been installed in accordance with the approved details. The approved ventilation and extraction equipment shall thereafter be maintained in a serviceable condition in accordance with the approved details.

Reason: In the interests of the amenities of the area and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013 and policies PSP8 and PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

10. Prior to the first use of the development hereby approved a service and delivery plan shall be submitted to and approved by the Local Planning Authority. Servicing and deliveries shall be carried out in accordance with the approved details. Details shall include:

1) The timings of deliveries setting out between which hours deliveries shall be taken at or despatched from the site, or delivery vehicles loaded/unloaded;

2) Measures in place to ensure minimum disturbance to neighbouring occupiers such as:

- All engines to be switched off as soon as vehicles are parked for unloading;
- Whilst vehicles remain stationary in the service yard, no engines are to be left idling for more than 30 seconds;
- Delivery vehicle cab radios to be switched off upon entry to the site;
- All delivery vehicles to be driven in as quiet a manner as possible, avoiding unnecessary engine revving;
- Staff to be instructed to work quietly when outside the store or in the service yard;

Reason: To reduce the impact on the residential amenity of neighbouring occupiers close by in respect of noise and vibration and to accord with policies PSP8 and PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017.

11. Any trees or plants shown on the landscaping scheme approved, which die, are removed, are damaged or become diseased before either: 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason: In the interests of the character and appearance of the area, to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017 and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

12. The bin storage shown on the drawings hereby approved shall be provided before the commercial units are first occupied, and thereafter retained for that purpose.

Reason: In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

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

Reason: In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

14. The turning shall be marked out on site in accordance with the approved plans prior to the first use of the development hereby approved. The turning area shall be kept clear at all times for the manoeuvring of vehicles.

Reason: In the interests of the amenities of the area and highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017; and Policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

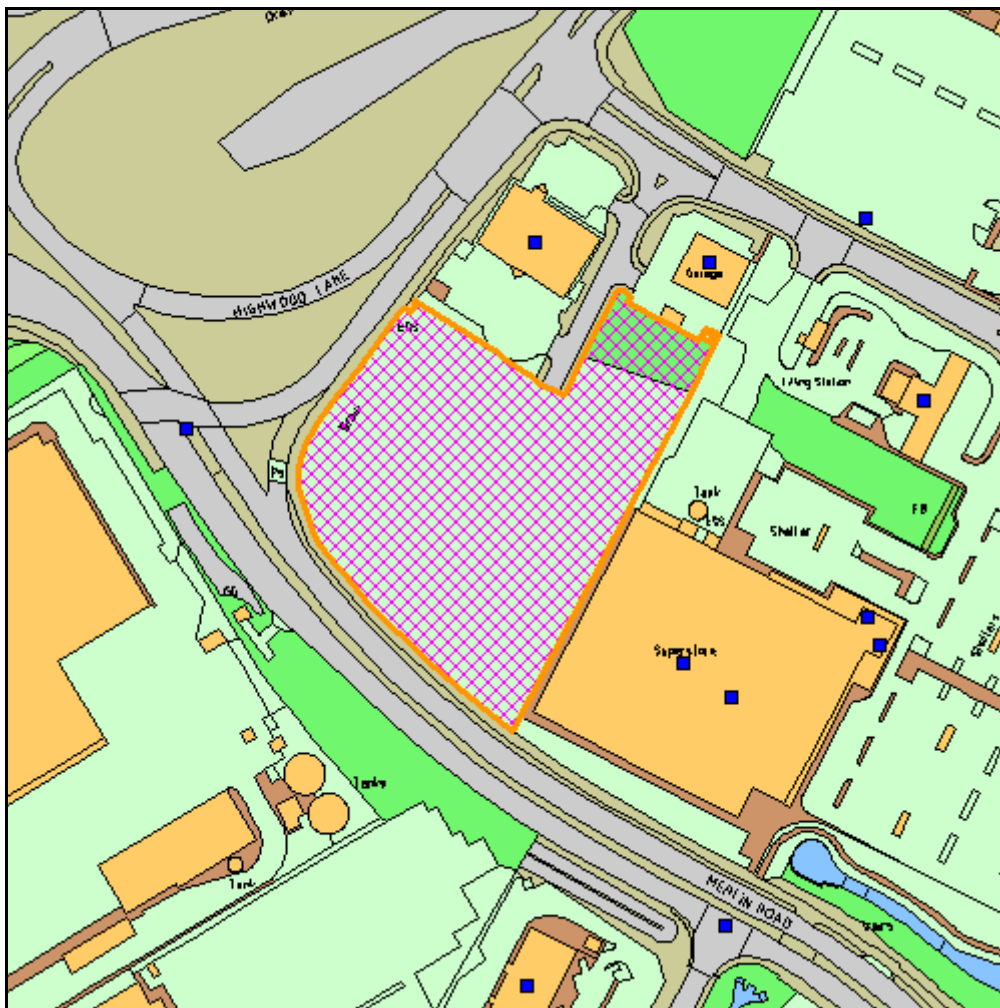
15. Development shall be carried out in accordance with the following approved plans:
B12170 Sheet 10 Revision C - Proposed Site Layout, received 07th July 2022
B12170 Sheet 12 Revision B - Retail Units Plans and Elevations received 07th July 2022
B12170 Sheet 13 Revision B - Restaurant Plans and Elevations received 07th July 2022
B12170 Sheet 14 Revision C - Proposed Street Views received 07th July 2022
B12170 Sheet 18 - Refuse Compound received 07th July 2022
B12170 Sheet 11 Revision A - Micro Pub Plans and Elevations received 06th June 2022
B12170 Sheet 01 Revision A - Existing Site Sections, received 29th December 2021
B12170 Sheet LP - Location Plan, received 29th December 2021
126/12092/1 Topographical Survey, received 29th December 2021

Reason: For the avoidance of doubt

Case Officer: Eileen Medlin
Authorising Officer: Lucy Paffett

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P22/00340/F	Applicant:	Baylis Estates Ltd And Stellantis &You
Site:	Plot 2 Land Off Merlin Way/Highwood Lane Patchway South Gloucestershire BS34 5TQ	Date Reg:	31st January 2022
Proposal:	Erection of 1no. building to form car showrooms, staff offices, facilities and a vehicle workshop (to include MOT Testing), with associated valet building, landscaping, external works and car parking.	Parish:	Almondsbury Parish Council
Map Ref:	358005 181171	Ward:	Charlton And Cribbs
Application Category:	Major	Target Date:	29th April 2022



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 100023410, 2008. N.T.S. P22/00340/F

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

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of an objection from Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of 1no. building to form car showrooms, staff offices, facilities and a vehicle workshop (to include MOT Testing), with associated valet building, landscaping, external works and car parking. Vehicular access to the site would be gained from the existing access road to Tile Flair on Lysander Road. Pedestrian access would be gained from all sides.
- 1.2 The site is located on Merlin Road, the main approach road to Cribbs Causeway from Junction 17 of the M5 motorway. It is currently a greenfield site adjacent to a Morrisons superstore, 'Tile Flair' retail unit and an 'In 'n' Out Car Servicing' facility. The site is situated within the Bristol North Fringe Urban Area (Policy CS5), Cribbs / Patchway new neighbourhood (Policy CS26) and Filton Enterprise Area (Policy PSP26).
- 1.3 During the course of the application, revised plans and further information have been submitted in relation to the following issues:
 - Transport Response Note
 - Unilateral Understanding to agree making financial contribution towards the monitoring of the Travel Plan
 - Arboricultural Report
 - Lighting Plan
 - Revised landscaping plan
 - BREEAM pre- assessment report

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS11	Distribution of Economic Development Land

CS12	Safeguarded Areas for Economic Development
CS13	Non-Safeguarded Economic Development Sites
CS14	Town Centres and Retailing
CS25	Communities of the North Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP26	Enterprise Areas
PSP31	Town Centre Uses

2.3 Supplementary Planning Guidance

- Green Infrastructure: Guidance for New Development SPD (adopted April 2021)
- Trees and Development Sites: Guidance for New Development SPD (adopted April 2021)
- Design Checklist SPD (Adopted) August 2007
- Cribbs Causeway/Patchway New Neighbourhood Development Framework SPD.

3. **RELEVANT PLANNING HISTORY**

The application site has not been subject to a specific application, however it has been shown indicatively (outside red line) as future car showroom site on the following application abutting the northern boundary of the current application site:

- 3.1 PT05/0407/O Erection of (i) a warehouse unit (Class B8 of the Town and Country Planning (Use Classes) Order 1987) with associated offices (Class B1) and showroom for the sale and display of goods, (Class A1), and a (ii) warehouse unit (Class B8 of the Town and Country Planning (Use Classes) Order 1987) with trade counter along with related access, car parking, servicing and landscaping. Approved 01.09.2005
- 3.2 PT05/2947/RM Erection of warehouse unit, associated offices & showroom and warehouse with trade counter. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT05/0407/O). Approved 29.11.2005

4. **CONSULTATION RESPONSES**

- 4.1 Parish/Town Council – object on the grounds of :
- The significant impact of traffic
 - The access is constrained
 - A tree plan is not provided

- Position / location not suitable for this development

4.2 Other Consultees

SGC Lighting Engineer

No objection to the proposed external lighting scheme. As suggested in the submitted "External Lighting Assessment", backlights shields would be required for the lanterns along the perimeter, and I would suggest agreeing a curfew with the applicant to dim / turn off the lights for the night and when the dealership is closed and the car park isn't used.

SGC Environmental Policy Team

Support the BREEAM pre assessment and roof mounted PVs and earth source heat pump. Some outstanding concerns over overheating.

SGC Highway Officer

No objection subject to conditions and an Unilateral Undertaking for monitoring of the travel plan (£1,000 per year for 5 years).

SGC Landscape Officer

The revised landscape plan is acceptable, therefore no objection.

Arboricultural Officer

When the application was originally submitted there was no tree report accompanying it which was unacceptable to the Council's tree officer. During the course of the application however a tree report was submitted. There is now no objection subject to conditions

Ecology Officer

Raised concerns about the level of illuminance, no objection subject to conditions.

Drainage Engineer

Sought further drainage details, now no objection.

Arts and Development: No comment.

Crime Prevention Design Advisor: No objection or comment

Public Right of Way Officer: No objection, informative need to be attached the decision notice.

Archaeology Officer: No comments received.

Other Representations

4.3 Local residents / businesses – No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The South Gloucestershire Local Plan Core Strategy 2006-2027 was adopted in December 2013. The key policies relating to this application are CS5, CS12 and CS25. CS5 directs 'most new development' to the communities of the north

and east of Bristol urban area. CS25 sets out that the specific vision for the North Fringe of Bristol Urban Area, and seeks for it to continue to be a major economic driver, and to maintain its role as a major focus for employment, commercial and retail activity. CS12 safeguards land for B use classes and sets out criteria which manage change. The proposal for a new car dealership, is a sui-generis use, accordingly the proposal is not considered to conflict with the objectives of CS14 which relates to retail uses.

The South Gloucestershire Local Plan Policies, Sites and Places Plan was adopted in November 2017. In respect of this development, these policies are given full weight in this assessment of this application. The key policy relating to this application is PSP26. This policy seeks to provide employment and associated education facilities within the economic specialisms of Enterprise Areas. The site is in a designated area of 'planned development' as outlined by the Cribbs Causeway/Patchway New Neighbourhood Development Framework SPD.

Given the above, the principle of this type of development in this location is accepted in the local development plan. Detailed assessment of CS12 and PS26 are set out below.

5.2 Consideration of Policy CS12

CS12 sets out a number of criteria for instances where a change from B use classes to other economic development uses, including town centre uses and non-employment uses are proposed. This is assessed below.

1. The proposal would not prejudice the regeneration and retention of B Use Classes elsewhere within the defined employment area;

The proposal does not involve the removal of an existing B use classes, and it would not affect B class uses elsewhere as the uses would be compatible. This criterion is complied with.

