

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: 39/22

Date to Members: 30/09/2022

Member's Deadline: 06/10/2022 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

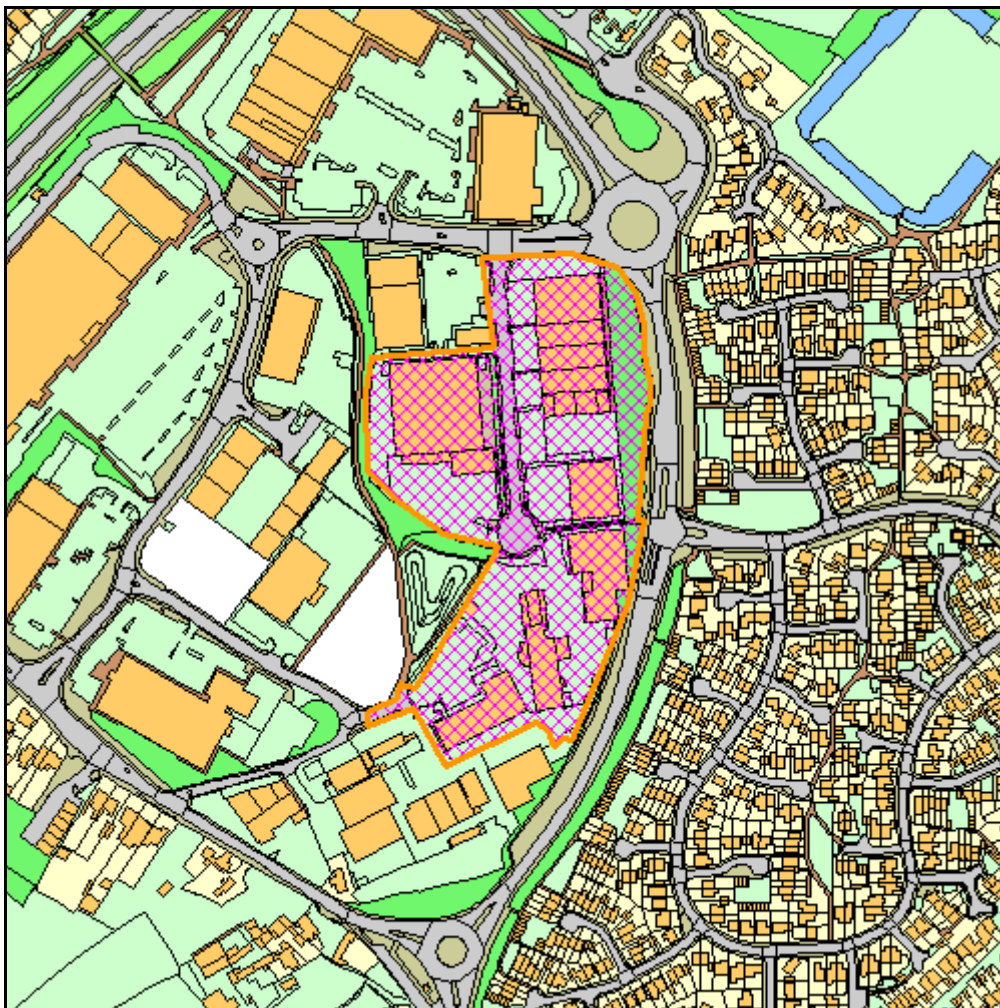
CIRCULATED SCHEDULE 30 September 2022

-

| ITEM NO. | APPLICATION NO | RECOMMENDATION | LOCATION | WARD | PARISH |
|----------|----------------------|---------------------------------|---|------------------------------------|---------------------------|
| 1 | P22/22431/O | Approved Subject to Section 106 | Buildings And Land West Of Marsham Way Longwell Green South Gloucestershire | Longwell Green | Oldland Parish Council |
| 2 | P22/01139/ADV | Advert Approve with Conditions | Chipping Sodbury Motor Company Hatters Lane Chipping Sodbury South Gloucestershire BS37 6AA | Chipping Sodbury And Cotswold Edge | Sodbury Town Council |
| 3 | P22/02753/RM | Approve with Conditions | Land North Of Brimsham Park Yate Dowsell Way South Gloucestershire BS37 7DY | Yate North | Yate Town Council |
| 4 | P22/03761/F | Approve with Conditions | 97C Conygre Grove Filton South Gloucestershire BS34 7DW | Filton | Filton Town Council |
| 5 | P22/04239/HH | Approve with Conditions | 22 Kenmore Crescent Filton South Gloucestershire BS7 0TN | Filton | Filton Town Council |
| 6 | P22/04356/HH | Approve with Conditions | 50 Northville Road Filton South Gloucestershire BS7 0RG | Filton | Filton Town Council |
| 7 | P22/04499/HH | Approve with Conditions | The Stables Tanhouse Lane Yate South Gloucestershire BS37 7LP | Frampton Cotterell | Iron Acton Parish Council |
| 8 | P22/04720/RVC | Approve with Conditions | Land South Of Park Street Hawkesbury Upton Badminton South Gloucestershire GL9 1BA | Chipping Sodbury And Cotswold Edge | Hawkesbury Parish Council |

CIRCULATED SCHEDULE NO. 39/22 -30th September 2022

| | | | |
|------------------------------|---|---------------------|--|
| App No.: | P20/22431/O | Applicant: | Mr Mick Roul West Midland Authority Pension Fund |
| Site: | Buildings And Land West Of Marsham Way Longwell Green South Gloucestershire | Date Reg: | 12th February 2021 |
| Proposal: | Demolition of existing buildings and erection of new buildings to serve in classes E, B2, B8, C1 including drive through restaurants (sui generis), construction of internal estate road, car parking, servicing areas and other associated infrastructure with only access to be determined. All other matters reserved. | Parish: | Oldland Parish Council |
| Map Ref: | 365595 171897 | Ward: | Longwell Green |
| Application Category: | Major | Target Date: | 11th May 2021 |



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P20/22431/O

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 following the receipt of objections from more than 3 local residents, the concerns raised being contrary to the officer recommendation. Furthermore, a new S106 Agreement is required in this case.

1. THE PROPOSAL

- 1.1 The application site is located adjacent to Aldermoor Way and Marsham Way, Longwell Green and comprises the Kingswood Industrial Estate and the former Savilles Freight Ltd. site; vehicular access to the site is via Aldermoor Way. The site lies within the 'Existing Urban Area' as defined on the South Gloucestershire Local Plan Proposals Map (Inset 4 – Bristol East Fringe). It is also located within the 'Longwell Green Safeguarded Employment Area' which is also defined on the Proposals Map. The site is bordered by The Longwell Green Retail Park to the north and north-west, other economic units to the south-west, and high density residential development to the east of the A4174 (Avon Ring Road). The site is located within Flood Zone 1 but is in an area known to have been used for coal mining in the past.
- 1.2 Following the Sept. 2020 amendments to the Use Class Order, 8,849 sq.m. gross of the site is/was occupied by uses now falling within Class E. Of this total, 3,511 sq.m. gross previously fell within the former Class A1 (shops) with a further 4,900 sq.m. gross within former Class D2. For a breakdown of the former/existing occupiers and uses of the respective units, the reader is referred to Table 2.1 on page 5 of the submitted Planning Statement.
- 1.3 The applicants (The West Midlands Pension Fund) seek Outline planning consent for the demolition of existing buildings and erection of new buildings to serve in classes E, B2, B8 and C1 including drive through restaurants (sui generis), construction of internal estate road, car parking, servicing areas and other associated infrastructure with only **access** to be determined at the outline stage. All matters of layout, scale, appearance and landscaping would be the subject of a subsequent reserved matters application(s) should outline consent be granted.
- 1.4 In Sept. 2018 the site was the subject of pre-application advice (PRE18/0794) for a comprehensive re-development of the site. The scheme at that time involved a greater proportion of retail space (than now proposed) comprising 6,503 sq.m. together with a range of Class B1/B8 units. In terms of the principle of development, the Council's response confirmed that having regard to Policy CS12 of the South Gloucestershire Core Strategy (December 2013), the scheme complied with the relevant criteria including the location of retail development. The current scheme however does not involve any significant change to the quantum of retail floor-space already within the site. Changes in the retail market coupled with a much stronger demand from Class E1 (light industrial), B2/B8/trade counter uses has influenced the current proposal.

- 1.5 It is also noted that at the time of the pre-application inquiry, it was proposed to retain Majestics Gym within the site but that is no longer considered to be viable. An off-site provision at the former Grange School Sports Hall is now proposed.
- 1.6 At this stage, the plans are indicative only and as such, two possible scenarios i.e. options A & B have been proposed with option A the preferred scheme. Tables 2.1 and 2.2 on pages 3 & 4 of the Planning Statement Addendum Nov. 2021 show the breakdowns of the proposed uses by zone for the two options A & B. These are of course illustrative at this stage and could change at the reserved matters stage.
- 1.7 Option A consists primarily of employment floorspace falling within Class E (formerly Class B1), B2 and B8, the later encompassing trade units with ancillary showroom space. It is proposed that a suitably worded set of conditions would restrict the uses within Zones 1, 2 and 3 to the uses specified in Table 2.1 along with the quantum of floorspace permitted within each zone. Within Zone 4 the floorspace would be restricted to Class E(b) and *sui generis* takeaway uses.
- 1.8 In addition, having regard to the scale of development involved, a degree of flexibility to submit reserved matters for each phase, together with the time limit for commencement, is proposed.
- 1.9 Flexibility in the outline permission is also sought for Option B Zones 1 and 4. Within Zone 1, alternative Option B would involve uses within Class E(a), (c)(i), (ii), (iii) in addition to those set out in Table 2.1 for this zone. The same quantum of floorspace would be provided. In respect of Zone 4, a hotel (Class C1) would be included with the omission of a restaurant/takeaway unit. The hotel would comprise 1,864 sq.m. GIA. It is suggested that a condition imposed on the outline permission would stipulate that within Zones 1 and 4 a flexible range of uses is permitted, provided it accords with either Option A or Option B as detailed in drawing Nos. 831 PL 2.200 C (Option A) and 831 PL 2.201 C (Option B).
- 1.10 The original application was supported by the following documents:

Design and Access Statement - CRM Architects - Sept. 2020

Planning Statement - MWA - Sept. 2020

Employment Land Assessment and Economic Statement - MWA - Sept. 2020

Retail Statement - MWA - Sept 2020

Transport Assessment - Vectos - Oct. 2020

Geo-environmental Desk Study - Bradbrook Consulting - July 2020

Air Quality Assessment - WSP - Oct. 2020

Archaeological Desk Based Assessment - Archaeology Collective - August 2020

Planning Noise Assessment Report - WSP - September 2020

Flood Risk Assessment (including drainage strategy) - WSP - October 2020

Ecological Assessment - Bradley Murphy Design - September 2020

Arboricultural Implications Assessment - Bradley Murphy Design - September 2020

- 1.11 A screening opinion P21/001/SCR was carried out in Feb. 2021 for this proposal when it was concluded that an Environmental Impact Assessment (EIA) was not required.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021

National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS2 Green Infrastructure

CS3 Renewable and Low Carbon Energy

CS4 Renewable and Low Carbon Heat Networks

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS6 Infrastructure and Developer Contributions

CS7 Strategic Transport Infrastructure

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS11 Distribution of Economic Development Land

CS12 Safeguarded Areas of Economic Development

CS14 Town Centres and Retail

CS23 Community Infrastructure and Cultural Activity

CS29 Communities of the East Fringe of Bristol Urban Area

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP3 Trees

PSP6 On-Site Renewable and Low Carbon Energy

PSP8 Residential Amenity

PSP9 Health Impact Assessments

PSP10 Active Travel Routes

PSP11 Development Related Transport Impact Management

PSP16 Parking Standards

PSP17 Heritage Assets and the Historic Environment

PSP19 Wider Biodiversity

PSP20 Drainage

PSP21 Environmental Issues

PSP22 Unstable Land

PSP27 B8 Uses

PSP31 Town Centre Uses

PSP35 Food & Drink Uses (including drive-through takeaway facilities)

PSP44 Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Trees and Development Sites: Guidance for New Development SPD (adopted April 2021)

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

South Gloucestershire Design Checklist (Adopted) 2007)

South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013

Affordable Housing and Extra Care Housing SPD (Adopted) April 2021.