2. It can be clearly demonstrated that it would contribute to a more sustainable pattern of development in the local area as a consequence of the appropriateness of the proposed use to the location;

Due to the nature of the use, there is some concern that travel to and from the site would be by car. However, footpaths along Merlin Road and Highwood Lane provide continual opportunities for pedestrian access to the site. Pedestrian access will be achieved to the west of the site, off Merlin Road. The site is located within walking distance of local bus services, and the nearest rail station is accessible by bus. The site is also accessible for cyclists, and bicycle parking for both staff and customers will be provided. This will include a secure bike shelter in the northern part of the site for 10no. bikes and cycles hoops for 6no. bikes adjacent to Merlin Rd.

3. The proposal would improve the number or range of jobs in the local area;

It is important to note that this is currently a vacant site. The applicant states that the site would support c. 67 new jobs and will therefore generate significant levels of employment and economic activity within the Enterprise Area. The proposals will also make efficient use of an under-utilised site. The jobs would vary, and would include;

- Technicians
- Sales Executives

- Office-based roles
- Managerial roles
- Workshop apprentices

It is noted that this may not be equivalent to the number of jobs that, for example, a B1 (a) office use may provide. However, a considerable number of diverse jobs would still be provided, and as such, the development is assessed as complying with this criterion.

4. No suitable alternative provision for the proposal has been made elsewhere in the LDF.

There is no provision made for car showrooms within the Local Development Framework.

Given the above, the development is considered to comply with CS12. As outlined above, the site is also within the Filton Enterprise Area. Para. 7.8 of the PSP Plan sets out that this area is '*...focused on aerospace and advanced engineering to promote defence design, research and manufacture, advanced manufacturing; emerging materials technologies, information technology and microelectronics research and design*'.

The above is a 'focus' for the area and it does not necessarily follow that every development within the Enterprise Area should wholly relate to these specialisms. This application proposes a car showroom, used vehicle sales and workshop. This is a Sui Generis use class which is not directly focused on aerospace and advanced engineering.

5.3 *Consideration of Policy PSP26*

PSP26 sets out criteria for proposed development in Enterprise Areas, to ensure that it contributes to the focal specialisms. This is assessed below. *Development proposal(s) within the three Enterprise Areas, identified on the Policies Map, will be acceptable where they:*

1) Safeguard future economic prosperity;

The supporting text for this policy sets out (in para. 7.9 of the PSP Plan) that this means through the nurturing and expansion of existing businesses, and the attraction of inward investment, relevant to the specialisms and economic sectors of the Enterprise Area. The development would provide significant investment and job generation, as stated above, this includes 67 jobs. In this way, it is considered that development would contribute towards local and wider economic prosperity. In relation to the specialisms of the Enterprise Area, whilst not directly compatible with the aims of the policy, the proposal would include skilled technical roles in the workshop building. Vehicle technicians can be as qualified as some aerospace engineering roles. Both aerospace engineering and motor vehicle manufacturers involve the development and maintenance of electric technology. Traditional skills are being replaced by technological and electrical systems. This enables trained staff to progress outside of the automotive sector. Skilled motor electricians are able to transfer their skills to the wind turbine industry. Such skills could be utilised in aeronautical and other 'high-tech' sectors. There is a need for technological knowledge for the servicing and repair of electric and hybrid vehicles.

It is noted therefore that there are some very broad connections between the automotive and aerospace sectors. It is also noted that car production will increasingly move towards electric vehicles, given the UK Government plan to ban the sale of petrol, diesel and hybrid cars in the near future. In this way, it is considered that there would be some, albeit very limited, relevance to the focuses of the Filton Enterprise Area. The development would have a positive impact on the local economy of South Gloucestershire, and economic prosperity of the Enterprise Area through investment and provision of jobs. As such, it is considered that the development complies with this criterion.

2) Provide for integrated development while avoiding conflicts between neighbouring land-uses;

There are sufficient walking and cycling routes to enable nearby residents to access the site. The site is also close to two other car showrooms which enables easy journeys for comparison purposes.

The site is currently vacant and located adjacent to the rear elevation of the Morrisons foodstore (Class E), Tileflair (Class E) and In 'n' Out MOT Centre (sui generis). The wider area is a mix of retail and employment uses. There are no nearby residential properties that could be affected by the proposed workshop. As such, the proposed sui generis development will fit into the area, with no conflicts with neighbouring uses anticipated.

3) Make appropriate provision towards education, skills development and training and towards enabling communities and local businesses to access jobs and supply opportunities;

The site would deliver c. 67 jobs and therefore provide the local community with a number of employment opportunities. This will include skilled jobs such as 27 sales roles, 30 aftersales roles as well as support staff and jobs within the workshop building. These jobs and the development itself would also lead to spin-off benefits in the local area, with additional spend in the local economy. Whilst there are limited links to specific training opportunities in relation to the focuses of the Filton Enterprise Area, the development would provide a form of skills development and training on-site which. As such, it is considered that the development complies with this criterion.

4) Contribute towards the provision of physical and social infrastructure in line with the City Region Deal;

The City Deal sets out an ambitious target of generating 95,000 new jobs over the next 18-20 years and seeks to deliver investment in the key drivers of productivity including infrastructure, skills and inward investment. The proposed development would deliver new jobs and inward investment in line with the aims of the City Deal. In addition, the scheme would be liable to pay Community Infrastructure Levy which is being utilised in South Gloucestershire to enhance physical infrastructure such as highways, public transport services and green infrastructure.

5) Provide new high quality, people orientated, public space(s) and public realm, which enhance the environment for existing businesses and support the attraction of inward investment;

This site is located at a prominent position on Merlin Road and Highwood Lane. As such, it is important that a high quality of public realm is provided. Through the course

of the application process, additional tree planting was provided along the boundary and within the site. This long term vacant site is in a gateway location to Cribbs Causeway and as such, does not currently provide an attractive entrance point, with only the blank façade of Morrisons visible for those exiting Junction 17 onto Merlin Road. The proposed development would provide a new, attractive and active frontage along both Merlin Road and Highwood Lane, creating a more fitting entrance point into the Enterprise Area. The site layout would maximise the views and relationship to Merlin Road and Highwood Lane, as well as making the site legible to customers, and the showroom is would be accentuated with key elevations to these roads. New trees and planting proposed along both Merlin Road and Highwood Lane would create an attractive frontage to the site which incorporates the retained Category A oak tree. The proposal would significantly enhance this part of the Enterprise Area.

6) Make appropriate provision towards the sustainability of sites, the wider Enterprise Area and surrounding communities.

As mentioned in point 2 above, the development would be close to public transport facilities located at Cribbs Causeway and would have pedestrian and cycle links.

The application is supported by an Energy Strategy. In addition to a fabric first approach to maximise energy efficiency, the development also proposes the installation of an air source heat pump system for space heating and PV installation to achieve 16% of energy generation from renewables. The site is also highly accessible by sustainable transport modes. A large population is within walking and cycling distance of the site. The nearest bus stop is located c. 450m from the site entrance which provides frequent bus services from a large number of settlements including Thornbury. There is also a bus service every 30 minutes from Bristol city centre and an hourly service from Bristol Parkway railway station. The site is also on the Metrobus (service M1) which provides services every 10-20 minutes between Cribbs Causeway and Hengrove.

A Travel Plan has been prepared to support the planning application. This sets out a number of commitments including the appointment of a travel plan co-ordinator, preparation of Travel Information Packs, promotion of active travel and car sharing. It is proposed to install 11no. electric car charging points for customers (including 1no. point for the accessible bays) and a further 20no. electric charging points for staff / demonstrators. Overall, the scheme makes an appropriate and proportionate contribution to sustainability.

- 5.4 The assessment above has raised some concerns in relation to the development's connections with relevant specialisms of the Enterprise Area, and opportunities to attract inward investment. However, it is considered that overall, the proposal complies with PSP26 in this respect. In coming to this conclusion, significant weight has been given in respect of the provision of investment and jobs in the Enterprise Area, on a site which has been vacant for many years.

Design and Visual Amenity

- 5.5 Policy CS1 is the Council's principal design policy. CS1 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.

The proposal comprises construction of a new vehicle dealership, a valet building and also to provide a parking area for staff and customers, along with product display areas. The site vehicular access would be located on the northern boundary connecting to the existing access road to Tile Flair. The proposed vehicle dealership would have two floors, with a maximum height of some 9 metres. The ground floor would contain five showrooms- Peugeot, Fiat & Abarth, Jeep, Alfa Romeo and a DS salon, staff offices and a vehicle workshop. The first floor would contain further staff offices. The valet building would be located in the north east corner of the site. A plant room of the car wash would be located within the building.

In total there are 69 dedicated parking spaces available for visitor and customer parking located on the eastern and northern site boundaries and including 10 no. electric vehicle charging bays.

- 5.6 In terms of site layout the new building would maximise the views and relationship of this corner plot to Merlin Road and Highwood Lane, as well as making the site legible to customers, with the showroom having key elevations to these roads. As well as the vehicular access there would be 6 pedestrian routes into the building from the corner frontage with Merlin Road, connected by defined pedestrian walkways in block paving to the building entrance.

The proposal includes an open showroom element of the building for the different car brands. The showroom will largely be clad using a Micro rib composite panel cladding system in grey, accentuated by composite panels coloured to suit the brands of car- including red and blue. (Signage on these panels would be part of a separate application for advertisement consent). The cladding would be raised to the main corner to provide emphasis to the elevations. The showroom would have large areas of glazing for the passing pedestrians and vehicles to see the display cars. The workshop activities would be to the east of the building, and the valet facilities located to the north-east corner, separate to the main building. The valet building would be clad in a built up trapezoidal cladding, colour matched to the main building. The design and layout is of a high standard, suitable for the highly visible corner plot.

Residential Amenity

- 5.7 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.

By reason of there being no immediate residential neighbours in this location, officers are satisfied that there would be no unacceptable impacts on the residential amenity afforded to any neighbouring occupiers.

Transportation

- 5.8 *Sustainable access*

The site is located within the Filton Enterprise area. It is within a reasonable walking distance of the high-quality bus stops on Lysander Road. There is a good pedestrian and cycle network in the locality directly linking the site to the surrounding area.

Access.

Vehicle access is proposed from the private link road into the north of the site. The Transport Statement (TS) submitted with the Application indicates that this access road will be upgraded to an adoptable standard and offered for adoption via a Section 38 Agreement. In terms of the geometry of the access road, it is 6m wide which is a bit narrow for an industrial access road. However swept path track plots have been submitted which demonstrate that a car transporter can access the site along this road. Given that the access road is fairly short in length and only currently serves two other units, there is unlikely to be any conflict with other very large vehicles.

The access road has a footway on one side. There are currently no dropped kerb pedestrian crossings at the entrance to the In and Out unit. These should will be required to be included in the S38 Agreement. A second pedestrian access is proposed to the south west corner of the site leading to the shared foot / cycle way on Highwood Lane and Merlin Road.

Traffic Impact.

The submitted vehicle trip rates for the proposed development have been assessed. The TRICS database indicates that the proposed trip rates are a little on the low side. That said the difference between the Transport Officer's assessment and that in the TS for the am peak arrivals and pm peak departures is not significant and the traffic generated by the development can be accommodated on the surrounding highway network. The left in, left out arrangement at the north end of the access road means that there will be no vehicles queuing to turn right when they exit the site.

Parking.

The following vehicle spaces are proposed.

121 product / display spaces .

69 Customer / visitor spaces.

5 Accessible spaces

32 Demonstrator / Staff spaces.

25 Workshop spaces.

The Council does not have a specific parking standard for commercial parking, so it is for each development to demonstrate that adequate parking is provided for operational requirements. 30 electric vehicle charging points are proposed. 11 at designated spaces including 1 disabled space and a further 4 within the building. This amount of EV charging points is consistent with the Councils recommended 20% of all commercial spaces.

A parking accumulation exercise has been undertaken in the TS using the TRICS data extracted for the proposed vehicle trip rates.

This has indicated a maximum occupation based on average trips of 43 spaces. Officer's have carried the same exercise and arrived at a maximum occupation of 50 spaces. There is more than enough car parking proposed to accommodate the predicted parking demand.

Disabled Parking.

Based on 69 customer, 5 disabled and 32 staff spaces. I.e. 106 spaces there should be a minimum provision of 6% disabled spaces. That amounts to 7 spaces. Revised plans now indicate this to accord with policy PSP16.

Cycle Parking.

The cycle store has been relocated to be nearer to the building entrance please.

Travel Plan.

A Travel Plan has been submitted. The Travel Plan will require monitoring by SGC, and an annual monitoring fee will be needed for this. The Travel Planning Team have confirmed the cost for SGC monitoring the Travel Plan is £1,000 per year for 5 years. This would be secured by a simple Unilateral Undertaking with the first £1,000 payment due when the site is brought into use followed by 4 annual payments of £1,000. Or the £5,000 could all be paid in one go when the site is brought into use.

Subject to this UU, and the condition relating to cycle parking, the proposal is acceptable in transport terms.

Trees and Landscaping

- 5.9 This is a vacant site within the Cribbs Causeway retail development area, containing grass and some scrub vegetation, with trees concentrated along the eastern and southern site boundaries. Eight existing category B grade trees lie within the adjacent Morrison's site and there is a grade A Oak tree within the application site in a prominent position adjacent to the south-western boundary.

The originally submitted showed the site boundaries and carpark planted with fastigate trees and shrub planting. Officers however considered that there was scope for additional tree planting both around the periphery of the site and within the car-park areas. Page 40 of our GI SPD (adopted in April 2021) requires:

'Car-parks; new car-parks should be designed to include SuDS drainage, with the use of swales and rain gardens, permeable paving and sufficient canopy cover developed to reduce heat island effect. Where appropriate, 1 tree should be planted per 6 parking spaces, using suitable tree pit design, to achieve the optimum soil volumes for successful tree establishment. Ensure trees planted within car-parks are protected against vehicle damage.'

The landscaping plan has therefore been amended to include additional tree planting in order to achieve a policy compliant scheme. New tree planting around the site perimeter and within the car parking area is now proposed. In addition, the revised landscaping plan now shows surveyed tree canopies, root protection areas and no dig zones. The revised plan also identifies an area for wildlife friendly native shrub mix. In addition, new planting to benefit wildlife and offer opportunities for pollinating invertebrates.

During the course of the application, an arboricultural report was submitted. All the existing trees are proposed to be retained and a no-dig cellular confinement is proposed for areas where the existing root protection areas (RPA) conflict with the proposed development, (small areas of car parking).

There are no objections to the application from a tree point of view provided the development is carried out in accordance with the submitted arboricultural method statement, including the erection of protective fencing prior to the commencement of any works. A condition to cover this is therefore proposed.

Ecology

- 5.10 The application is accompanied by an Ecological Appraisal. The site is not covered by any designated sites. Habitats (including habitats of principle importance (Priority Habitats) Section 41 Natural Environment and Rural Communities (NERC) Act 2006 include scrub, trees, hedgerow and amenity grassland.

Species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended):

Bats

A selection of trees were identified as having low potential to support roosting bats, If these had been proposed to be removed, they would have required a pre-works inspection using an endoscope to fully investigate any potential roosting features. The arboricultural report however confirms that no trees are proposed to be removed, so a condition requiring pre- works inspection is not required.

The site offers some foraging habitat which will be lost as part of the proposal, so compensatory planting has been proposed in the revised sot landscaping plan.

With regard to external lighting, the Council's Ecologist has advised that the submitted lighting plan shows that the north-eastern boundary where the existing trees are situated and the planting along the boundary west of the site entrance are illuminated beyond recommended levels for bats which is usually 1 lux. As the compensatory planting is to replace lost foraging habitat and the retained trees provide foraging habitat, light spill on these boundaries need to be reduced. Hence a condition is proposed to require the submission and approval of a lighting scheme for biodiversity, notwithstanding the submitted lighting scheme.

Great crested newt (GCN)

There are newly constructed ponds to the east of the site, and the site provides suitable terrestrial habitat for GCN, though the site is isolated from other terrestrial habitat.

Species protected under the Wildlife and Countryside Act 1981 (as amended):

Birds

The trees and scrub will provide suitable nesting opportunities for birds and suitable mitigation has been recommended.

Reptiles

The site is isolated from the wider landscape which reduces the potential for the presence of reptiles, however they can still be present due to suitable foraging and sheltering habitat being present. Some mitigation has been recommended, however more information is required in the form of a reptile and amphibian mitigation strategy, and to include supervision of site clearance works, a dedicated area to place reptiles in the event they are present, a construction of a hibernacula in the retained area. If a higher population of reptiles are discovered than anticipated, works are to cease and a full translocation strategy is to be submitted to the local authority for review. A condition requiring this is therefore proposed.

Badgers protected under the Badger Act 1992:

No signs of badgers were recorded, however there is suitable habitat present. Mitigation has been provided.

Hedgehog: The site provides suitable habitat for hedgehogs and mitigation has been provided.

Invertebrates: The scrub is likely to support common species of invertebrates which will be lost as part of the proposal.

Ecology Conclusion

The Council's Ecologist advises that ideally retention of some scrub would have been preferable, however where this is not possible planting that is of value to wildlife is required. This should be in the form of an Ecological Enhancement and Mitigation Plan. A reptile mitigation strategy / working method is required, this can be included within the mitigation plan. There are no ecology objections subject to these conditions and the lighting condition mentioned earlier. In addition, it is noted that the revised landscaping plan now includes new planting which is of value to wildlife. A condition to ensure this is implemented in a timely manner is therefore also proposed.

5.11 Sustainability

PV Panels

The proposal includes the installation of roof-mounted photovoltaics (PV) which is supported. The provision of PV's exceeds the planning policy requirement to offset 10% energy using renewable technologies, with over 10% regulated energy generation from PV and 6% regulated heat generated by air source heat pumps. The roof would be designed to accommodate PV panels to future proof the building for maximum energy generation capacity.

BREEAM

The proposal is to achieve BREEAM 'good' is accompanied by a pre-assessment estimate, albeit the EP Officer has recommended 'very good' is secured, this is not currently required by the adopted development plan. A planning condition is proposed to ensure that the BREAM 'good' rating is secured.

The application proposes Variable Refrigerant Flow (VRF) units. The Council's Environmental Policy (EP) officer requested further details of this. The applicant provided further information but clarified that the full specification and manufacturers details will not be available until a contractor is appointed as the detailed design forms part of the Contractors' Design. Although the EP officer suggested a condition to cover this, the planning officer does not consider such a condition would meet the tests.

EV Charging

The proposed parking provision would incorporate 30 no. electric vehicle charging points externally at suitable locations across the car park. Of the customer parking spaces, 11 designated spaces (including 1 no. disabled space) will have access to electric vehicle charging. Within the building a further 4 no. electric vehicle charging points will be provided, including within the handover bay. The chargers would be 7kW rated and the specification/charge provider will be confirmed at the detailed design stage. With regard to EV charging, the scheme exceeds the minimum requirement

under the adopted policy and is more in line with emerging policy. There are outstanding concerns in relation to overheating of the building. The EP team set out that the risk of overheating should take account of average/peak temperatures for the lifetime of the development (taken to be 60 years). Overheating is covered within Building Regulations and there is no policy requirement to compel the applicant to submit an overheating assessment. It is considered that there are no clear overheating concerns within the projections set out in the Energy Strategy. The development is considered to comply with PSP6 and CS1.

5.12 Drainage

Flood Risk

The site is in Flood Zone 1, with small areas of low susceptibility to surface water flooding on the boundaries though these are not thought to impact on the proposed development. Groundwater is noted as being >2-3m below ground level.

It is noted that there is a ditch within the site boundary which the applicant is looking to infill, to create space for the proposed development. Whilst we would not normally endorse the infilling or culverting of ditches, following discussions with the applicant it was agreed that if evidence could be provided to prove that the ditch is not servicing anything off site and isn't functioning on site, then permission to infill the ditch would be considered. This evidence has now been submitted as part of the planning application and is acceptable.

An informative will be required to highlight that the proposal to infill the ditch will need submit an Ordinary Watercourse Consent (OWC) application.

Surface Water Drainage

Evidence has been provided to prove that infiltration is not viable therefore attenuation with controlled discharge is necessary. A SUDs drainage principles drawing has now been approved by the Drainage team, subject to a condition requiring full details to be approved.

Downstream section of surface water sewer discharges into the source of the Henbury Trym (Main River). Further detail has now been provided within the application detailing the location of this surface water sewer and outfall, and whether it has the capacity to take the additional flow.

The proposed permeable construction on the customer parking, demonstrator bays and walkways is welcomed.

Foul Water Drainage

As stated in the Foul and Surface Water Plan Layout (FRA), the valet and carwash will need to discharge to the foul water network. Confirmation has been received from Wessex Water on the available capacity for foul water flows.

Subject to a condition requiring prior to the commencement of development, surface water drainage details including SUDS (Sustainable Drainage Systems) for flood prevention; pollution control and environmental being approved, the application is acceptable from a drainage point of view.

5.13 Contamination

The application includes an intrusive contamination survey report. No contamination was found, however a condition covering the procedure in the event that contamination is found during construction is proposed.

5.14 Parish Council Comments

It is noted that the objections relate to the significant impact of traffic, the constrained access; a tree plan is not provided, and the location is not suitable for this development. The transport section of this report sets out the detailed analysis of the Transport officer and the conclusion that there would be no reason to object on transport grounds. Regarding trees, during the course of the application, an arboricultural report was received, and the landscape plan revised to take account of all the trees being retained. The Parish Council concerns therefore have been addressed.

Impact on Equalities

5.15 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That authority be delegated to the Director of Environment and Community Services to grant permission, subject to the conditions set out below and the applicant first voluntarily entering into a unilateral agreement under section 106

of the Town and Country Planning Act 1990 (as amended) to secure the following:

The payment of £5,000.00 to SGC for monitoring the Travel Plan. Either the first £1,000 payment due when the site is brought into use followed by 4 annual payments of £1,000. Or the £5,000 to be paid in one go when the site is brought into use.

Reason: In the interests of securing sustainable travel modes to the site.

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. All trees on site shall be retained, and those overhanging the site shall be protected in accordance with the details contained within the Arboricultural report noted below, and the Soft Landscaping Plan Drawing 21-37-PL-101 REV K. The development hereby approved (including any ground clearance, tree works, demolition or construction) shall be implemented in strict accordance with the Arboricultural Method Statement provided in the Arboricultural Report, prepared by Silverback Arboricultural Consultancy Ltd. (dated March 2022) and BS:5837:2012.

No work of any kind shall take place until the tree protection fencing has been erected around the area to be developed, in the position shown on tree protection plan in the above Arboricultural report. Such fencing shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes.

Reason:

To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area, and in accordance with Policies CS1 and CS2 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policy PSP3 of the adopted South Gloucestershire Policies Sites and Places Plan. In addition, to protect the wildlife and the ecological interests of the site. Had any trees been proposed to be removed, there would need to be an inspection for bats by a qualified ecologist in advance of any works on site. To accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017. Prior to commencement is required as the Condition relates to the construction period.

3. Notwithstanding the submitted External Lighting Assessment, prepared by Ramboll (dated January 2022), prior to the installation of any external lighting, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
 - c All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
 - d External lighting in the car park shall be turned off between the hours of 20:00 and 06:00.

Reason:

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

4. Prior to the commencement of the development hereby approved, an Ecological Enhancement and Mitigation Plan shall be submitted to the local planning authority and approved in writing. This is to include a reptile mitigation strategy including the supervision of site clearance works, a dedicated area to place reptiles in the event they are present, a construction of a hibernacula in the retained area. If five or more reptiles (per species) are discovered (i.e. a 'good' population) , relevant works are to cease and a full translocation strategy is to be submitted to the local authority for review. All development shall take place in accordance with the details approved in writing.