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

South Gloucestershire Council Waste Collection: guidance for new developments SPD (Adopted) Jan 2015

South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014) - Site lies within LCA 14: Kingswood

Art and Design in the Public Realm - Planning Advice Note

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

3. **RELEVANT PLANNING HISTORY**

P21/001/SCR - Screening opinion for P20/22431/O - Demolition of existing buildings and erection of new buildings to serve in classes E, B2, B8, C1 including drive through restaurants (sui generis), construction of internal estate road, car parking, servicing areas and other associated infrastructure with only access to be determined. All other matters reserved.

EIA not required 10th Feb. 2021

Unit 5 Aldermoor Way:

P97/4784 and P98/4641 - Erection of extension to loading bay.

Approved 12/02/1998

PK00/0060/F - Installation of window in front elevation

Approved with conditions 07/03/2000

PK00/1536/F - Extension to existing car park and erection of 3m high fence and associated tree planting.

Approved with conditions 08/01/2001

PK05/0718/F - Installation of 15,000 litre diesel tank.

Approved with conditions 25/04/2005

PK16/5211/F - Change of use of part of warehouse (Class B8) to ice rink (Class D2) as defined in the Town and country Planning (Use Classes) Order 1985 (as amended) for a temporary period of 4 years with associated works
Withdrawn

Unit 5F and 5G Aldermoor Way (Majestics Gym)

PK12/2615/F - Change of use from B8 (storage & distribution) to D2 (assembly & leisure) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended).

Approved with conditions 06/09/2012

Unit 7 Aldermoor Way

PK02/2532/F - Change of use from (B2 & B1c) to (B8) as defined in town and country planning act (use class) order 1987.

Approve with conditions 20/11/2002

PK13/4657/F - Change of use of ground floor from Storage and Distribution (Class B8) to Assembly and Leisure (Gymnasium) (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Approved with conditions 26/02/2014

Units 9A and 9B, Aldermoor Way

PK01/1556/F

Change of use from light industrial (B1) to storage and distribution (B8) with associated display and sales. Installation of 2 no. roller shutter doors and 1 no. pedestrian door.

Approve with conditions 31/08/2001

PK18/0186/CLE - Certificate of Lawfulness for existing use of building as Class A1 Shop

Approved 13/06/2018

Unit 9C Aldermoor Way

P99/4706 - Retention of change of use from light industrial (B1) to storage and distribution with ancillary trade counter (B8).

Approved 26/01/2000

PK18/0185/CLE - Certificate of lawfulness for existing use of building as Class A1 Shop.

Approved 13/06/2018

Unit 9D Aldermoor Way

PK18/0187/CLE - Certificate of Lawfulness for existing use of building as Class A1 shop. Unit 9E Aldermoor Way.

Approved 13/06/2018

PK02/0155/F - Change of use from light industrial (B1) to storage & distribution (B8) with associated display and sales.
Approved with conditions 11/03/2002

PK03/3192/F - Change of use of part of floorspace from storage & distribution (B8) to fitting of vehicle spares (B2) as defined in the Town & Country Planning (Use Classes) Order 1987
Approve with conditions 03/12/2003

PK18/0183/CLE
Certificate of Lawfulness for existing use of building as a Class A1 shop
Approved 13/06/2018

Unit 5 Marsham Way

P97/4259 - Creation of parking area for commercial vehicles.
Approved 10/07/1997

P98/4443 - Erection of single storey extension.
Approved 17/02/1998

PK00/0689/F - Erection of extension to existing dairy.
Approved with conditions 24/05/2000

Unit 5D and 5E Marsham Way

K1124/172 - Retention of change of use from business class (class B1) to storage use (B8)
Approved 06/03/1995

Unit 8, Marsham Way

PK13/4743/F - Change of use of part ground floor from Storage and Distribution (Class B8) to Assembly and Leisure (Gymnasium) (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
Approved with conditions 24/02/2014

Unit K, Aldermoor Way (Flip Out)

P98/4757 - Erection of warehouse unit (B8)
Approved 28/01/1999

PK15/1926/F - Change of use from Class B8 (storage and distribution) to Class D2 (leisure) as defined in the Town and Country Planning (Use Classes) Order (as amended)
Approved with conditions 30/07/2015

Land adjacent to Marsham Way and Bath Road

P98/4443 - Erection of general industrial building (B2)
Approve with conditions 32/10/1998

PK00/3159/F - Erection of 5 no. B1 units

Approve with conditions 12/03/2001

PK01/2174/F - Erection of industrial unit (B1) with associated parking.
Approve with conditions 19/11/2001

A number of Advertisement Consents have also been issued across the site, however due to the high number of applications, only those for planning permission or Certificates of Lawfulness have been listed above.

4. CONSULTATION RESPONSES

The following are responses to the initial consultation.

4.1 Chris Skidmore M.P.

I have spoken today with Ms Michelle George and Ms Candice Littleton, Club Directors of Majestic Gymnastics Academy CIC, based at Unit 7 Aldermoor Way, Longwell Green, regarding concerns over re-development plans affecting the gym and planning application P20/22431/O.

It is my understanding from my conversations with Ms George and Ms Littleton and from correspondence from local residents that the gym may not be able to continue to run on this site, owing to an inability to afford a new rent which is two and a half times the current rental arrangement.

In recognition of the club's contribution to our local community, several constituents have contacted me to express their strong feeling that the gym should be given the opportunity to continue in new premises, which I understand is in accordance with the CS23 policy framework that allows for retaining community infrastructure.

I would therefore ask if it might be possible for the developer to allow the gym to continue on site in new premises at an affordable rent, as a condition of planning being granted.

Ward Councillor

No response

Oldland Parish Council

Representatives of Majestic Gymnastics addressed the Committee regarding the future of the club on the re-developed site. They expressed concern that under the present scheme as proposed, the future of the club is uncertain. They outlined the aims and objectives of the club and its value to the community and its value to gymnastics both locally and regionally. They also stated that jobs would be lost if the club was forced to close. They readily accepted that the site is in need of urgent and extensive re-development but wish to secure a place for the club within the new scheme. They are seeking assurances from South Gloucestershire Council and the Developer that in accordance with the laid down Planning Policy Objectives and the stated Sports Strategy that the club retained as an integral part of the community.

In response to this presentation the Committee resolved to fully support the overwhelming community view that Majestic Gymnastics, and any other existing community group/service provider, should not be disadvantaged or their future threatened by this re-development.

It was resolved that the Council on 16 March 2021 would agree the following form of words as a formal submission to South Glos. Council as the Planning Authority.

It was further resolved to ensure that local ward councillors are actively involved with this re-development project and that the Parish Council is included in the on-going consultation.

The Committee resolved to support the overall re-development of the site and welcomed the employment, leisure and community opportunities that could be possible however there are serious reservations as to the site layout, access and sustainability of the development as presented.

The Committee examined in detail the documents submitted with P20/22431/O and agreed that further extensive work is needed by the Developer to address the traffic and access issues in respect of the site. There are already issues of traffic congestion on site at peak times and further proposed developments including a hotel and employment units (with potentially 440 new jobs and parking for up to 350 vehicles) will only exacerbate existing problems. The current information provided is not robust enough or sufficient upon which to go forward. The site does have the capacity for a new model of road layout and access to the Ring Road and Marsham Way could allow for a more imaginative configuration.

The Committee resolved to request that:

1. Further and more detailed traffic modelling is undertaken to test forecasted traffic due to re-development, particularly regarding the impact in surrounding residential areas.
2. Proposed access points and internal road/pathway layout are reviewed with new layout options across the wider site being explored.
3. Surrounding highway infrastructure and capacity to cope with the forecast traffic is examined.
4. Sustainable transport strategy, including provision and access to bus services and good walking/cycling routes & facilities become an integral part of the design.
5. The presented assessment of local cycle route safety and usability is reassessed and judged against the latest Government cycle infrastructure design guidelines.
6. The Developer and South Gloucestershire Council work with local groups, such as the Bristol East Fringe Cycling & Walking Group, to ensure local knowledge is used to inform & influence the re-development plans.
7. In support of the aesthetics of the re-development, that public art is an integral part of any scheme

Hanham Abbots Parish Council

No response

Hanham Parish Council

No response

Bristol City Council

No response

Bath and North East Somerset Council (BANES)

No comment

4.2 Other Consultees

Transportation D.M.

Additional information and clarity is required.

Subject to planning, there would be a requirement to secure highway improvements under an appropriate (preferably) S106 legal Agreement – proposed improvements are as follows;

- 1) Remove the existing zebra crossing on Aldermoor Way and replace it with a controlled signalised crossing.
- 2) Alter the existing junction arrangement into the site by tightening up the corner radii off Aldermoor Way with a new splitter island to be constructed within this junction in order to provide left-in and left-out from this junction. Right turning in can take place from Aldermoor way into the site access but the right turn out onto the Aldermoor way to be designed out.
- 3) Widen the existing footway abutting the north-eastern edge of the development to minimum of 3m wide from Marsham Way roundabout along Aldermoor Way all to be continued in to the site access.
- 4) Provide tactile paving at crossing point off Marsham Way roundabout to contact the existing cycleway off Marsham Way to the site and along Aldermoor Way to improve cycle access to the site.
- 5) Provision for a new Advance Directional Sign with variable message system (VMS) sign east of site access on Aldermoor Way together with commuted sum for future maintenance of the new sign.
- 6) Upgrade two existing bus stops on Aldermoor Way with Real Time Information facilities to both stops and a provision of a bus shelter on bus stop west of the site access on Aldermoor Way.
- 7) Provision of footway and cycleway link to the new development via Kingsfield Lane.
- 8) PROW from Marshham Way into the site needs improving – the improvement should include proper provision for walkers through the site.
- 9) Provision of a footway crossing facility on Aldermoor Way close to the southern access with Aldermoor Way spur.

Other planning conditions to the effect;

- Requirement for a Travel Plan to the approval of the Council.

- Provision of minimum 2m wide footway on both side of the internal access road within the development and through the car park.
- Provision of suitable cycle parking provision in accordance with the Council's cycle parking standards.
- Provision of electrical charging points for minimum of 20% of car parking spaces on site.

Wessex Water

No response

Avon Fire and Rescue

No response

Police Community Safety Officer

At this early stage where only outline planning is sought, it is very difficult from a crime reduction/prevention point of view to give any detailed comments as the areas to be addressed such as access, layout and detailed design would normally be decided upon at Reserved Matters stage.

Where a Design and Access Statement is required CABE does recommend that the statement includes a section that shows that security and safety have been considered and demonstrates how this will be achieved.

Taking the above into account the applicant may wish to consider the below observations:

1. Whilst the Planning Statement makes reference to the above planning policy the DAS as submitted does not include any information so as to demonstrate that the applicant has considered sufficiently the ASB, crime and safety implications of the design. This is an opportunity for the applicant to demonstrate their compliance not only with the NPPF, but also South Gloucestershire's Local Plan 2013 CS1 High Quality Design Paragraph 9 and Design Checklist 2007 Paragraphs 48-51.

2. Crime Prevention through Environmental Design (CPTED) and Secured by Design (SBD) principles look at the whole development. This includes layout of roads, footpaths, parking, lighting, communal areas, boundary treatments and layout and orientation of dwellings. These points all need to be considered at the earliest stage in order to provide a sustainable development where people are safe and feel safe.

3. The application is in a relatively high crime area and is subject to a number of instances of ASB. Within a 500m radius of the site over the last 12 months there have been some 200 crimes and 352 instances of ASB.

Failure to consider the above issues during the future planning application stages may result in the Police objecting to the application for failing to consider crime and disorder, and fear of crime as required by the National Planning Policy Framework February 2019

Economic Development Officer

No response

Public Arts and Development

If the application is approved, the Council should apply a planning condition for a public art programme that is relevant and specific to the development and its locality and commensurate with its size and importance. The programme should be integrated into the site and its phasing plan

Lead Local Flood Authority

Objects to this application as it is: Not acceptable in current form.

Environmental Policy and Climate Change

An energy statement has not been provided but will be required.

Housing Enabling

No response

NHS

No response

Strategic Environment and Climate Change Team

No response

Landscape Officer

Further information is required in order to fully assess the application, a LVIA Report, landscape design and mitigation strategy plan, and framework landscape management plan is requested.

Notwithstanding the items requested above, the following will be required to be submitted as a condition of planning:

- Updated, tree/hedgerow protection plan in accordance with BS5837:2012 and submitted AIA Report.
- Detailed Green Infrastructure and Landscape Design Strategy Plan for whole development site, specifying the location, and species for different categories of proposed tree and structure planting.
- Supporting phasing plan identifying when the landscape infrastructure works within each development zone will be implemented.
- Detailed planting plans for each development zone/service parcel specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting, which is to be implemented in the first season following completion of construction works for that land parcel, with landscape treatments to external site frontages prioritised.
- An overarching landscape and ecological management plan for the whole site (expanding upon framework document), 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 works together with longer term management operations.
- Details of all proposed boundary, site furniture, and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that

may be required, together with supporting schedule of proposed manufacturer products.

- Detailed design for SUDs basins and features to demonstrate how these will be sympathetically integrated into the green landscape spaces across the site.

Ecology Officer

No objection subject to conditions to secure:

- Ecological mitigation measures
- Lighting design
- Habitat enhancement

Avon Wildlife Trust

No response

Public Health and Wellbeing

No response

The Coal Authority

No objection subject to a condition to secure intrusive site investigations and remedial measures if deemed necessary.

Environmental Protection

Noise - No objection in principle at this stage.

Contaminated Land – No objection subject to a standard condition.

Highways England

No objection

National Grid

No response

The Tree Officer

The development proposal does not seem to have taken into account the constraints posed by the existing trees and hedges. Consequently the proposal requires the removal of a high number of vegetation. If the proposal were to be scaled back a little and the footprints of the design altered it could easily facilitate the boundary trees and the B category groups L and M.

I would like to see the unit ZoneB-3-5 made smaller in order to retain the B category group L then the Units Zone 3B-6/7/8 could be moved away from the boundary, sufficiently outside of the root protection areas of the existing trees. This would allow the existing boundary to remain in-tact and significantly reduce the number of trees for removal.

Any alterations to the proposal will need to be reflected within an updated Arboricultural report.

Urban Design Officer

The scheme is acceptable in principle but suggest the use of a design code or masterplan approach to the design.

Archaeology Officer

No objection subject to a standard HC11 condition.

Open Spaces Society

No response

Public Rights of Way Team

This application will affect public footpath POL15 which enters the site from Marsham Way and runs to the south of the existing turning circle before splitting in two and heads both westwards and south-westwards to Kingsfield Lane. A diversion order would be required if the application is permitted. It is not clear from the plans or the documents submitted what the intended new route would be or how it would fit with its surroundings so at this stage we wish to OBJECT to the application until more details are available so that it is not the last consideration. The public footpath is a highway protected by the Highways Act and is a primary consideration in a development and is not to be treated as an afterthought. Early engagement with the PROW team is advised.

In accordance with policy PSP10 we would expect to see the diverted route run through a safe to use green area and be easily accessible and appropriately surfaced for its locality. It should reflect desire lines and have no corners that would inhibit visibility. It should be an improvement on what presently exists and safe to use.

Western Power Distribution

No response

Sport England

Object - the proposal conflicts with our national policy on the loss of sports facilities. Should redevelopment be unavoidable, an equivalent (or better) replacement facility should be provided in a suitable location.

Without appropriate mitigation for the sporting facility, the proposal is likely to put the long term future of gymnastics at the site at risk.

British Gymnastics (Rob Hardy)

I am writing on behalf of the national governing body British Gymnastics concerning the application to demolish the unit which Majestic Gymnastics has been based since 2014.

The club is a growing successful club specialising in Team Gym and are one of the leading clubs in the country in this specific discipline. We supported the club with a grant of £50000 when they relocated to the unit and prior to lockdown they had a membership of over 900 mainly young gymnasts with the potential to grow further if additional space could be provided.

I have been supporting the club to progress and develop detailed plans for the next step into a larger facility. I also contributed to the new indoor and built facilities strategy working with officers and the appointed consultants KKP to confirm the need for dedicated gymnastic provision in the area of which Majestic's future development plays a key part.

I supported the club in its discussions with the owners and its agent on the proposal to provide an alternative dedicated venue as part of the re-development of the park which included initial architect's plans for a new 10000 square foot venue nearby to its current location. Further support is being given to the club with its work with officers of the council to provide an alternative venue as part of a new regeneration project including housing and a new school.

British Gymnastics recommends that the Council, the club and the developer work together to find a solution to both maintain the club and grow gymnastics in the area. British Gymnastics would be happy to support partners in working together to find a practicable solution that enables gymnastics to be maintained contributing to physical and mental well-being particularly for young people and also the opportunities for wider regeneration opportunities including economic growth and increasing employment opportunities.

Clubs that are able to expand can increase staffing levels and this is particularly relevant for young people seeking an opportunity to start their careers in sport and recreation.

Finally the club contributes to improving both the physical and mental well-being of the young people who participate in gymnastics and other forms of physical activity and the value of this should not be under-estimated particularly coming out of lockdown

Other Representations

4.3 Local Residents

A total of 538 letters/emails of objection have been received and 3 in support of the proposal. The concerns raised can be summarised as follows:

- Adverse impact of additional traffic.
- Loss of Majestics Gym, a valuable local facility that serves the community and promotes health and wellbeing. Not comply with Policy CS23, no replacement facility within 800m.
- Highway disruption during the development phase.
- Restaurants are not needed – ample at Aspects.
- International standard gymnasts use Majestics.
- Majestics provides healthy activities for children.
- Already enough drive-thrus and fast food outlets.
- Negative impact on health.
- Increased litter.
- Increased air pollution.
- No need for a Hotel in Longwell Green.
- Increased noise and disturbance from take-aways.

- Majestics should be given the Grange School facilities.
- Increased traffic Gallagher Retail Park and Asda Roundabout.
- Increased anti-social behaviour from take-aways.
- Not enough Electric Vehicle charging points.
- Contrary to climate emergency.
- Sound barrier on Marsham Way needs upgrading.
- Bats in the area.
- Increased light and air pollution.
- Contrary to para. 97 of the NPPF.
- Adverse impact on PROW
- Junction on Aldermoor Way should be left as it is.

The 3 supporters raised the following points:

- Will bring job opportunities to the area.
- Good development for the area.
- No different to what is there now.
- The existing site is dilapidated and run down.

Dlp Planning on behalf of Majestics Gym

Summary:

The proposed redevelopment of land and building at Marsham Way, Longwell Green, is considered a positive proposal for this area at a time when retail and employment land is under considerable stress.

The development as currently proposed however will result in the loss of a suitable community facility, run by a very popular and successful gymnastics academy which has been operating for nearly a decade, and at the current site since 2014 in part thanks to grant funding from Sport England.

Core Strategy Policy CS23 seeks to protect community facilities, including public and private sports and recreation facilities. Such uses are to be retained unless it can be demonstrated that those uses have ceased, and there is no longer a demand, the facility is no longer fit for purpose, and suitable alternative provision may be made with easy walking distance. None of these conditions is met by the current application.

Early discussions with the applicants had included proposals to relocate Majestic Gymnastics Academy CIC within the new development, and it remains their wish to work with the applicants to deliver a proposal that allow them to continue to operate on this site, in reach of the gymnasts who already benefit from this facility.

We ask the Council to seriously consider the loss of this community facility which brings enormous benefits to the local community, including gymnasts competing at the international level, and to weigh this against the benefits of redeveloping this site. Without a suitable alternative provision either on- or off-site, the current outline application should be refused planning permission

Re-Consultation Responses

- 4.4 Following further negotiations with the Council and in response to the initial consultation responses, the applicants submitted Nov. 2021 a number of revised plans and supporting documents. As a result, key consultees were re-consulted and the following is a summary of their responses:

Oldland Parish Council

No further comment

The Tree Officer

No further comments - please refer to the previous comments submitted by the Tree Officer on 28/09/2021.

The Ecology Officer

No objections

The Landscape Officer

The revised landscape framework plan provides sufficient information for the outline application.

Environmental Protection

No further comments

Environmental Policy And Climate Change Team

There doesn't appear to be any further update regarding the Energy Strategy.

PROW

I refer to my comments of 13/10/2021 as the enclosing of the PROW has not changed.

Lead Local Flood Authority

LLFA comments dated the 27th of September 2021 to apply.

Economic Development Officer

Support but would like a condition removing pd rights for E uses to become dwellings.

Transportation D.M.

No objections subject to various conditions and a S106 Agreement to secure:

- 1) Highway Works

Provide off-site highway improvements as shown indicatively on 'PROPOSED HIGHWAY IMPROVEMENTS (Overview Plan) (i.e. drawing no. 173552-E02 Rev A) together with all associated works. For avoidance of doubt, the highway improvement works will include the following,

- i. Improve the junction between Aldermoor Way with the site access including construction of a new pedestrian island together with all associated works,
- ii. Widen the existing footway (from 2m to 3.0m wide) between Marsham Way Road Roundabout and site access together with all associated works,
- iii. Upgrade of two existing bus stops on Aldermoor Way together with all associated works,
- iv. Provide tactile crossing points at the Marsham Way roundabout,
- v. Provide Pedestrian/cycle access into the site from Kingsfield Lane together with all associated works.