The enhancements detailed within the Ecological Appraisal Ecological Appraisal (Engain, May 2021) are to be expanded on with the inclusion of specific native planting to benefit wildlife. It is also to include a plan detailing the specification and location of all enhancements proposed.

Reason:

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

5. Prior to the first use of the development hereby approved, the full BREEAM Post Construction report (prepared by the registered BREEAM assessor together with

confirmation that this has been submitted to the BRE (or other approved registration body), including dates/receipt confirmation email from the BRE) shall be submitted to the local planning authority and approved in writing.

Within 6 months of first occupation the final post construction BREEAM certificate(s) indicating that a BREEAM 'good' rating has been achieved shall be submitted to the local planning authority and approved in writing.

Reason:

In the interests of climate change and air quality, and in accordance with policy CS1 of the South Gloucestershire Core Strategy and PSP6 of the adopted Policy Sites and Places Plan.

6. Prior to the commencement of development, surface water drainage details including SUDS (Sustainable Drainage Systems) for flood prevention; pollution control and environmental protection shall be submitted to the Local Planning Authority for written approval. Development shall then proceed in accordance with the agreed details.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a pre-commencement condition to avoid the need for future remedial action.

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

Reason:

In the interests of public safety as a potential result of land contamination and to accord with policies CS9 and CS26 of the adopted South Gloucestershire Local Plan: Core Strategy (December 2013).

8. The development shall not be brought into use until the Apollo cycle shelter for 10 cycles and 3 cycle hoops, and the minimum 30 electric vehicle charging points have been provided in accordance with the submitted details.

Reason:

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

9. All planting, seeding or turfing comprised in the soft landscaping details hereby approved, (Drawing 21-37-PL-101 REV K) shall be carried out no later than the first planting and seeding season following the substantive completion of the development hereby approved. Any trees or plants (retained or planted) which within a period of 5

years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting seasons with others of a size and species as shall reasonably be specified by the Local Planning Authority.

Reason:

To prevent losses or damage and to achieve the earliest possible establishment of the landscape and its retention, and protect the character and appearance of the area, and in accordance with Policy PSP2 of the adopted South Gloucestershire PSP, and CS2 of the adopted South Gloucestershire Core Strategy.

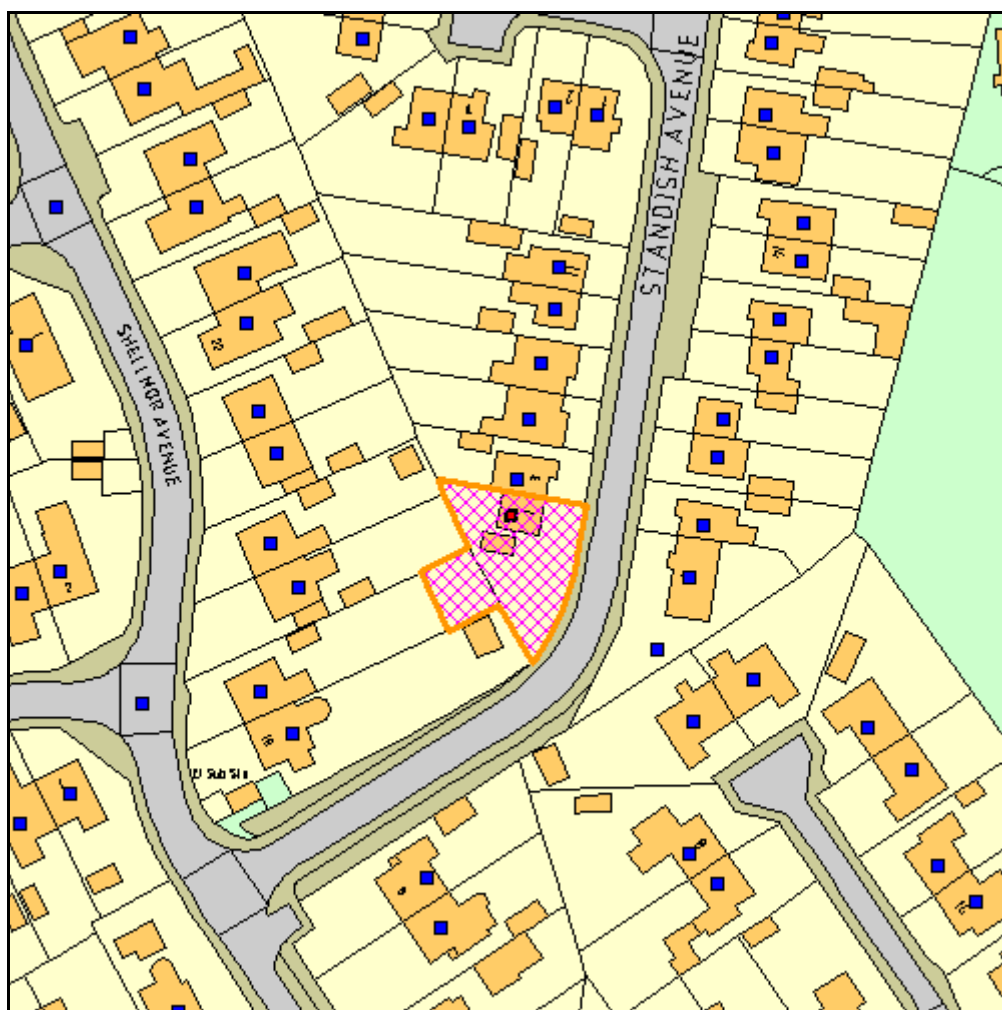
10. The development shall proceed in accordance with the following plans:
- 3516-BRS-SRA-XX-XX-M2-A-PL-005 - Site and Location Plan
 - 3516-BRS-SRA-XX-XX-M2-A-PL-010 REV P6 - Proposed Site Plan
 - 3516-BRS-SRA-XX-XX-M2-A-PL-015 REV P4 - Proposed Site Boundary Treatments
 - 3516-BRS-SRA-XX-XX-M2-A-PL-020 REV P2 - Proposed Ground Floor Plan
 - 3516-BRS-SRA-XX-XX-M2-A-PL021 REV P2 - Proposed First Floor Plan
 - 3516-BRS-SRA-XX-XX-M2-A-PL-025 REV P2 - Proposed Roof Floor Plan
 - 3516-BRS-SRA-XX-XX-M2-A-PL-026 REV P1 - Proposed Valet Building
 - 3516-BRS-SRA-XX-XX-M2-A-PL-030 REV P4 - Proposed Elevations
 - 3516-BRS-SRA-XX-XX-M2-A-PL-040 REV P1 - Proposed Site Sections
 - 21-37-PL-101 REV K - Landscape Proposals Plan
 - 3516-BRS-RAM-XX-00-DR-C-00100 REV P01 - Surface and Foul Water Drainage Layout

Reason: For the avoidance of doubt and to ensure the development is carried out to the standard as assessed by the local planning authority.

Case Officer: Helen Ainsley
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P22/01534/F	Applicant:	Mr Graham Hampson
Site:	Land At 1 Standish Avenue Patchway South Gloucestershire BS34 6AJ	Date Reg:	11th March 2022
Proposal:	Erection of 2 no. semi-detached dwellings with associated works.	Parish:	Stoke Lodge And The Common
Map Ref:	360993 182183	Ward:	Bradley Stoke North
Application Category:	Minor	Target Date:	3rd May 2022



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N.T.S.

P22/01534/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule because more than 3no. representations have been received from interested parties that are contrary to the findings of this report and officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of 2no. semi-detached dwellings with associated works.
- 1.2 The application site is land to the South but in the curtilage of 1 Standish Avenue, a semi-detached mid/late 20th century chalet style dwelling. The site falls within the North fringe of Bristol urban area.
- 1.3 Part of the site to the West extends into what appears to be the garden/curtilage of no. 12 Shellmor Avenue. It has been confirmed that this land has been acquired by the applicant and absorbed into the application site.
- 1.4 During the applications consideration, revised plans have been accepted to address comments from the highway authority. The changes relate to the parking layout and do not substantially alter the proposal and as such, no public re-consultation has been considered necessary.

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
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water, and Watercourse Management
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 (Adopted) March 2021
 Residential Parking Standard SPD (Adopted) December 2013
 CIL and S106 SPD (Adopted) March 2015
 Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. **RELEVANT PLANNING HISTORY**

- 3.1 [relating to the part of the site formally in the curtilage of 12 Shellmor Avenue]

 PT08/2187/F (approved 11/09/2008):
 Erection of rear conservatory

4. **CONSULTATION RESPONSES**

- 4.1 Stoke Lodge and The Common Parish Council
 Objection for the following reasons:
- Overdevelopment
 - Insufficient parking
 - Parking is on a bend resulting in poor visibility (danger to pedestrians)
 - Close to primary school and street parking is already an issue. One space per property will contribute further to the issue.
- 4.2 Sustainable Transport

Initial comments:
 No objection in principle but query whether the parking spaces accord with PSP16 dimensionally. Concern about the presence of a lighting column near to the proposed parking area. Concern regarding visibility from the parking area due to a nearby hedge.

Updated comments:
 Revisions address previous concerns. No further comments. Conditions recommended.
- 4.3 Highway structures
 No comments have been received.
- 4.4 Drainage (LLFA)
 No objection in principle, condition recommended.
- 4.5 Local Residents
 5no. representations have been received objecting to the proposed development, summarised as follows:

- Overdevelopment
- Loss of garage will result in loss of parking for existing property which is 3 bed, requiring more parking space
- Not in accordance with LPA parking requirements
- Will add to existing parking pressures
- Located on a corner on a busy narrow road in close proximity to a school which causes congestion
- No objection to one property with adequate parking
- Dropped kerbs will cause a hazard
- Property opposite already has permission to build a single dwelling
- Concern regarding density of the area
- Not in keeping with the surrounding area (e.g. mature medium sized housing)
- Parking on bend will result in safety issues
- Garden of West plot is too small for recreational use
- Interior design is studio-like which is not considered healthy and is bad for mental health and wellbeing
- Design is created for profit
- A single dwelling would be better
- Probable that will be used for multiple occupation – too many in the area
- Loss of garage means less space for parking or storage of long term residents items – these are people who help make the community rather than short term residents
- Dwellings should not be forward of the building lines. This will impact on the line of site to vehicles coming along Standish Avenue
- Dwellings should not be taller than the existing dwelling
- Households have two or more cars nowadays

5. ANALYSIS OF PROPOSAL

5.1 The proposal seeks to erect 2no. semi-detached dwellings with associated works.

Principle of Development

5.2 CS5 sets out the spatial strategy for the district and instructs that new development shall take place within the urban fringes of Bristol and at appropriate scales within the settlement boundaries as designated by the policies map. The application site is located within the North fringe of Bristol urban area, and therefore accords in full with the spatial strategy for the district.

5.3 PSP38 is also relevant in this instance, as the site is within an existing residential curtilage. PSP38 permits development within existing curtilages including new dwellings in urban areas and settlement boundaries where they are acceptable in terms of design, residential amenity impacts, parking and highways safety, and the provision of acceptable levels of private amenity space.

5.4 Policy CS1 is the Council's principal design policy. CS1 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. Policy PSP1 submits that development proposals will be acceptable where they demonstrate an understanding of and respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area/locality.