2) Financial contribution

- a) Pay £130,000 towards pedestrians and cycle improvement in the area.
- b) Pay Commuted sum of £10,000 toward future maintenance of the new VMS sign on Aldermoor Way.
- c) Pay monitoring fee of £1,000 per year for period of 5 years (totalling of £5,000) for travel planning.

Dlp Planning on behalf of Majestics Gym

On behalf of Majestic we can confirm the approach to relocate the gymnasium to the former Grange School and Sports College would be acceptable to our clients and that they are content with the choice of Option B, which looks to cover their requirements. Majestic were also pleased to note the proposed extension to the lease; however, we highlight this has not yet been offered / agreed by the applicant.

In noting the above, our client is keen to understand the protection available to ensure the delivery of the gymnasium as a future home for Majestics, and a commitment in terms of timescales to ensure that the gymnasium can transfer from one facility to the other without a prolonged period of closure.

Sport England

Sport England agrees to **withdraw** its objection subject to a Grampian Condition to ensure that prior to the commencement of the development, the Grange School Gym is available for use.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

- 5.3 Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions, so that sustainable development can be approved wherever possible.
- 5.4 The site is identified under Policy CS12 as safeguarded for economic development as part of the Longwell Green Industrial Estate. Under Option A, 12,803 sq.m. of space would be used in the 'B' use classes covered by this policy. This includes Class B1, B2 and B8, with Class B1 now encapsulated within Class E.
- 5.5 The Economic Statement submitted in support of the application addresses Policies CS12 and CS27 and in conjunction with the Retail Assessment, demonstrates that both options are policy compliant.

Scale and Design

- 5.6 Other than **access** all other matters are reserved for future consideration. The Design and Access Statement (DAS) however, demonstrates that the quantum of floorspace can be accommodated on the site. The DAS confirms that the overall appearance and image of the site is poor; there is much scope for physical improvement in terms of visual amenity, access and consumer usability. The principal areas for improvement are:

- To provide a mixed development of substantially improved quality that enhances the character of the area and relates in visual and functional terms to the customer car park.
- Provision of improved vehicle access and site egress routes through and around the development site.
- Provide more balanced car parking within the different zones by stopping up Aldermoor Way across the site to adjust the line of the road and by creating connectivity between the upper terrace and lower area of the site.
- Provision of improved pedestrian routes through and around the development site to make pedestrian movement safer and more convenient.
 - The introduction of landscaping, especially hard landscaping that complements and enhances the buildings within the development setting.

Urban Design

- 5.7 It is important to note that all matters of scale, layout and appearance are to be dealt with at the reserved matters stage, so anything currently shown on the plans is for indicative purposes only and could alter at a later stage. That said, the Council's Urban Design Officer considers the principle of the development to be generally acceptable.
- 5.8 The use of a design code or Master Plan approach for the site is suggested as a way of creating a well-designed and cohesive scheme, across what is a fairly sizeable site. This code or masterplan would guide the phasing of the development over a number of years. This should include building and public realm materials palette, parking design and materials, landscape features, scale and massing of buildings, any distinctive architectural elements, public

art, accessibility factors such as walkway design and lighting. This would be secured by condition.

Transportation Issues

- 5.9 Matters of access are to be determined at the Outline stage. Furthermore, any financial contributions or highway works that need to be secured via a S106 agreement also need to be addressed at this outline stage.
- 5.10 Following the initial consultation responses, a great deal of negotiation has taken place regarding the transportation matters. The revised plans now before the Council are a result of these negotiations and also reflect the Council's Scrutiny Group comments/recommendations. In support of the application and alongside the plans and Design and Access Statement, the applicant has submitted a Transport Assessment including a brief framework Travel Plan. Through the negotiation process further technical work and additional information has been submitted.
- 5.11 Policy CS8 has the objective of improving accessibility and supporting development that generates a significant demand for travel more favourably, the nearer it is located to existing and proposed public transport infrastructure and where the promotion of sustainable travel options is promoted. PSP11 in more detail indicates that development will be acceptable where it would not: create or contribute to severe congestion, severely impact on the amenities of communities and surrounding roads or impact upon highway safety. A site would be expected to provide sufficient parking spaces for the use, however currently there are no adopted parking standards that apply to non-residential development within the District.

Travel Sustainability - Location and access

- 5.12 The application site is located at Aldermoor Way, Longwell Green. It lies within the 'Existing Urban Area' and is located within the 'Longwell Green Safeguarded Employment Area'. The Longwell Green Retail Park bounds the Employment Area to the north and west. The site is already a developed site (i.e. brownfield site) with many existing commercial buildings, the majority of which are in use and can be re-used without potentially needing to apply for planning permission.
- 5.13 The site is in a sustainable location. There is a good pedestrian and cycle network in the area and the site is on a bus route with bus stops on Bath Road, Aldermoor Way and Marsham Way. The site is sustainably located in transport terms, with a range of facilities within a reasonable walking or cycling distance. The close proximity between facilities and surrounding residences should encourage the use of more sustainable travel choices.

Site access arrangement

- 5.14 The site currently benefits from two points of vehicular access from the surrounding highway, notably "Aldermoor Way" is the name of most of the roads within the employment area. For the purposes of this report, the main

spine road through Longwell Green (from the A431 to Marsham Way) will be referenced as Aldermoor Way Spine Road.

- 5.15 The main access road into the site, also called Aldermoor Way is a north south orientated access/cul-de-sac which is parallel to and west of Marsham Way and connects with the main road (Aldermoor Way Spine Road) to its north in the form of a priority T-junction. The priority T-junction includes a right turn, ghost island facility into the site from the main road. This junction provides access to the proposed development site as well as some retail buildings (Carpetright, DFS, Costa and Subway) which are to be retained.
- 5.16 The south-western access is via part of Kingsfield Lane leading to Aldermoor Way (Aldermoor Lane on Google Maps) that runs alongside Lidl to connect to Aldermoor Way Spine Road at a priority T junction, provides access to servicing areas of the Saville's Freight operations as well as other businesses (Homebase – now closed, Self-Storage, Industrial Units etc) which do not form part of the development site. The south-western access to the site will be developed as part of this scheme.
- 5.17 There is currently no through route for vehicles between the two accesses. As part of the development, it is proposed to link up the two accesses, where the southern access would be utilised as access and egress for the HGVs servicing the new units, whilst at the same time allowing this access to be used as egress only for cars. The existing northern vehicular access will continue its use, although it is to be improved.
- 5.18 Overall, the transportation officer considers the access arrangements to the site to be acceptable.
- 5.19 Through negotiation with the applicant, several off-site highway improvement works have been agreed to further advance the accessibility to the site for all the users at this location. The improvements include the following:
- a) Widen footway link (from 2m to 3.0m wide footway/cycleway) between Marsham Way roundabout and the site access;
 - b) Provide a pedestrian island at site entrance;
 - c) Upgrade two existing bus stops on Aldermoor Way to include 'Real Time Information' facilities and bus shelter.
 - d) Provide tactile paving at southern arm of Marsham Way/Aldermoor Way Roundabout;
 - e) Improve pedestrian and cycle access from Kingsfield Lane direction.
 - f) The applicant has further agreed to a) the replacement of the existing 'zebra' crossing on Aldermoor Way with a signalised pedestrian and cycle crossing facility or as an alternative b) to pay an equivalent sum of £130,000 as a financial contribution towards the wider pedestrian and cycle facilities in the area.

Traffic Impact

- 5.20 A Transport Statement (TS) prepared by the applicant and submitted with this application has examined the existing traffic conditions, traffic attraction, and

impact and has compared the findings of this assessment with national and local policy as well as comparison with the fall-back position, which is the reuse of the existing buildings with the extant [retail and business] uses. In traffic terms, the officer's view is that the previous lawful uses of the existing buildings to be demolished is highly material.

- 5.21 The officer is satisfied that the likely increase resulting from the new development when compared to the traffic from the extant uses would be small and it would not affect road safety in terms of the significance of the relative traffic generation, nor have any material impact on the adjoining junctions' capacity.

Parking

- 5.22 This planning application is currently 'Outline' and as such it is not possible to confirm the exact number of parking spaces that would be provided on site. Notwithstanding this, it is noted that the application is accompanied with 'indicative' site layouts (Option A and Option B) with the location of the new buildings and parking areas shown on the plan - Option A shows a total of 257 parking spaces and Option B shows a total of 335 parking spaces on site – separate service areas with suitable turning and manoeuvring area would also be provided on site.
- 5.23 A suitable condition can be imposed to ensure that suitable parking facilities are provided for the development – i.e. for the applicant to demonstrate that the parking provision is appropriate and will avoid the potential for overspill parking demand in the area. However, the final decision on the exact number of parking spaces for this development would have to remain subject to the final approval on the "Reserved Matters" application to be submitted at a later date.

Travel Plan

- 5.24 Although a framework travel plan (TP) has been submitted, it contains very limited information – this needs to be worked up. The officer is satisfied that provision of a TP can adequately be secured by an appropriate planning condition.

Conclusion on Transportation Matters

- 5.25 Having considered all the relevant transportation and highway issues relating to this, the officer considers that the proposed development is acceptable when considered against the aims and objectives of development plan policy. In recommending a conditional approval to this application, it is considered necessary that the applicant first enters into an appropriate legal agreement (i.e. s106 legal agreement) with the Council to secure all off-site highway works and obligations as follows:

- 1) **Highway Works** - Provide off-site highway improvements as shown indicatively on 'PROPOSED HIGHWAY IMPROVEMENTS (Overview Plan) (i.e. drawing no. 173552-E02 Rev A) together with all associated

works. For avoidance of doubt, the highway improvement works will include the following,

- i. Improve the junction between Aldermoor Way with the site access including construction of a new pedestrian island together with all associated works,
- ii. Widen the existing footway (from 2m to 3.0m wide) between Marshway Road Roundabout and site access together with all associated works,
- iii. Upgrade of two existing bus stops on Aldermoor Way together with all associated works,
- iv. Provide tactile crossing points at the Marsham Way roundabout,
- v. Provide Pedestrian/cycle access into the site from Kingsfield Lane together with all associated works.

2) **Financial contribution**

- a) Pay £130,000 towards pedestrians and cycle improvement in the area.
- b) Pay Commuted sum of £10,000 toward future maintenance of the new VMS sign on Aldermoor Way.
- c) Pay monitoring fee of £1,000 per year for period of 5 years (totalling of £5,000) for travel planning.

Other planning conditions:

- a) **Travel plan** - No building or use hereby permitted shall be occupied or the use commenced until a full Travel Plan document comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the council. For avoidance of doubt, the future travel plan must cover the entire site and various uses within the new development with confirmation that there will be one travel plan coordinator acting on behalf of all end-users for the site.
- b) **Safe Pedestrian routes within development site** - Provide safe and convenient route for pedestrians within the development site boundary.
- c) **Car parking** - Provide details of off-street parking for written approval of the Council.
- d) **Cycle parking** - Provide secure and under cover cycle parking for every unit on-site all-in accordance with the Council's cycle parking standards.
- e) **Electrical Charging Point** - Provide electrical vehicle charging points in accordance with details to be submitted and approved.
- f) **Damage to highway** - Prior to commencement of works provide a dilapidated survey (including photographic evidence) of the existing highway all to be agreed with the council Street-Care department – any damage arising from the construction traffic to be rectified by the developer.
- g) **Construction management plan** - No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in

writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. parking of vehicles of site operatives and visitors
- ii. routes for construction traffic
- iii. hours of operation
- iv. method of prevention of mud being carried onto highway
- v. pedestrian and cyclist protection
- vi. proposed temporary traffic restrictions
- vii. arrangements for turning vehicles

h) **Traffic/ HGV Routing** - no building shall be occupied or the use of units on site to commence until a 'Delivery and Servicing Management Plan (DSMP)' has been submitted to and approved in writing by the Council, with details to include what units on site would be accessed from the southern access in terms of HGV movements and how this would be enforced (both during construction as well as when the scheme is operational).

i) **Stopping up order of Aldermoor Way** – Not to commence any part of the development until the existing section of the publicly adopted highway (i.e. section of Aldermoor Way north) affected by the development has been satisfactorily stopped-up and approved in writing by the Council. For avoidance of doubt, the applicant is responsible for applying to the Secretary of the State and seeking approval for the stopping up order under S247 and S248 of Town and Country Planning Act.

j) **Public Right of Way** - Upgrade the Footpath POL 15 between Marsham Way Traffic signal junction with Woodward Drive to Kingsfield Lane and through the development site – it is recommended that this footpath is widened to a minimum of 3.0m footway/cycleway with all details to be submitted for the council's written approval.

Landscape Issues

- 5.26 The proposed brownfield redevelopment site extends to some 4.165ha, and lies to the SE of the A4174 Avon Ring Road within the urban area of Bristol East Fringe, and within the Longwell Green Safeguarded Employment Area. The site is bounded to:
- the east, by the A431 Marsham Way from where it is overlooked by residential properties;
 - the west, by Kingsfield Lane beyond which lies Longwell Green Retail Park; and
 - the north, by Aldermoor Way beyond which lies further retail and industrial development.
- 5.27 As described in the Arboricultural Report, much of Marsham Way is lined by trees and tall vegetation (predominantly native species), that provides a degree of screening in views along this road, as well as from the overlooking housing area.
- 5.28 Whilst the landscaping of the site would be addressed as a reserved matter, should outline consent be granted, the visual impact of the scheme still needs to be assessed at the outline stage.
- 5.29 At officer request, the applicant has now submitted a Landscape and Visual Impact Appraisal (LVIA), Landscape Design and Mitigation Strategy Plan -007

Rev P02 and a 5-year Maintenance and Management Plan (Dec 2021). This information is required to mutually agree the overarching landscape design and mitigation, and management principles prior to outline planning permission, to 'control' the quality and substance of any subsequent Reserved Matters Applications (RMA's) and also to ensure that the scheme would be acceptable in terms of providing a pleasant user environment and additional softening of the appearance of the scheme in views from overlooking properties.

5.30 The submitted information is now generally acceptable for this outline stage. Most notably, in both Options A & B : the long block of units in Zone 3 and western end of Zone 2 have now been eased away from the road frontage as requested and a more direct path alignment between Marsham Way and the internal spine road is now shown.

5.31 Subject to conditions to secure more detailed landscaping at RMA's stage, there are no objections on landscape grounds.

Tree Issues

5.32 Both blocks of buildings have been moved away from the road frontage as requested by both the Tree Officer and the Landscape Officer. They are now sufficiently outside of the root protection areas of the existing trees. This will allow the existing boundary trees, B category groups L and M, to remain in-tact and significantly reduce the number of trees for removal.

5.33 Subject to a condition to secure an updated tree protection plan, tree constraints plan, and AIA, there are no objections on Tree grounds.

Ecology Issues

5.34 An Ecological Assessment (BMD, September 2020) has been submitted as well as a subsequent Ecology Response Note. The site is not covered by any designated sites. The habitats on site are species poor and heavily managed, thus limiting their ecological value. Subject to conditions to secure the Ecological Mitigation Measures provided in the Ecological Assessment (BMD, September 2020); a "lighting design strategy for biodiversity" and a Habitat Enhancement Scheme, there are no objections on ecological grounds.

Environmental Issues

Noise

5.35 The noise report is noted and acceptable in terms of the selected short term noise monitoring, identified noise sensitive receptors (NSR) and the options being proposed; noting the hotel per se will introduce noise sensitive receivers NSR particularly at night time.

5.36 The report confirms further noise assessment will be necessary for Fixed Plant in terms of the British Standard BS4142 as amended, analysis; impact of HGV deliveries on NSR, and the Hotel design and room acoustic criteria.-with respect to BS8233 as amended. The proposed restaurant and hotel may require later comment on extraction of cooking odours and control etc.

- 5.37 Overall a Construction and Environment Management Plan CEMP is also anticipated.

Land Contamination

- 5.38 A Geo-environmental Desk Study; Report ref: 20-074_R01; Dated: July 2020 has been submitted. The report comprises a Phase 1 Desk Top Study and includes a preliminary conceptual site model (CSM), and risk assessment. The preliminary risk assessment assesses the risk as "Low to Moderate" for human health and "Moderate" for Controlled Waters. The report recommends a Phase 2 ground investigation to be carried out to establish actual ground conditions, including the presence and nature of contaminants. This can be secured by condition.

Coal Mining

- 5.39 The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The application site is underlain by recorded and probable unrecorded coal mine workings at shallow depth.
- 5.40 The applicant has submitted a Coal Mining Risk Assessment Report (Jomas Engineering Environmental, 02 February 2021) to accompany their planning application. This report is informed by appropriate mining and geological information for the application site and proposed development.
- 5.41 The report recommends that further intrusive site investigations should be undertaken at the application site to evaluate the risk further. The report also recommends that a scheme of drilling and grouting should be undertaken if workings are encountered with the potential to influence site stability. The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any mitigation measures that may be necessary.
- 5.42 Subject to a condition to secure the recommended works, the Coal Authority raises no objection to the proposal.

Drainage

- 5.43 The principle to restrict cumulative surface water discharge from the site to the Greenfield QBar rate of 20.2 l/s (5.14 l/s/ha) for all events up to and including the 100 year plus 40% climate change event is acceptable. Wessex Water have however raised concerns around capacity in their surface water drainage systems. As such the proposed discharge rate will also need to be acceptable to them if the proposal to discharge surface water runoff into their surface water sewer is taken forward for both site design options.
- 5.44 Limited design details are provided at this stage in relation to the proposed basins / ponds. It is noted from reviewing the FRA that one option to be explored is for Wessex Water to formally adopt the basins / ponds and storage tanks. At detailed design stage, evidence will need to be provided confirming that Wessex Water are happy to adopt these features. If not, then details of the

private management company will need to be provided in the SuDS Maintenance and Management document.

- 5.45 Subject to an appropriate SUDS condition, there are no objections on drainage grounds.

P.R.O.W

- 5.46 This application will affect public footpath POL15 which enters the site from Marsham Way and runs to the south of the existing turning circle before splitting in two and heads both westwards and south-westwards to Kingsfield Lane. A diversion order and temporary closure permit would be required if the application is permitted.

- 5.47 Concerns have been raised about the proposed route of the footpath as shown on the Landscape Design and Mitigation Plan 007 Rev P01 regarding the proximity of the footpath to the proposed buildings and its narrowness in places and the landscaping of the route. A wider gap created by the addition of a landscaped area on the southern elevation of building C would assist in meeting PSP10 and CS1.

- 5.48 Given that the layout of the site is indicative only at this outline stage, these concerns can be adequately addressed at the Reserved Matters stage, in the detailed design.

Archaeology

- 5.49 The application is supported by an archaeological desk-based assessment prepared by HCUK the content of which is broadly accepted by the Council's Archaeologist. Given the developed nature of the site, demolition and any further groundworks can be adequately addressed by a standard condition to secure a programme of archaeological work, particularly where this may impact on the mining heritage of the site.

Public Art

- 5.50 In light of the policy requirement for public art embedded with the NPPF, and Policies CS1 and CS23 of the Core Strategy, any outline consent should carry a condition to secure a public art programme that is relevant and specific to the development and its locality and commensurate with its size and importance. The programme should be integrated into the site and its phasing plan. The public art programme should be devised and managed by a public art professional to ensure a high quality scheme.

MAJESTICS GYM

- 5.51 Majestic Gymnastics Academy Community Interest Company (MGACIC) is an independent, privately owned organisation that has occupied part of the former Savills Freight site since 2014. The Gym has occupied the site under planning approval PK12/2615/F having obtained a £50,000 grant from Sport England and British Gymnastics. The Sport England grant was used to transform the old dairy building into a bright, vibrant space. As well as new electrics, the entire floor being levelled and decoration, the gym space was fitted with a purpose-built sprung floor to fit the specific shape of the building, stairs being removed

to create landing areas and walls knocked down to cater for the length of a TeamGym track. With a grant from British Gymnastics the club was able to purchase new equipment to fill the space including specialised landing areas, tumble track and run ups specific to the length of the building.

- 5.52 Over time the Academy has become very successful and popular amongst the local community, attracting up to 1,000 gymnasts weekly. Majestics is the only TeamGym specific club in the South West and 90 national gymnasts train there 12 hours a week. Majestics members recently competed in the 2021 TeamGym European Championships in Portugal.
- 5.53 After purchasing the site in 2016, the current Applicant instigated a number of improvements to provide greater safety to those attending the gym. This included installing palisade fencing to segregate parents and children from HGV movements and other traffic
- 5.54 In relation to Majestic which occupies approximately 975 sq.m. within the former Savilles Freight Ltd site, at the time of the pre-application enquiry, the economic circumstances provided a basis for enabling the gym use to be retained within the redevelopment, based on predicted rental levels within the retail space proposed.
- 5.55 Majestic had a lease from the Applicant which expired at the end of September 2021. Majestic have been aware of the Applicant's desire to redevelop the site since 2018 when an initial largely retail led scheme, was submitted to the Council as part of a pre-application process. At that time, the predicted rents achieved within the development would have enabled the Applicant to build a replacement facility although discussion on the rent payable by Majestic was not agreed. Discussions with the Council and Majestic included the potential to include a replacement gym within the redevelopment. The collapse of the out-of-centre retail market largely as a result of the impact of Covid-19 together with the consolidation of those retailers seeking space out-of-centre, led to the alternative largely employment led, mixed-use scheme now being submitted to the Council for approval.
- 5.56 In Policy terms, NPPF para. 99 allows for the redevelopment of existing sports and recreational buildings only in circumstances where:
- a) "an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."
- 5.57 Core Strategy Policy CS23 seeks to protect the existing community and cultural infrastructure and activities across South Gloucestershire. The policy is clear:

“Existing community infrastructure will be retained, unless it can be demonstrated that *inter alia*:

3. the use has ceased and there is no longer a demand; or

4. the facilities are no longer fit for purpose; and

5. suitable alternative provision is available within easy walking distance to the required standard.”

5.58 The supporting text to this policy at paragraph 10.81 notes that community and cultural infrastructure includes public and private sports and recreation facilities. The list, paragraph 10.82 explains, is not exhaustive and:

“may include any facility that provides for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community. Retention of such facilities and provision in step with growth is an important objective of the Council. In particular, the Council considers that providing services for children and young people (0-19) is key to developing sustainable communities.”