- 5.5 As discussed above, the development is entirely acceptable in principle. The rest of this report will consider the relevant planning issues including design and visual amenity, residential amenity, parking and transportation and the private amenity space provision. It is noted that concerns have been raised broadly in relation to all of the above noted planning considerations.
- 5.6 Design and Visual Amenity
Standish Avenue sits in a mature residential area and the part in which this application site is located comprises generally of semi-detached dwellings of 1.5 stories with chalet/dormer bungalow appearances. There are then newer dwellings scattered throughout that have been erected at various points over the years, including to the South of the site and there is consent for a single storey dwelling opposite (due East) at 2 Standish Avenue. 1 Standish Avenue comprises brick faced elevations with concrete double roman tiles to the roof, white UPVC fenestration and box front and rear dormers, which are evidently an original design feature of these dwellings.
- 5.7 The new dwellings would be situated to the South of no.1, and would follow broadly the same design, with North and South gable ends, front and rear dormers and materials to match the existing. The dwellings would both be c.5.4 metres wide from their central party wall, c.7.2 metres to the ridge and c.3.3 metres to the eaves. The new pair would be c.200mm higher than no.1 and would extend forward of the front of no.1 by c.200mm.
- 5.8 The design of the new dwellings has clearly been informed by the existing dwellings and the dwellings in the immediate locality. The increase in ridge height is noted but this is marginal and would not be to any extent that would cause any visual harm to the character of the area. Similarly, the step forward from the front building line being marginal would not result in any appreciable visual harm to the street scene. The new pair would be c.800mm behind the rear elevation of no.1 which whilst more appreciable in terms of depth, would be to the rear and so not able to result in any appreciable harm to the character of the area or street frontage.
- 5.9 The case officer would note that the rear amenity space particularly for the new dwellings is somewhat contrived due to the skewed centre boundary and the boundary of no.14 Shellmor Avenue cutting into the garden of the RHS dwelling. On the other hand, the proposed development would represent an efficient use of land within an area where development is supported by policy and would not be so contrived as to warrant a refusal on design grounds, and the case officer would note that this element of the development would not be highly visible from the public realm.

- 5.10 Further to the above, the proposed development does not present any significant design issues and broadly accords with the requirements of PSP38, CS1 and PSP1. Should permission be granted, a condition should be applied to ensure materials match the existing dwelling, to ensure a successful assimilation of the new dwellings into their surroundings.
- 5.11 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.
- 5.12 The new dwellings would both provide internal accommodation that accords fully with the Nationally Described Space Standards (NDSS) for 2 bed, 3 person two-storey dwellings. All primary habitable rooms would benefit from sufficient light and outlook through front and rear facing windows, much the same as the existing dwelling. The ground floor accommodation combines an open-plan living area, dining room and kitchen with sperate hallway and WC, which is not an unusual arrangement in smaller dwellings and given that there is good levels of light and outlook, the case officer has no reason to consider this arrangement detrimental to the amenity of future occupiers.
- 5.13 The siting of the dwellings broadly within the building lines of no.1 and due to the relationship to no.1a are such that there would be no unacceptable overbearing or overshadowing impacts created. The case officer is mindful that the rear first floor windows are close (c.4 metres) away from the boundary with no.14 Shellmor Avenue which cuts into the amenity space for the RHS unit. This is closer than the 7 metres recommended in the Household Design Guide SPD which advises a 7-metre separation distance between first floor rear windows and rear garden boundaries. However, the windows would not look directly towards the rear windows of no.14 (which are in excess of 20 metres away) and would overlook the end of the garden of no.14 at an angle, which would preserve privacy closer to the front of no.14's garden, closer to the area immediately to the rear of that dwelling. Moreover, the locality already offers an extremely high level of mutual overlooking and so what is proposed would not present any substantial increase in overlooking above and beyond what is already possible, nor would any hitherto overlooked areas be overlooked as a result of the development if permission is granted.
- 5.14 The host dwelling is understood to have three bedrooms and would retain 60sqm of private amenity space, which accords with PSP43. The amenity space for the new dwellings would be well over the 50sqm required by PSP43 for 2 bed dwellings. In terms of usability, whilst the amenity space for the new dwellings is an unusual layout, particularly in the case of the RHS unit, it is not considered to be so constrained as to not be sufficiently useable for day-to-day residential use and would still represent a sufficiently useable and enjoyable space to spend time in.

5.15 Parking and Transportation

The application site is in a built-up urban area and so the proposals broadly accord with the PSP11 requirements in terms of proximity to public transport, walking/cycling routes and access to key services and facilities by means other than the private motor car.

5.16 In terms of parking, each dwelling is correctly allocated with parking spaces in accordance with PSP16 (1no. space for 2 bed dwellings and 2no. spaces for 3 bed dwellings). Having been provided with revised plans, officers are content that the proposed parking accords with the dimensional requirements of PSP16. Whilst parking concerns are noted, there is no reasonable grounds to resist a development proposal that provides parking in accordance with adopted standards.

5.17 Upon revision, the parking is accessed away from the bend and would require new dropped kerbs (which would require consent from the highway authority, a separate process). Given the 20mph residential nature of the road and low speeds associated with ingress/egress from private residential driveways, there would not be any appreciable highway safety issues that would justify a refusal of planning permission.

5.18 Should permission be granted, suitably worded conditions should be applied to ensure the provision of the parking and access facilities prior to occupation, and to secure the provision of electric vehicle charging facilities in accordance with the provisions of CS8 and emerging policy. A suitably worded condition should also be applied to require the parking areas to be constructed of permeable and bound surfaces, in the interest of highway safety and to prevent material being tracked onto the highway.

5.19 Drainage

The site is within the curtilage of an existing dwelling, and it is noted from the application form that drainage of foul water will be via a mains sewer and surface water will be via a sustainable drainage system/soakaway. The Council's drainage team (LLFA) do not have any objection in principle to this arrangement. A suitably worded condition should be applied, should permission be granted to secure full details of the proposed drainage methods, including a detailed development layout showing surface water and SUDS proposals.

Impact on Equalities

5.20 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.

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

Other Matters

- 5.22 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.23 The motivations of the developer, including any financial gain, are not matters that can be afforded any material weight in the determination of a planning application.
- 5.24 Comments are noted with respect of the site's suitability for one dwelling instead of two. However, the LPA needs to determine the application before it and given that two dwellings are found to be acceptable in planning terms, no reduction in the number of units has been insisted upon.

Planning Balance

- 5.25 The development would result in two dwellings within an urban and therefore sustainable location, which would add to the housing supply within the district. This is afforded moderate weight in favour of the development proposals.
- 5.26 The development has been designed so as to be in keeping with the locality and the host dwelling and is acceptable in that regard. There are some residual concerns about the layout of the amenity space in both visual and amenity terms, but neither of these matters are so significant as to attract weight against the proposals.
- 5.27 Parking and access initially posed some concern which would have drawn weight against the development proposals. However, the revisions made to plans have ameliorated officer concerns to the point that there are no highways objections to the proposed development and consequently, the proposal is acceptable in terms of parking and access. This is afforded a neutral weight as it is an expectation of any development.
- 5.28 The level of detail submitted in respect of drainage is sufficient to satisfy officers that appropriate drainage can be provided, and the remaining details can be secured through a appropriately worded planning condition. This also attracts a neutral weight.
- 5.29 As per the above, the proposal can be considered to represent sustainable development, and there are no planning issues that would weigh against the proposals so as to justify refusing planning permission.

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. Prior to commencement of above ground works, surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection shall be submitted to the local planning authority for approval in writing. Development shall then proceed in accordance with the agreed details.

NB: Full planning application - A detailed development layout showing surface water and SUDS proposals will be required to discharge this condition. No public surface water sewer is available.

Reason

To ensure appropriate provision is made for surface and foul drainage and to comply with the 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.

3. The materials to be used in the construction of the external surfaces of the dwellings hereby approved shall match the materials used on the host dwelling, 1 Standish Avenue, BS34 6AJ.

Reason

In the interests of ensuring that the new dwellings sufficiently assimilate into the street scene, ensuring a satisfactory standard of external appearance and to accord with

CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. The parking and access arrangements for the existing dwelling and the new dwellings as shown on plan 002 rev.A (location and proposed site plan - as received 21st July 2022) shall be provided prior to the first occupation of the dwellings hereby approved. At all times the parking areas shall be surfaced in a permeable and bound surface with no loose covering material. The parking and access arrangements shall be retained thereafter for their intended purpose.

Reason 1

To ensure satisfactory level parking and to accord with PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

Reason 2

To prevent surface water discharge and to prevent loose material being tracked onto the highway by vehicle tyres in the interest of highway safety and to accord with PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

5. Prior to first occupation of the new dwellings hereby approved, the existing and new dwellings shall each be provided with electric vehicle charging sockets with a minimum rating of 7kw/32amp, which shall be installed in accordance with manufacturers instructions and retained thereafter.

Reason

To ensure sustainable travel options are provided and to accord with CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

6. Development shall be implemented in accordance with the following plans:

STA1/22/51 - Proposed first floor plan
STA1/22/50 - Proposed ground floor plan
As received 8th March 2022

STA1/22/100 A - Revised: proposed elevations
As received 30th March 2022

STA1/22/001 A - Existing site plan
STA1/22/002 A - Location and proposed site plan
As received 21st July 2022

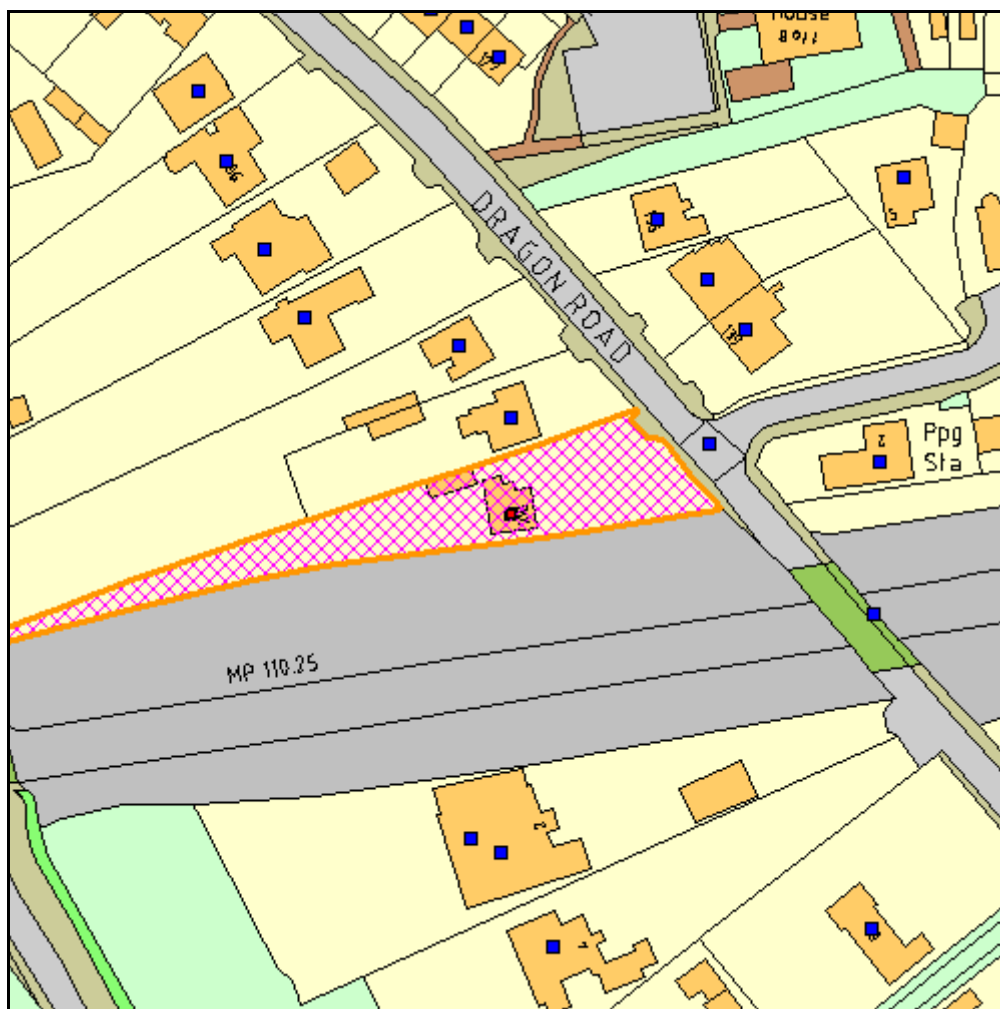
Reason

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

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P22/02439/HH	Applicant:	Mr And Mrs Griffiths
Site:	Landsdown View 106 Dragon Road Winterbourne South Gloucestershire BS36 1BL	Date Reg:	27th April 2022
Proposal:	Raising of roof to facilitate loft conversion. Erection of two storey front rear and side extensions and double garage to provide additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	364926 179889	Ward:	Winterbourne
Application Category:	Householder	Target Date:	21st June 2022



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N.T.S.