5.59 Paragraph 10.84 further states:

“Where the redevelopment of an existing community facility is proposed for another use, the developer should clearly demonstrate that the use has ceased. In doing so it should be demonstrated that a reasonable amount of time has lapsed for an alternative agency or organisation to re-establish the use, or an alternative community use, or the facility no longer provides for the needs of its users to modern day standards and alternative suitable provision is available within a reasonable walking distance. Distances should be measured along suitable walking routes (easy walking distance is considered to be approximately 800m).”

5.60 The proposal is for the demolition of all buildings on-site and replacement with one of two options for primarily employment-led development, or retail space with a hotel together with Use Class E, B2 and B8 space. Neither propose replacement of the current indoor gymnastics facility.

5.61 As regards the first criteria attached to Policy CS23, Majestic Gymnastics Academy is clear that the use has not ceased, that there is plentiful demand for its continued use, and that should the site not be proposed for redevelopment, that they would be continuing to extend their lease on the property for the foreseeable future.

5.62 In regard to the second exception, no evidence has been provided by the applicants to demonstrate that the facility is no longer fit for purpose. As already noted, the Academy’s success in obtaining grant funding from Sport England and British Gymnastics has transformed this old building into a bright, vibrant space, accommodating demand from over 1,000 elite and recreational gymnasts every week. This number is a clear testament to the significant demand for the use, and for the quality of the coaching and equipment that

- Majestic Gymnastics provides. The extensive works and fit-out cannot be replicated in a smaller building.
- 5.63 There are no structural issues with the facility, and while it is not to the standard that would be expected from a purpose-built space, there is nothing to suggest that the facility is no longer fit for purpose. The application therefore does not meet the second exception test of Policy CS23.
- Alternative Provision
- 5.64 It is also a requirement of Policy CS23 that suitable alternative provision is available within easy walking distance (noted as 800m within the policy's supporting text), and that this be to the required standard. For alternative provision to be suitable for use by Majestic Gymnastics it must be of an appropriate size and capable of accommodating the same equipment as currently used by the club to train gymnasts to international standard.
- 5.65 There are no community spaces of a comparable size within the 800m radius capable of accommodating or suitable for use by Majestic Gymnastics Academy. Alternative provision in line with Policy CS23, based on this review, would need to be made on-site to avoid purchasing third party land. The requirement set in Policy CS23 is therefore not met by the current application.
- 5.66 The applicant has however worked with the Council in order to provide a satisfactory alternative facility for Majestic. In this context it has been confirmed as part of the current application that the proposed redevelopment of the land at Marsham Way cannot fund the replacement of a gym for use by Majestic unless a commercially viable rent was capable of being secured. Majestic has confirmed that a commercially viable rent is not capable of being guaranteed. The applicants have also stated that they are not prepared to invest the amount required to build an on-site purpose-built facility for a small independent end user such as Majestics (as opposed to a larger organisation such as e.g. David Lloyd) and run the risk of Majestics failing to meet the rent requirement or going out of business.
- 5.67 Consequently this has led the Applicant to engage with the Council to identify a suitable alternative location, which comprises the existing Sports Hall associated with the former Grange School and Sports College, at Tower Road North, Warmley. The facility which lies to the north-east of the application site, is approximately a seven-minute journey by car and accessible from residents living within the East Fringe particularly Hanham, Longwell Green, Cadbury Heath, Oldland and Warmley.
- 5.68 To this end the Applicant in discussion with the Council, has agreed to provide a financial contribution of £1,375,000 towards the cost of refurbishing the former Grange School Sports Hall and to relocating Majestic to the former sports hall. Majestic has been directly involved in confirming its requirements which also includes a café. The key benefits as described in the appraisal are:
- 1) It provides the required spaces for both Majestic Gymnastics and England Netball with little alteration.

- 2) There are no extensions planned for the front elevations and the proposed extensions sit on unused areas of site.
- 3) It provides opportunities to divide the building to allow for secure lines to improve safeguarding.
- 4) It resolves some of the issues with accessibility, providing a viewing area that is accessible to all.
- 5) This option provides additional storage.

Majestics have confirmed their acceptance of the former Grange School Sports Hall as an alternative location.

- 5.69 Planning permission P22/00691/R3F for the partial demolition and extensions to the existing Sports Hall building, with other associated works to form a community sport and gymnastic centre, was approved 27th May 2022 and it is understood that works to refurbish the building are now underway. This is considered to be an acceptable compromise.

Planning Obligations

- 5.60 The Community Infrastructure Levy Regulations 2019 set out the limitations of the use of Planning Obligations (CIL). Essentially the regulations (regulation 122) provide 3 statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is;

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

In this instance, it is considered that the planning obligations relating to highway improvements and the refurbishment of The Grange Sports Hall & relocation of Majestics Gym are required to mitigate the impacts from the development and are consistent with the CIL Regulations (Regulation 122).

- 5.61 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.

Planning Balance

- 5.62 This outline planning application proposes a comprehensive redevelopment of part of the Kingswood Industrial Estate, including the former Savilles Freight Ltd site at Aldermoor Way, Longwell Green, the preferred option being a wholly employment-based scheme.

- 5.63 The application has been submitted following pre-application discussions with South Gloucestershire Council and Oldland Parish Council. Those discussions focused on a different proposal which primarily comprised a retail-based redevelopment with Class B2/trade counter uses. Changes in the retail market coupled with a much stronger demand from Class E1 (light industrial), B2/B8/trade counter uses has influenced the current proposal.
- 5.64 The site is safeguarded in the Core Strategy for economic development and being an existing Industrial Estate the site is previously developed land within the urban area, in a highly sustainable location.
- 5.65 The existing buildings within the estate are now old and rundown; over time, many have become unsightly. The proposal provides the opportunity to significantly improve the character and visual amenity of the location and to improve the infrastructure of the estate.
- 5.66 The scheme would provide enhanced employment, leisure and community opportunities and would create some 440 new jobs. There would be enhanced vehicular access and egress, parking, pedestrian routes and landscaping, with enhanced consumer usability.
- 5.67 The scheme would facilitate the relocation of Majestics Gym to the former Grange School Site, a reasonable distance away and to an improved, custom built facility.
- 5.68 The scheme is policy compliant and on balance would be in the public interest.

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

7. RECOMMENDATION

- 7.1 (1) That authority be delegated to the Director of Environment and Community Services to grant outline planning consent, 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:
- (i) Improve the junction between Alder Moor Way with the site access including construction of a new pedestrian island together with all associated works, in accordance with 'Proposed Highway Improvements (Overview Plan) Drawing no. 173552-E02 Rev A.

- (ii) Widen the existing footway (from 2m to 3.5m wide) between Marsham Way Road Roundabout and site access together with all associated works, in accordance with 'Proposed Highway Improvements (Overview Plan) Drawing no. 173552-E02 Rev A.
- (iii) Upgrade of the two existing bus stops on Aldermoor Way together with all associated works, in accordance with 'Proposed Highway Improvements (Overview Plan) Drawing no. 173552-E02 Rev A.
- (iv) Provide tactile crossing points at the Marsham Way roundabout, in accordance with 'Proposed Highway Improvements (Overview Plan) Drawing no. 173552-E02 Rev A.
- (v) Provide Pedestrian/cycle access into the site from Kingsfield Lane together with all associated works.
- (vi) Pay £130,000 towards pedestrians and cycle improvement in the area.
- (vii) Pay Commuted sum of £10,000 toward future maintenance of the new VMS sign on Aldermoor Way.
- (viii) Pay a monitoring fee of £1,000 per year for a period of 5 years (totalling of £5,000) for travel planning.
- (ix) Pay, prior to the commencement of development (including demolition) an off-site contribution of £1,375,000 towards the cost of refurbishing the former Grange School Sports Hall and to relocating Majestic to the former sports hall.
- (x) Pay a Monitoring fee of 1% of the total financial contributions contained within the agreement.

The reasons for this Agreement are:

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

- (vi) In the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013
 - (vii) In the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013
 - (viii) In the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 of the South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013
 - (ix) To mitigate the loss of the on-site facility to house Majestics Gym and to accord with Policy CS23 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013 and the NPPF.
- 7.2 It is recommended that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.
- 7.3 It is recommended that should the Agreement not be completed within 6 months of the date of any consent being granted; that delegated authority be given to the Director or Environment and Community Services to refuse the application.

CONDITIONS

1. Approval of the details of the, external appearance of the buildings, the landscaping of the site, the layout of the site and the scale of the buildings (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

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

2. Approval of the reserved matters (that is any matters in respect of which details have not been given in the application and which concern the layout, scale or appearance of the building(s) to which this permission and the application relates or the landscaping of the site) shall be obtained from the Local Planning Authority in writing before any development is commenced, and such development shall be carried out as approved.

Reason

This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

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

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

4. The development to which this permission relates must be begun not later than whichever is the later of the following dates:
 - (i) the expiration of five years from the date of grant of outline planning permission,
 - or
 - (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

5. The hours of working on site during the period of demolition & construction, shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

6. No building or use hereby permitted shall be occupied or the use commenced until a full Travel Plan document comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the Council. For avoidance of doubt, the future Travel Plan must cover the entire site and various uses within the new development with confirmation that there will be one Travel Plan coordinator acting on behalf of all end-users for the site.

Reason

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

7. Prior to the first use of the buildings hereby approved, safe and convenient routes for pedestrians within the development site boundary shall be provided, the details of

which shall be provided to and approved in writing by the local planning authority. Thereafter the pedestrian routes shall be implemented in accordance with the approved plans and before the first use of the approved buildings.

Reason

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

8. Prior to the first use of the buildings hereby approved, details of off-street parking provision within the development site boundary shall be provided to and approved in writing by the local planning authority. Thereafter the car parking shall be implemented in accordance with the approved details and before the first use of the approved buildings.

Reason

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

9. Prior to the first use of the development hereby approved, details of the proposed covered cycle parking facilities to be provided for each building, shall be submitted to and approved in writing by, the Local Planning Authority. Thereafter the cycle parking facilities shall be implemented prior to the first use of the respective buildings and maintained thereafter in full accordance with the details so approved.

Reason

To encourage sustainable forms of transport and to accord with Policy PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013.

10. Prior to the first use of the respective buildings hereby approved, Electrical Vehicle Charging Points shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority at the Reserved Matters Stage.

Reason

To promote sustainable travel choices and to accord with Policy PSP16 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) 8th Nov. 2017, the South Gloucestershire Council's Supplementary Planning Document for Residential Car Parking Standards and the requirements of the NPPF.

11. Prior to the commencement of the development hereby approved, including any works of demolition, a construction management plan or construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction/demolition period. The statement shall provide for the following:

- i. parking of vehicles of site operatives and visitors
- ii. routes for construction traffic
- iii. hours of operation
- iv. method of prevention of mud being carried onto highway
- v. pedestrian and cyclist protection
- vi. proposed temporary traffic restrictions
- vii. arrangements for turning vehicles

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) 8th Nov. 2017. This is a pre-commencement condition to ensure that the entire development from its outset can be carried out in a satisfactory manner.

12. Prior to the commencement of the development hereby approved, including works of demolition, a dilapidated survey (including photographic evidence) of the existing highway comprising of Aldermoor Way in the immediate vicinity of the site, Aldermoor Lane and Kingsfield Lane, shall be submitted to and agreed in writing with the Council Street-Care department - thereafter any damage arising from the demolition/construction traffic as a result of the approved development is to be rectified by the developer and to the written satisfaction of the Council.