P22/02439/HH

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the raising of roof to facilitate loft conversion. Erection of two storey front rear and side extensions to provide additional living accommodation, along with the erection of double garage and summer house, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at Landsdown View, 106 Dragon Road, located within the established built-up residential area of Winterbourne, and is set within a generous sized plot. The dominant feature within the site is a two-storey detached dwellinghouse.
- 1.3 It is noted that since the application was initially submitted and consultation responses were received, revised plans have been accepted by the local authority. The amended plans have reduced the depth of the first-floor element of the two-storey rear extension by (approx.) 1.3 metres. Furthermore, the flat roof rear dormer has been removed from the scheme, reducing the amount of proposed bedrooms from 6 to 5.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

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

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

- | | |
|-------|-----------------------------|
| PSP1 | Local Distinctiveness |
| PSP8 | Residential Amenity |
| PSP11 | Transport Impact Management |
| PSP16 | Parking Standards |

- PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted August 2007)
Residential Parking Standards (Adopted December 2013)
Householder Design Guide (Adopted March 2021)

3. **RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history.

4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council
Objection. No details provided for the two detached buildings, one of which does not appear to give due regard to the existing building line.

- 4.2 Sustainable Transport – Transportation DC
We understand that this proposal increases the number of bedrooms present at this property from 3 to 6 and that it will be provided with three parking spaces plus a double garage. As it also possess a substantial driveway, this will provide a total of at least five spaces. Hence, we consider that the extended dwelling conforms the Councils minimum residential car park standards.

Nevertheless, as part of these changes we would recommend that the applicant provide electric vehicle charging facilities in accordance with the Councils emerging policy. We would also recommend that all driveways and parking areas are surfaced in a drained, bound material so that it does not get dragged onto the public highway by vehicle tyres. To ensure these actions take place, we would recommend that appropriate conditions are imposed on any planning permission granted for this development.

Overall, therefore, we do not believe that this proposal is likely to create any significant highway or transportation issues, and subject to the imposition of the conditions noted above, have no further comments about this development

- 4.3 Local Residents
No comments received.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
The application site is situated within an established residential area of Winterbourne and is currently utilised as a C3 dwellinghouse. The proposed development will extend the area of living accommodation within the property, at the expense of existing garage, section of front, rear and side curtilage and by extending into the existing loft space.

Policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 is relevant to this application. The policy indicates

that residential extensions are acceptable in principle subject to considerations of visual amenity, residential amenity and highway safety. The proposal therefore accords with the principle of development subject to the following considerations.

5.2 Design and Visual Amenity

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

5.3 **Rear extension**

The proposed rear extension comprises of a two-storey element and a single-storey element. The proposed single-storey element will project (approx.) 5.3 metres from the properties rear elevation and span the width of the dwelling, measuring a distance of 9.5 metres. A first-floor will then be built above section of the single-storey element, with a depth of 4 metres and a width of 6.6 metres. The two-storey extension will feature a pitched roof that will extend across from the host dwelling and feature a gable-end. A mono-pitch roof will cover the small single-storey element.

5.4 **Side extension**

A two-storey side extension forms part of the proposed works, the extension will essentially 'square-off' the ground floor plan. The extension will project to match the existing properties front and side elevations, infilling the properties north-east corner. The proposed side extension will adjoin to the dwellings existing north massing and combined will feature an asymmetric roof form, which will match the eaves height and ridgeline of the existing property.

5.5 **Front extension**

To the properties front façade, a two-storey extension is proposed. The new addition will project (approx.) 1.6 metres from the properties principle elevation and have a width of 3.4 metres. The extension will feature a dual pitch roof with gable end, following the pitch of the host dwelling, but will be set down from the host's ridgeline by 2 metres.

5.6 Installed within the roof structures of the proposed extensions will be numerous skylights, to aid in the creation of a loft conversion. Additionally, incorporated within the design will be various new openings to the extensions front, rear and side (south) elevations. Including floor to ceiling glazed units to the principle elevation of the front extension. The extensive use of glazing will flood the proposed hallway with natural light, which will otherwise not receive sunlight due to sitting deep within the floor plan.

5.7 Collectively, the proposed scheme will facilitate with the properties remodelling and refurbishment, creating a home that is larger with elements of open plan living and an increased connection to the outside. The extensions will introduce a utility, downstairs shower room and snug, along with 2no. additional bedrooms and a home office.

5.8 **Double Garage**

A double garage is proposed to the front curtilage of No.106 Dragon Road to the east of the host dwelling. The proposed building will have a rectangular footprint (approx.) 33 square metres in size, and feature a pitched roof with gable-end, which will rise from an eaves height of 2.4 metres to a maximum ridgeline of 4 metres. A large area of permeable surface will be set in front of the building, forming a generous drive, providing a turning point and direct route from the properties vehicle access point to the garage.

5.9 **Summer house**

The proposed summer house will sit within the properties rear garden, around 25 metres west of the main house. The summer house will have a footprint of 15 square metres and have a pitched roof. The only opening to the summer house will be the 1no. set of doors to the front elevation.

5.10 External finish to the works will be render with interlocking concrete tiled roof to match the host dwelling. All new doors and windows will be set in white uPVC casements.

5.11 It is acknowledged that an expansive amount of development is proposed as part of this scheme, substantially increasing the footprint and overall volume of the application property. However, it is important to consider the context of the case. The dwelling is a detached dwelling within a plot which can comfortably accommodate such extensions and outbuildings without appearing as cramped or overdeveloped.

5.12 Upon review of the surrounding area, there appears to be no defined architectural style or settlement pattern. The western flank of Dragon Road is generally characterised by large dwellings of varying designs. As such, the extended property will not appear out of place when viewed against the street scene. Moreover, the submitted plans indicate that the proposed works will utilise proportions and materials that are present on the host dwelling. This will help aid integration between the existing and proposed additions, resulting in the property being appropriately proportioned and ensure that the appearance of the building is harmonious.

5.13 The host dwelling is set back on the application site, along with its neighbouring properties. As previously mentioned, the proposed garage will sit to the front of the residential curtilage. The proposal is relatively substantial in scale and given its location will project a lot closer to the public highway than what currently exists on the site. However, it is noted that No.98 Dragons Road, located 4 properties to the north, has a garage that sits within the front curtilage, set a few metres back from the roadside. In addition, having attended a site visit to the property from the public realm, it is of importance to note that there is a lot of intervening vegetation that sits along the front boundary line of the site that will significantly help shield the proposed building. Therefore the garage will not be visually intrusive within the street scene. A condition to require the retention of the existing mature hedgerow to the front (east) boundary will be attached to the decision notice.

- 5.14 While the proposals are substantial in size, the development creates a property which better reflects and optimises the site potential. Overall, the scheme will not be detrimental to the character of the host dwelling or surrounding area and therefore displays an acceptable standard of design. Therefore, complies with policies CS1 and PSP38.
- 5.15 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan relates specifically to residential amenity in which it states development proposals are acceptable, provided that they do not create unacceptable living conditions or result in unacceptable impacts on the residential amenities of occupiers of the development or of neighbouring properties. These are outlined as follows (but not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.
- 5.16 As is often the case with two storey extensions, the key issues that may present themselves are overbearing and loss of light with reference to surrounding dwellings. In this instance, the only potentially affected neighbour of the scheme will be adjacent property No.104 Dragon Road.
- 5.17 The increase in volume to the side of the property will sit directly adjacent to the neighbour's two-storey side elevation. Additionally, whilst it is acknowledged that the proposed rear extension will sit close to the adjoining boundary, the massing positioned adjacent to the north boundary has deliberately been designed as single-storey. Staggering the mass in this way, significantly reduces the extensions visual prominence and dominating impact on No.104. Furthermore, the extension has been assessed against, and satisfies the 45 degree test set out in the Adopted Householder Design Guide SPD.
- 5.18 With regards to the proposed garage, although the garage is large in scale and located close to the sites south and east boundaries. The site is a corner/end plot, whereby hedgerow is located. This area of mature vegetation protects the properties south and east elevations, which will result in the proposed outbuilding almost hidden out of view from any public highway and opposite neighbouring properties.
- 5.19 Turning attention to the proposed summer house, the massing is modest in scale, achieved by its single-storey nature and shallow pitch roof. There is also a substantial separation distance between the summer house and neighbouring property No.104.
- 5.20 Lastly, as a result of proposed additional fenestration to the extensions, loss of privacy and overlooking must be assessed. The main openings serving the extensions will be located to the front and rear elevations, as such views will be of the application properties extensive front and rear curtilage. Only 1no. window is proposed to a side elevation, whereby the outlook will be of the railway lines to the south. By reason of the above, the impact on the level of amenity afforded by neighbouring dwellings by virtue of overbearing, loss of light and overlooking is acceptable. It is accepted that there may be a limited degree of overshadowing to No.104 but not to a sufficient degree to warrant

refusal. The application therefore satisfies the requirements of PSP8 and PSP38.

5.21 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. Although the proposed development increases the occupancy within the dwelling, as well as builds on existing curtilage. The remaining private external amenity space will continue to be well in excess of the Council's design standards, complying with policy PSP43.

5.22 Transport (Access and Parking)

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number, with a property of the proposed size (5-bed) expected to provide a minimum of 3no. off-street parking spaces. The development seeks to create a garage which will accommodate 2no. parking spaces. Additionally, as part of the scheme, a driveway is being proposed that will offer parking for multiple cars. As such, the parking and transportation provision for the application site satisfies policy PSP16. If the proposal satisfies all other planning considerations and the decision to grant permission is recommended, it is found appropriate that a compliance condition be attached to the decision notice, stating that all driveways and parking areas are to be surfaced in a drained, bound material as recommended by the transport officer.

5.23 The comment received from sustainable transport regarding the attachment of a condition to the application stating that the proposal should include the provision of electric vehicle charging facilities, in accordance with the Council's emerging policy, has been acknowledged. However, the condition is disproportionate to the nature of this application.

5.24 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

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

7. **RECOMMENDATION**

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

CONDITIONS

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

Reason

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

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

(received 26th - 27th April 2022)

Existing Floor Plans

Site and Block Plan

Block Plan

Site Plan

(received 25th July 2022)

Block Plan (Rev B)

Existing and Proposed Elevations (Rev B)

Proposed Floor Plans (Rev B)

Reason

To define the terms and extent of the permission.

3. Within 5 metres of the public highway, the driveway shall be surfaced with a permeable, bound material with no loose surface matter (e.g. gravel) and retained as such thereafter.

Reason

To prevent loose material being tracked on to the highway by vehicles in the interest of highway safety and to accord with policy PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

4. The existing hedgerow to the front boundary must remain in a satisfactory condition for the lifetime of the development. Should any part of the hedgerow die within 5 years from the development being completed, it must be replaced by a species of similar size and specimen within following 12 months, unless otherwise approved by the council.

Reason

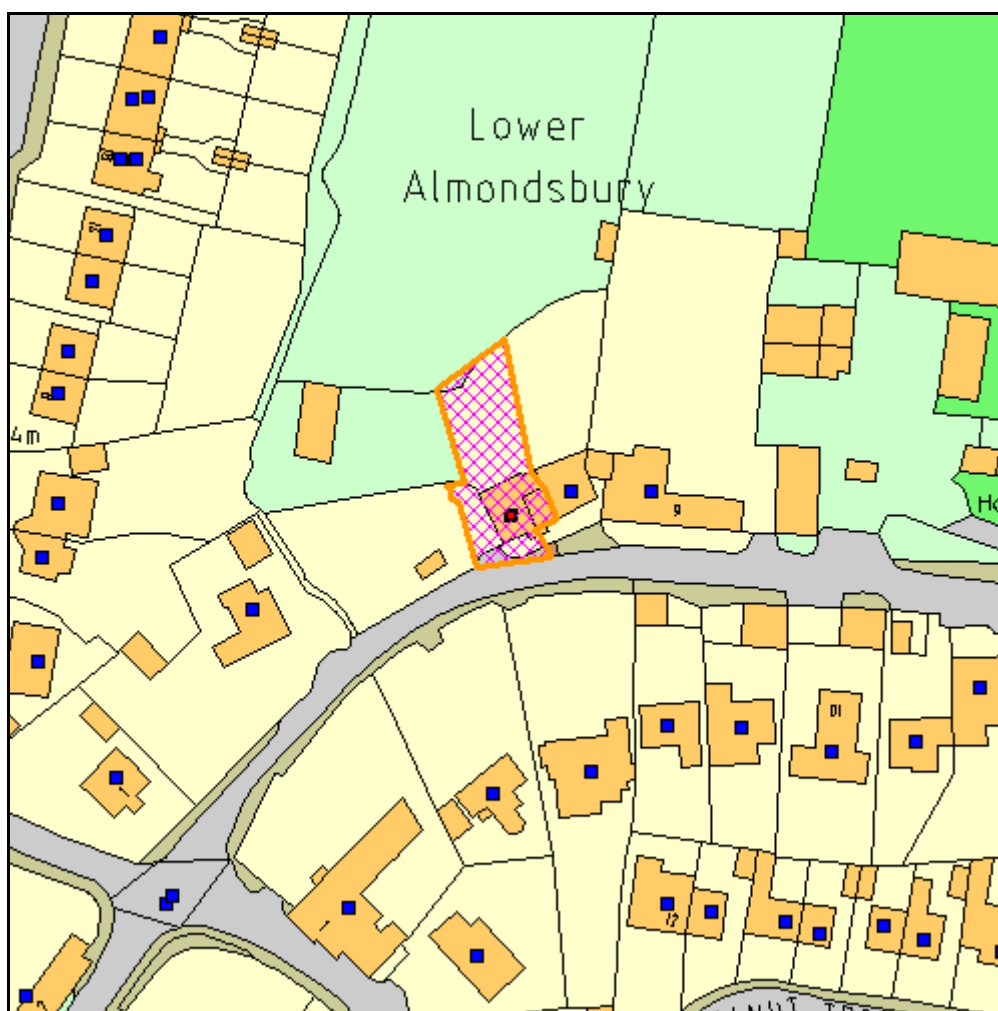
To ensure the character and visual amenities of the area are protected, in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, PSP1 of the South Gloucestershire Local Plan: Policies Sites & Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

Case Officer: Chloe Summerill

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P22/02492/LB	Applicant:	Mr and Mrs G and T Rudrum
Site:	5 Lower Court Road Almondsbury South Gloucestershire BS32 4DX	Date Reg:	3rd May 2022
Proposal:	Internal and external works to include the removal of all windows and installation of replacements; creation of 5 no. window openings and installation of new windows; removal and replacement of all roof tiles; demolition of 1 no. chimney; installation of internal partition walls; demolition of rear extension, and erection of a single storey rear extension.	Parish:	Almondsbury Parish Council
Map Ref:	360191 184331	Ward:	Severn Vale
Application Category:	Minor	Target Date:	28th June 2022



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N.T.S.

P22/02492/LB

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks Listed Building Consent for internal and external works to include the removal of all windows and installation of replacements; creation of 5 no. window openings and installation of new windows; removal and replacement of all roof tiles; demolition of 1no. chimney; installation of internal partition walls; demolition of rear extension, and erection of a single storey rear extension.
- 1.2 The application site can be found at No.5 Lower Court Road, located within the established built-up residential area of Almondsbury, and is set within a good sized plot. The dominant feature within the site is a grade II listed property, owned by the applicants who also own the adjoining premises (No.7). The site is located in the Almondsbury Conservation Area and is washed over by the Bristol/Bath Green Belt.
- 1.3 This report would be read in conjunction with full planning application **P22/02470/HH**, currently pending consideration by the Local Planning Authority (LPA).

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan Policies, Sites and Places Plan Adopted November 2017
PSP17 Heritage Assets and the Historic Environment
- 2.3 Supplementary Planning Guidance

3. **RELEVANT PLANNING HISTORY**

- 3.1 **P22/02470/HH**. Demolition of existing extension. Erection of single storey rear extension to form additional living accommodation. **Pending Consideration**.
- 3.2 **PRE22/0018**. Extension, repairs and internal alterations to listed building. Planning and listed building advice required. **Pre Application Enquiry Decision**. 16/03/2022.

4. **CONSULTATION RESPONSES**

- 4.1 The Listed Building & Conservation Officer Natural & Built
The development proposals, subject to the suggested conditions, are supported.
- 4.2 Almondsbury Parish Council
Object on the grounds that it would cause irreparable damage to the fabric of a listed building.

Insufficient details provided for the scale of the work and the materials to be used for the replacements.

Object to the changing of the character of the building.

- 4.3 National Amenity Societies
While we are fully supportive of this property undergoing sensitive repairs, at present this application is missing a number of documents, and we are concerned that some of the proposed works will cause less than substantial and currently unjustified harm to this charming Grade II listed property. We would therefore recommend that the application is put on hold or withdrawn pending the additional information being provided. If this information and the amendments are not available then it should be refused.

Additional documentation required:

- *A report from an ecologist to determine whether bats are present within the roof space and the outbuildings, and if so what mitigation is required.*
- *A detailed Condition Survey from a conservation accredited structural engineer/surveyor.*
- *A detailed Specification of all the works required (informed by the Condition Survey), which should include full details of all materials and proposed techniques.*
- *The Heritage Statement could be greatly improved and made much clearer if the photographs (currently separate) were included within it.*
- *The existing floor plans need to be annotated and the room names included as without these it is difficult to orientate yourself.*
- *Position of new radiators should be shown on the proposed floor plans*

(Procedural note: As proposed, SPAB object to the development. The application property is a grade II listed building but as the proposed development does not include any of the relevant works as listed in the 'Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021'. The application is not required to be referred to the Secretary of State).

4.4 Local Residents

2no. comments received in support of the proposed development.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As stated in Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Planning Authorities have special regard in the consideration as to whether to grant listed building consent. This applies to any works associated to the desirability of preserving the listed building itself, its setting or any features of special architectural or historic interest in which it possesses. Further to this, the NPPF attaches great weight to the conservation of heritage assets to ensure their significance is maintained or enhanced. The development seeks to make alterations to a listed building and is therefore acceptable in principle but will be further assessed to determine the level of harm and any subsequent mitigating factors (if present).

5.2 Impact on the Listed Building

No.5 Lower Court Road is grade II listed, as is its adjoining neighbour (No.7) which share the same listing citation. The application site is also located within the Lower Almondsbury Conservation Area.

5.3 The proposals were previously subject to a pre-application and following a detailed inspection of the condition of the building by the Conservation Officer, it became evident that the property has been subject to a combination of significant neglect and unsympathetic alterations. Overall, the subject building can be considered to be a much unloved building in very poor condition with clear evidence of long-standing water ingress from a failed roof which has resulted in historic finishes either failing, in poor condition, or have been removed. Structural movement is also evident in a number of areas and internally little historic features survive and so overall, while the building remains a designated heritage asset, No.5 Lower Court Road can be considered to be a grade II listed building of limited historic interest or significance.

5.4 The proposed works are numerous and expansive in nature. Therefore they will be discussed in turn below, in line with comments received from the Conservation Officer.

5.5 ***Structural Report***

The condition of the building is considered to be in an inhabitable structural condition. The roof is in reasonable condition but some of the purlins are sagging. The first-floor ceiling has partially collapsed and is unsafe. The

ceilings also to the rear of the building are in dangerous condition and mostly collapsed. The main timber support beams are in poor condition suffering from rot at their bearing positions. What ceilings survive are suffering from rot and infestation.

The lintel for one window has been removed and with aperture now propped. Most of the other timber lintels are sagging causing settlement of the stonework above. Externally, while mostly the stonework appears in good condition, there is a diagonal crack in the right-hand corner of the rear south-west elevation. Internally, there are a number of cracks in the stonework and diagonal cracks in the gable walls in the loft space, some of which are located below the bearing positions of the purlins.

The description of the building as set out in this report was confirmed by the Conservation Officer on site. Moreover, along with very little historic features remaining, where historic lath and plaster ceilings and partitions have survived, they are in poor condition and especially in respect of the ceilings, are beyond saving and will need to be replaced. The condition of the structural timbers was also confirmed, with basically any embedded timber in the masonry decayed due to the moisture in the walls and so the bearing points of each beam need attention. The good condition of the roof is only due to the works that have recently been undertaken to strengthen it, as new rafters inserted to “double-up” with the existing rafters.

Proposed External Works

5.6 ***Rear extensions***

The existing rear extensions are of no historic or architectural interest and so their demolition is considered acceptable. The replacement extension is also considered to be acceptable in respect of scale, form and design although large scale details and a stone sample panel will be required, which would be conditioned.

5.7 ***Chimney demolition and re-construction***

The rear chimney stack is not considered to be overtly historic or of any architectural significance. It has clearly been extended, with the brick extension added to increase presumably draught as well as help improve the dispersal of the smoke. The sheer weight of the brick stack however appears to have caused some cracking of the stonework below, as the masonry itself has suffered from the elements and lost an element of strength. As it is also redundant, the proposals to remove the brick stack and cap at roof height with a vent is acceptable. With the existing stack to the western gable leaning, its reconstruction and rebuilding with the reclaimed bricks is also acceptable.

5.8 ***Localised reconstruction***

Due to a failure of the roof valley, an area of stonework below (or over the central window to first floor) has seen its joints washed out and is at risk of collapse. Internally this area is currently being propped and so the proposed taking down of the relevant and identified area of stonework and its reconstruction is considered to be justified and acceptable.

5.9 **Roof**

The proposals to replace the existing modern concrete tiles with pantiles is acceptable but a condition requiring details will be required.

5.10 **Structural works to walls**

The case for structural intervention has been made and following a site visit by the Conservation Officer is said to be clearly needed. However, while the principle of “stitching” is accepted, further details will be required to identify the particular areas in question and the scale of repair needed. It may be also where the walls are moving away from each other, cintec anchors might be more effective than helical bars. A condition will therefore be recommended.

5.11 **Works to roof**

The works set out both in the supporting Design and Access Statement (DAS) and detailed on the submitted plans are acceptable, but further details on the specification of materials is required – i.e. the specification of the both the membrane but also any possible insulation to be used.

5.12 **Blind windows**

The description of development refers to the “creation of 5no. openings”. What is proposed is in fact the reinstatement of 5no. windows that have been blocked up. The Conservation Officer states that this is likely to be a consequence of the Window Tax that was initially introduced in 1696.

The significance to be attached to such blocked-up windows can be the subject of extensive philosophical debate, as on one hand opening-up the windows is a restoration of the fenestration, proportions and character of the building as originally constructed. On the other, the blocking up of the windows represents an important evolution of the building that reflects an interesting part of history of this country where the implications of the tax system had direct implications on the appearance of a building.

Each case however needs to be considered on its own merit. In this instance, due to the significant loss of character the application building has experienced, especially internally, the proposed reopening of the windows, while will result in a further degree of loss of historic interest, the harm would be outweighed by the enhancement to the appearance and character of the building. As such, the proposed reinstatement of the openings is acceptable.

The large-scale details of the replacement proposed mullion and transom casements are also acceptable.

5.13 **Replacement of all existing windows**

The Conservation Officer states that as experienced on site, all existing windows are in poor condition and are beyond reasonable repair. Their replacement is therefore considered to be acceptable. The replacement of all lintels is also considered acceptable.

Proposed Internal Works

5.14 **Services**

No issues with the service works proposed.