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) 8th Nov. 2017. This is a pre-commencement condition to ensure that the entire development from its outset can be carried out in a satisfactory manner.

13. Prior to the first occupation of the buildings hereby approved, a 'Delivery and Servicing Management Plan (DSMP) shall be submitted to and approved in writing by the Local Planning Authority, with details to include which units on site would be accessed from the southern access in terms of HGV movements and how this would be enforced (both during demolition/construction as well as when the scheme is operational).

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) 8th Nov. 2017.

14. Prior to the first occupation of any of the units hereby approved, the existing section of the publicly adopted highway (i.e. section of Aldermoor Way north) affected by the development shall be stopped-up and approved in writing by the Council. Thereafter the relevant section of highway shall remain stopped up for the duration of the development or until such time as agreed in writing with the Council. For avoidance of doubt, the applicant is responsible for applying to the Secretary of the State and seek approval for a stopping up order under S247 and S248 of Town and Country Planning Act.

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) 8th Nov. 2017.

This is a pre-commencement condition to ensure that the entire development from its outset can be carried out in a satisfactory manner.

15. Prior to the first occupation of the development for the uses hereby approved, the Footpath POL 15 between Marsham Way Traffic signal junction with Woodward Drive to Kingsfield Lane and through the development site, shall be upgraded in accordance with details to be submitted to and approved in writing by the Local Planning Authority. It is recommended that this footpath is widened to a minimum of 3.0m footway/cycleway.

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) 8th Nov. 2017.

16. The following information shall be submitted at the reserved matters stage:
- Updated, tree/hedgerow protection plan in accordance with BS5837:2012 and AIA Report.
 - Detailed Green Infrastructure and Landscape Design Strategy Plan for the whole development site, specifying the location, and species for different categories of proposed tree and structure planting.
 - Supporting phasing plan identifying when the landscape infrastructure works within each development zone will be implemented.
 - Detailed planting plans for each development zone/service parcel specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting, which is to be implemented in the first season following completion of construction works for that land parcel, with landscape treatments to external site frontages prioritised.
 - An overarching landscape and ecological management plan for the whole site (expanding upon framework document), 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 works together with longer term management operations.
 - Details of all proposed boundary, site furniture, and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required, together with supporting schedule of proposed manufacturer products.
 - Detailed design for SUDs basins and features to demonstrate how these will be sympathetically integrated into the green landscape spaces across the site.

The scheme of landscaping shall be informed by the LVIA, Landscape Design and Mitigation Strategy BMD.19.062.007 Rev P02 and Landscape Management Framework submitted at the Outline stage.

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, Policy PSP2 of the South Gloucestershire Policies, Sites and Places Plan (adopted) Nov. 2017 and the National Planning Policy Framework.

17.

A) Intrusive Investigation/Remediation Strategy - A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. Except for any necessary demolition works, no development shall take place until detailed site investigations of the areas potentially affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. 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; 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.

B) Verification Strategy - Prior to first occupation, where works have been required to mitigate contaminants (under condition A) 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.

C) 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 possible ground contamination and to accord with policy CS9 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) 8th Nov. 2017. This is required prior to commencement in the interest of public health.

18.

1. No above ground development shall commence until;

- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, shall be secured through any

subsequent Reserved Matters application(s) and have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

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

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

Reason

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework and to accord with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and Policy PSP22 of The South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) Nov. 2017.

This is a pre-commencement condition as investigation works and appropriate mitigation are required to ensure the future safety of the occupiers of the development and prevent the need for retrospective mitigation after the development is commenced/completed and to take account of the past mining activities within the area.

19. Prior to the commencement of ground works a programme of archaeological investigation and recording for the site shall be submitted to and approved in writing 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.

This is a pre-commencement condition to ensure that archaeological remains are not sterilised by the development without having first been recorded.

20. The development shall proceed in strict accordance with the Mitigation Measures provided in the submitted Ecological Assessment (BMD, September 2020)

Reason

In the interests of protected species and the bio-diversity 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.

21. Prior to the first occupation of the development hereby approved, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- Identify those areas/features on site that are particularly sensitive for bats and other wildlife and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
 - All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

To ensure there isn't excessive light spill onto adjacent habitats; in the interests of protected species and the bio-diversity 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.

22. Prior to the first occupation of the development hereby approved, a Habitat Enhancement Scheme is to be submitted to the local planning authority for review, this is to expand on the recommendations within the Ecological Assessment (BMD, September 2020). The scheme shall include a timeframe for implementation of the enhancements to be agreed in writing with the LPA.

Reason

In the interests of protected species and the bio-diversity 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.

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

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

- A clearly labelled drainage layout plan showing the pipe networks and any attenuation features.

- Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer).
- Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event (winter and summer).
- The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding (where applicable).
- The plan should also show any pipe node numbers referred to within the drainage calculations.
- A manhole / inspection chamber schedule to include cover and invert levels.
- Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation features and Flow Control Devices where applicable.

Reason

In the interests of flood risk to accord with Policies CS1 and CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted), Policy PSP20 of The South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

This is a pre commencement condition to ensure that the site can be adequately drained.

24. Prior to the commencement of development (including demolition works) a Waste Management Audit shall be submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:
- (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
 - (b) The volume of that waste which will be utilised within the site in establishing preconstruction levels, landscaping features, noise attenuation mounds etc.
 - (c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
 - (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
 - (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.
- Development shall be carried out in accordance with the agreed details.

Reason

In accordance with Policy 1 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

This is a pre-commencement condition because the audit is necessary to establish prior to the demolition of the existing building.

25. The development hereby approved shall be the subject of a Master Plan/Design Code to be submitted to and approved in writing by the Local Planning Authority at the Reserved Matters stage. Thereafter the development shall be carried out in full accordance with the agreed Master Plan/Design Code.

Reason

To ensure a consistent and well considered approach that will ensure a high quality and well-designed development across the whole site to accord with Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of the NPPF.

26. Prior to the commencement of above ground works for the development hereby approved, a commissioning plan for a unique site specific integrated scheme of Public Art (including but not limited to artist/s brief/s, longlist of artists, timescales and budget) to be implemented within the development site, shall be submitted to the Local Planning Authority for approval in writing. For the avoidance of doubt, the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note. Thereafter, detailed designs by the commissioned artist shall be agreed in writing prior to installation and the Artwork shall be installed in accordance with the details and timescales so agreed.

Reason:

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

Such plans to be produced prior to commencement to ensure that public art is considered at the outset of design to develop a scheme which is fully integrated into the site.

27. Prior to the commencement of the development hereby approved, a revised energy statement shall be submitted to and approved in writing by the local planning authority. The revised energy statement shall set out the final energy strategy for all elements of the scheme including (but not limited to) the reduction in emissions of carbon dioxide to be achieved, details of the provision of domestic hot water in the hotel; the number, location and specification of electric vehicle charge points. The scheme shall be constructed in accordance with the final energy statement.

Reason

To reduce energy demand and emissions of carbon dioxide in accordance with Policy CS8 of the South Gloucestershire Local Plan : Core Strategy (Adopted) Dec. 2013 and Policy PSP6 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017.

This is a prior to commencement condition to ensure that the Energy Statement covers all aspects of the development.

28. The trade counter uses within the permitted units shall be ancillary only to the Class B8 units.

Reason

For the avoidance of doubt.

29. Outline Planning Permission is granted for those uses outlined in Tables 2.1 and 2.2 only of the Addendum To Planning Statement received 16th Nov. 2021.

Reason

To define the terms of the permission, in accordance with the submitted details.

30. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 3 (Classes MA, P or M) shall be carried out without the prior written consent of the Local Planning Authority.

Reason

This is a Safeguarded Area for Economic Development in accordance with Policy CS12 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

31. The development (including demolition) hereby permitted shall not be commenced until the Gymnastics /community sports facility permitted by planning permission P22/00691/R3F dated 27 May 2022 has been implemented and made available for use.

Reason:

To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and to accord with Policy CS23 the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and para. 99 of the NPPF.

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

Site Location Plan Drawing No. 831-PL-1.000 received 7th Sept. 2021

Existing Site Plan Drawing No. 831-PL-1.002 received 7th Sept. 2021

Proposed Site Plan Option A Drawing No. 831-PL-2.200 Rev E received 30th July 2022

Proposed Site Plan Option B Drawing No. 831-PL-2.201 Rev E received 30th July 2022

Vectos Drawing Proposed Highway Improvements (Aldermoor Way/Site access)

Sheet 1 of 2 - Drawing No. 173532-E01 Rev A received 6th June 2022

Vectos Drawing Proposed Highway Improvements (Aldermoor Way/Site access)

Sheet 2 of 2 - Drawing No. 173532-E02 Rev A received 6th June 2022

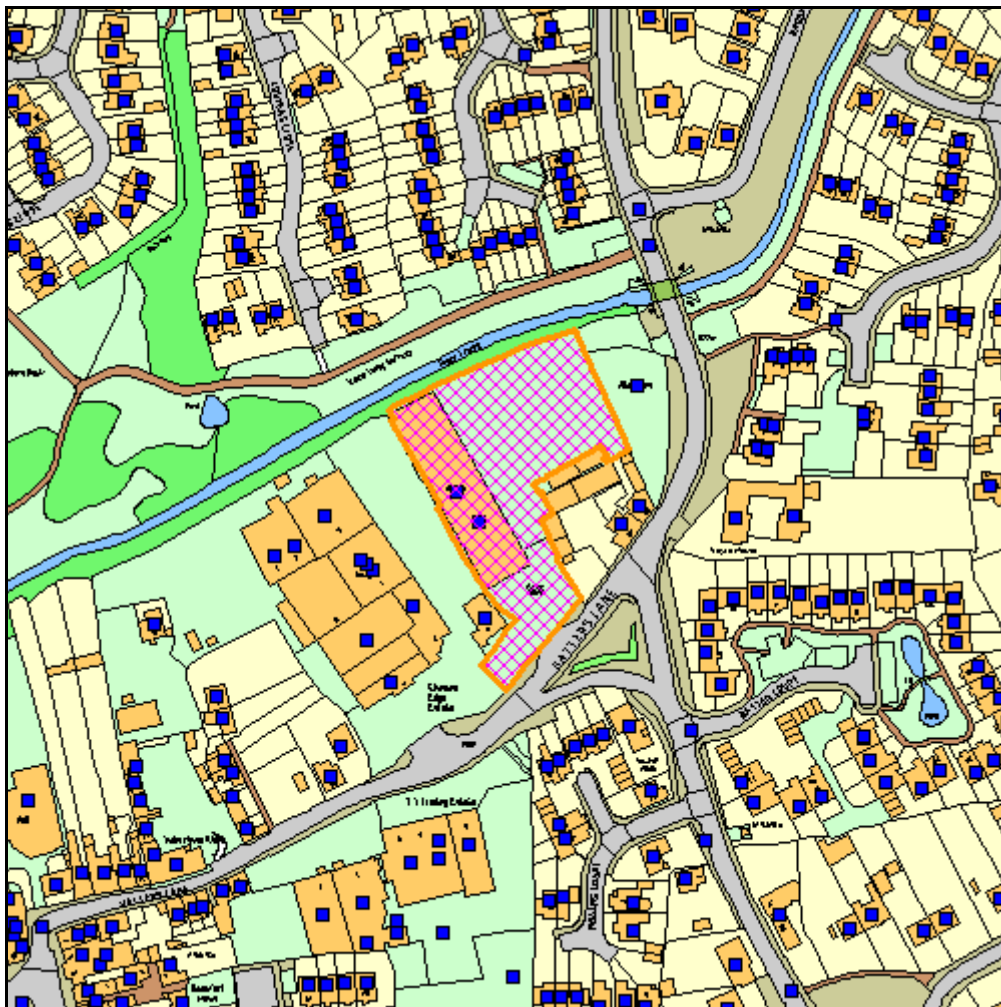
Vectos Drawing Proposed Highway Improvements and HGV Deterrent Measures (Aldermoor Way) - Drawing No. 173532-E03

Reason
For the avoidance of doubt.