5.15 **Ground floor**

The proposed floor construction is welcomed. Nevertheless, details on the method for lifting the existing flag stones will be required.

5.16 **Ceilings**

No objections to the proposals. The specification of the new ceilings (metal expanded lath and plaster) is set out on the "Proposed Sections" drawing. A standard condition to ensure development is undertaken in compliance with the approved plans will be attached to any approved decision notice.

5.17 **Upper timber floor and stairs**

Overall no issues but the repairs to the floor construction need to be clarified further, however, this can be picked up in the "repairs condition".

5.18 **Walls and partitions**

The proposals are acceptable.

5.19 **Fireplaces, bathrooms, kitchen**

The proposed works for each do not involve any original or fabric of historic or architectural interest and so are acceptable. The removal of the non-period fireplaces would represent a significant enhancement to the character of the building.

5.20 The proposed scheme presents an opportunity to secure a much-needed scheme of restoration. While the proposals will see some loss of historic fabric and potential interest, any considered harm will be significantly outweighed by the conservation benefits the development proposals will deliver. The residual impact of the proposals is therefore clearly a positive one that will ensure the character and appearance of this grade II listed building is enhanced.

The existing condition and appearance of the building can also be considered to detract from the Lower Almondsbury Conservation Area and so the proposals would also represent an opportunity to also enhance the character of the conservation area in this locality.

5.21 As noted above, there is some clear need for some structural intervention, however further details are required in respect to method and scale of works. This will be secured by a "repairs" condition. Until the works commence and the fabric is opened-up, the full extent of the repairs required will not be known. This condition therefore allows the flexibility to consider any further works beyond what has been agreed at pre-determination stage so the full scope of works and its impact on the fabric and character of the building can be understood and agreed.

5.22 It is also noted that any repointing should not use cement in its mortar mix. Likewise, any new floor should not be just a standard concrete slab. While the condition of the building, as set out previously, renders it one of limited historic interest, preserving what is left of the character of the building becomes even more important. As such, to make sure the building is restored to a standard

that will ensure the character and appearance of this grade II listed building is enhanced, details of the materials, detailing of the structure and proposed techniques/methods of construction will also be secured by condition.

5.23 Other Matters

Concerns have been raised regarding works and their potential impact upon bats. Due to the level of works required, a survey has not been considered necessary in this instance, however a condition can be added to any approval given requiring works to stop immediately and an ecologist to be brought on site should any bats be discovered during the construction phase.

5.24 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

6.1 The decision to **GRANT** listed building consent has been taken having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and advice contained in the National Planning Policy Framework and accompanying Historic England Planning Practice Guidance. It is considered that the Council's statutory duties have been fulfilled.

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below (received 28th April - 03rd May 2022):

Heritage, Design and Access Statement
Structural Report
Proposed Elevations (RUDRUM5LWRCT P1A)
Proposed Layouts (RUDRUM5LWRCT P2A)
Proposed Sections (RUDRUM5LWRCT P3A)
Proposed Hard Surfaces and Landscape Plan (RUDRUM5LWRCT P4A)
Site and Location Plan (RUDRUM5LWRCT SOS)
Existing Elevations (RUDRUM5LWRCT1)
Existing Layouts (RUDRUM5LWRCT2)
Proposed Extension Doors and Windows (RUDRUM5LWRCT6)
Existing and Proposed Windows 1 (RUDRUM5LWRCT3)
Existing and Proposed Windows 2 (RUDRUM5LWRCT4)
Photographs 1 - External Views
Photographs 2 - Ground Floor
Photographs 3 - First Floor
Photographs 4 - Second Floor

Reason

To define the terms and extent of the permission.

3. Prior to the commencement of the relevant works, a representative sample of the roof tiles shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with the agreed details.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

4. Prior to the commencement of the relevant works (both the construction of the extension and any location rebuilding) a representative sample panel of natural facing stone, of at least one metre square, showing the stone, coursing, mortar and pointing, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

5. Prior to the commencement of the relevant works, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.

- a. All new doors (including frames and furniture)
- b. All new vents and flues
- c. Lantern (to extension)
- d. Rainwater goods

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

6. Prior to the commencement of any relevant works, a detailed specification for the repairs, including any stonework repairs, any proposed structural works (in respect of which approval is expressly reserved), shall be submitted to the Local Planning Authority for approval. The specification shall include details of the extent of proposed replacement of historic fabric, and all new materials to be used.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

7. Prior to the commencement of the relevant works, a representative sample panel of repointing shall be prepared, of at least one metre square, showing the colour and texture of the pointing and the details of the mortar mix shall also be provided, which all shall be approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

8. Prior to the commencement of the relevant works, a method statement shall be submitted detailing how the existing flag stones will be lifted, stored and relayed. This

method statement shall be approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

9. Should any bats be discovered during construction, works should immediately cease and a suitably qualified ecologist brought onto site. Works will only recommence following recommendations from the ecologist.

Reason

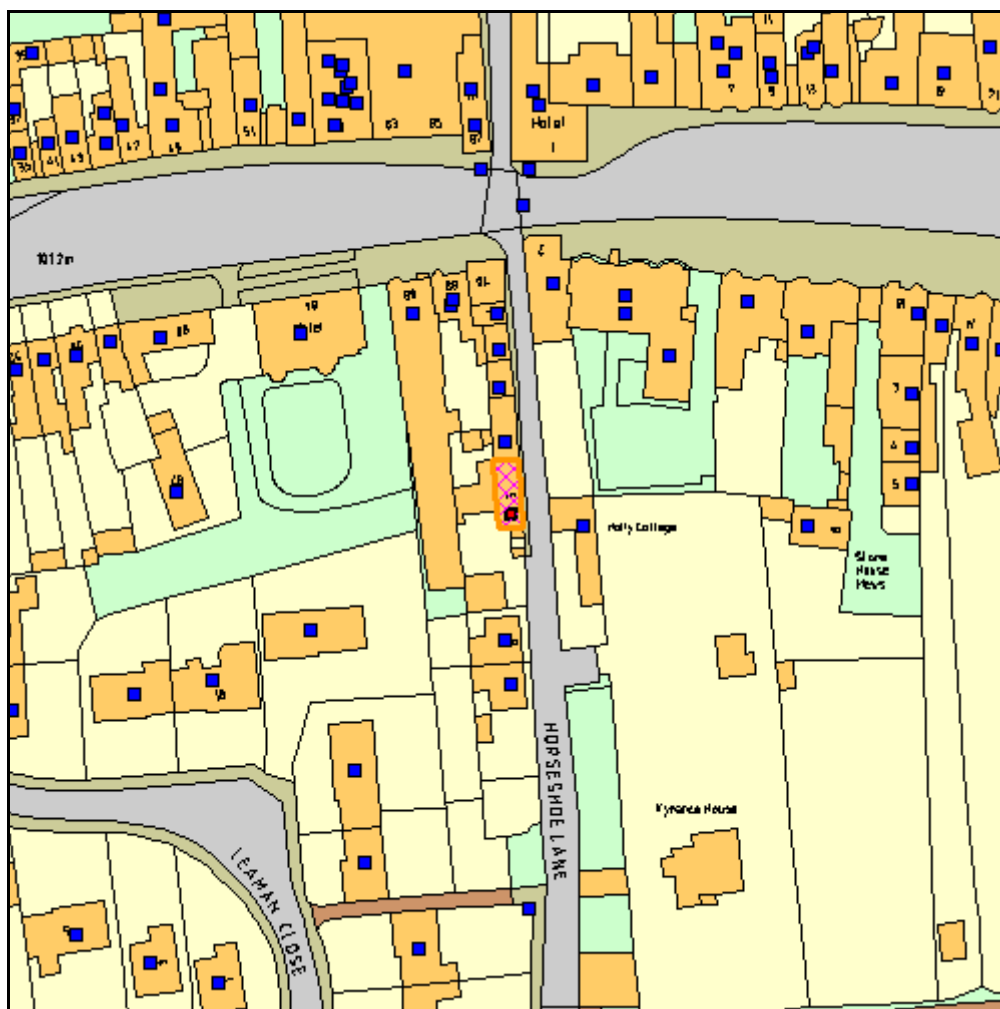
To ensure the works are carried out in an appropriate manner and in the interests of Protected Species in accordance with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

Case Officer: Chloe Summerill

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 30/22 -29th July 2022

App No.:	P22/02704/LB	Applicant:	Mr James Hare
Site:	5 Horseshoe Lane Chipping Sodbury South Gloucestershire BS37 6AP	Date Reg:	9th June 2022
Proposal:	External works to remove existing 'Western Power' wall bracket and replace with new bracket and street light.	Parish:	Sodbury Town Council
Map Ref:	372566 182167	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Minor	Target Date:	4th August 2022



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N.T.S.

P22/02704/LB

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is reported to the Circulated Schedule as South Gloucestershire Council is the applicant.

1. THE PROPOSAL

- 1.1 The applicant seeks listed building consent for the replacement of a Western Power electricity cable bracket attached to the front of no.5 Horseshoe Lane with a bracket to support a new street lantern. No.5 is a grade II listed, early 19th century building, one of a number of modest stone-built cottages running south from the High Street. The existing pole-mounted lantern opposite the cottage is being removed as part of Western Power's proposals to remove all overhead lines along the street, and agreement has been reached with the owner of the listed building to attach a new lantern directly to the building.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS9 Managing the Environment and Heritage

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

PSP17 Heritage Assets and the Historic Environment

2.3 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

No relevant history

4. CONSULTATION RESPONSES

4.1 Sodbury Town Council

No objection

4.2 Other Consultees

None received

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against National Planning Policy Framework July 2021 and Planning (Listed Buildings and Conservation Areas) Act 1990.

- 5.2 The applicant seeks listed building consent for the replacement of a Western Power electricity cable bracket attached to the front of no.5 Horseshoe Lane with a bracket to support a new street lantern. No.5 is a grade II listed, early 19th century building, one of a number of modest stone-built cottages running south from the High Street. The existing pole-mounted lantern opposite the cottage is being removed as part of Western Power's proposals to remove all overhead lines along the street, and agreement has been reached with the owner of the listed building to attach a new lantern directly to the building.

- 5.3 The existing bracket is an unsightly addition to the listed building and forms part of a web of cables stretching along Horseshoe Lane (which lies in the Conservation Area) and across the elevations of a number of cottages. Western Power will be removing all overhead electric cables and installing an underground service, the result of which will be the loss of the only street light along this stretch of road. The proposal, therefore, is to replace the bracket with a street-light bracket, supporting a traditional street lantern of style used in other conservation areas in the district. The cabling on the elevation will be removed and replaced with a single vertical cable, protected in a pipe up to 2m, coupled with the removal of all other over-head cables.

- 5.4 The replacement lantern and removal of extraneous cabling will be an improvement on the present situation, resulting in a modest enhancement to the character and significance of the listed building, while the proposal also facilitates the removal of all overhead cables on Horseshoe Lane which will amount to an enhancement to the character and appearance of this part of the Chipping Sodbury Conservation Area. The works are considered to protect the special character, interest and setting of the listed building in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. . Although the applicant is a department of South Gloucestershire Council, there have been no objections to the proposal, either locally or from the National Amenity Societies, so the application does not require notification to the Secretary of State.

5.5 Consideration of likely impact on Equalities

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

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

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

6. CONCLUSION

- 6.1 The recommendation to **grant** Listed Building Consent has been taken having regard to the section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained in the National Planning Policy Framework.

7. RECOMMENDATION

- 7.1 That the application be **approved** subject to the conditions outlined on the decision notice.

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

2. This decision relates only to the plans and documents identified below:

Received 11th May 2022;
Cast Wall Bracket details
Proposed Lantern details
Streetscene/Context Plan - Existing

Received 27th May 2022;
Block Plan
Location Plan
Elevation showing cabling proposal
Photos of proposed wall bracket
Statement of Significance

Reason

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

Case Officer: Ian Gething
Authorising Officer: David Stockdale