Case Officer: Roger Hemming
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 39/22 -30th September 2022

| | | | |
|----------------------------------|---|-------------------------|--|
| App No.: | P22/01139/ADV | Applicant: | Chipping Sodbury Motor Company |
| Site: | Chipping Sodbury Motor Company Hatters Lane Chipping Sodbury South Gloucestershire BS37 6AA | Date Reg: | 23rd February 2022 |
| Proposal: | Display of 1 no. internally illuminated totem sign and retention of 1 no. internally illuminated fascia sign. | Parish: | Sodbury Town Council |
| Map Ref: | 373063 182405 | Ward: | Chipping Sodbury And Cotswold Edge |
| Application Category: | Minor | Target Date: | 19th April 2022 |



© South Gloucestershire Council 2007. all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P22/01139/ADV

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as written representations from three different individuals have been received that are contrary to the officer recommendation.

THE PROPOSAL

- 1.1 Advertisement consent is sought for the display of 2no. signs as follows:
 - 1no. Flex fascia sign to eastern building elevation of width 11.06m, height 0.975m, and depth 0.2m, static internally illuminated to 300 cd/m². Aluminium with PVC face. (Retrospective)
 - 1.no double sided totem sign to southern site edge of width 1.2m, height 4.5m and depth 0.24m, static internally illuminated to 300 cd/m². Mild steel sub frame with ACM Face panels, acrylic logo and letters, fitted onto a concrete base. (Proposed)
- 1.2 The application site comprises a car showroom and associated parking yard located on the northern side of Hatters Lane from which it is accessed, and within the defined settlement boundary of Chipping Sodbury. Residential properties lie to the south and further east, and north, and commercial properties adjacent to the east and west. The site is bounded to the north by mature tree planting adjacent to the River Frome.
- 1.3 The application is supported by a site location plan, proposed elevations and signage detail drawings.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2021
Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP11 Transport Impact management

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 P84/2670 - Application for permission to use buildings as commercial vehicle repair workshops, offices and garage, and land as a car and lorry park in connection therewith without complying with condition 1 on planning permission p.1636 dated 14/8/72, condition (a) on planning permission n.277/4 dated 29/7/82, and condition (a) on planning permission n.277/5 dated 29/7/82.
Approved 23.01.1985
- 3.2 PK06/1764/ADV - Display of 2 no. freestanding internally illuminated signs and 5 no. various wall mounted and fascia non illuminated signs.
Approved 18.10.2006 subject to conditions
- 3.3 PK07/1367/F - Erection of single storey side extension to form toilet block and extension to showroom. Installation of new shop front to create additional floor space.
Approved 22.06.2007 subject to conditions
- 3.4 PK12/2035/ADV - Display of 2no. internally illuminated fascia signs and 2no. sets of internally illuminated corner lights.
Approved 31.07.12 subject to conditions

4. **CONSULTATION RESPONSES**

- 4.1 Sodbury Town Council
No objection raised by Members.
- 4.2 Sustainable Transport
As do not believe that these signs will create any severe or unacceptable highways or transportation issues have no comments about this application.
- 4.3 Street Lighting Engineer (Summary)
The proposed illumination of 300 cd/m² is within the recommended threshold by ILP (Institution of Lighting Professionals) relevant guidance. Severe light pollution does however appear to be caused by the existing floodlighting (not in this application) for the garage's car park.

Other Representations

- 4.4 Local Residents
3no. written comments received in objection to the application, summarised as follows:
- Floodlights on 24/7 and not pointed downward
 - Blackout blinds needed in all windows facing this direction.
 - Several neon signs already on all the time, no more needed, especially brighter ones

- Light pollution suffered from garage lighting at moment is unacceptable as shown in photographs sent. Any further lighting would make the light pollution even worse.
- Have enquired with garage and has made no difference.
- Planting tree and installing trellis screen but still lights shine higher.
- Was even worse when a upright light was lit.
- Understand security lights needed but not why directed to property.
- On windy nights, flags blow across the present lights, causing lights flashing all night.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 The application proposes signage to the building and its curtilage in connection with its use as a vehicle car sales garage. The proposal is therefore acceptable in principle.

5.3 Visual and Residential Amenity

The fascia sign to the eastern building elevation faces towards the parking area, separated by distance in views from Hatters Lane. It is in keeping with the industrial building it is affixed to and not dominant on the elevation. Illumination levels stated are within the recommended limits set out by the Institution of Lighting Professionals (ILP).

5.4 The totem sign is proposed to south-west side of the vehicle entrance in addition to an existing similar sized totem sign on the north- east side. From discussion with the agent and review of a previous advertisement consent (PK06/1764/ADV) it is understood that a similar totem was approved for display in this location, but since this is no longer present at the site the proposed totem sign cannot be assessed as a replacement, instead introducing a new sign to the current layout at the site. It would however be similar in size and appearance to the existing totem, be read together with this in the street scene, and when facing towards the garage entrance views would be of its narrow depth. The new sign would therefore not detract from visual amenity of the area, nor create an unacceptable cumulative impact.

5.5 Comments received from neighbouring residents refer to light pollution from the existing garage, specifically existing floodlights, objecting to further illuminated signage in addition. The Council's Street Lighting Engineer has confirmed that illumination levels proposed are within the recommended limits set out by the Institution of Lighting Professionals (ILP), advising the light pollution is indeed a

result of the existing floodlights, appearing to be due to the angle they are tilted and reflectors within the lamps. This information was passed on the applicant, however the agent confirmed no response received on measures to reduce the light pollution. The application must therefore be assessed on basis of the current position at the site.

- 5.6 The floodlighting does not form part of the application, and unless used to illuminate signage is outside the scope of advertisement consent. Assessment of this application is therefore limited to impacts of the signage sought for consent, and cumulative impacts it would have with other signage. In that regard, given the illumination levels proposed being within the ILP guidance, and that the floodlighting is by the far the dominant light source, addition of the proposed totem would not significantly worsen the existing situation and therefore cause a detrimental impact upon residential amenity.
- 5.7 The signage sought for approval in this application is therefore acceptable in terms of visual and residential amenity, subject to recommended planning condition for illumination levels to remain within ILP guidance of 300 cd/m² for signs over 10 sq. m in area (the totem being over this as double sided).
- 5.8 Public Safety
The main public safety consideration is that of highway safety. The signage would be statically illuminated to an appropriate level and would not cause any unacceptable or severe highways or transportation issues, a view supported by comments received from Sustainable Transport.
- 5.9 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.10 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.11 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this advertisement consent application is considered to have neutral impact.

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

As received by the LPA 22.02.22:

Site Location Plan
Block Plan - SY 201
Planning Proposal - SY 201
Fascia Detail
4.5m high Double Sided Totem

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

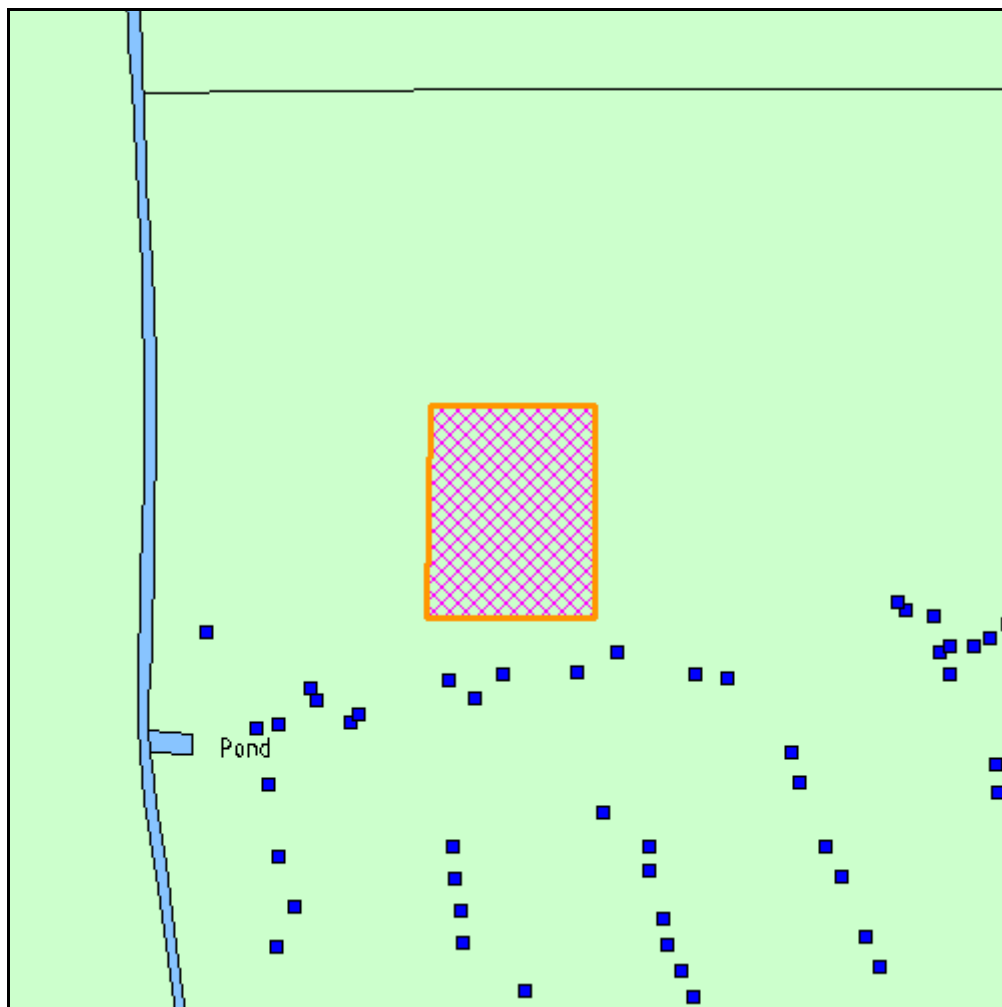
4. Illumination of the advertisements hereby approved shall be static and unchanging, and shall not exceed an illuminance level of 300 cd/m².

Reason: In the interests of visual and residential amenity in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy December 2013, Policy PSP8 of the South Gloucestershire Council Local Plan: Policies Sites and Places Plan 2017, and paragraph 136 of the National Planning Policy Framework.

Case Officer: Michael Fishpool
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 39/22 -30th September 2022

| | | | |
|------------------------------|---|---------------------|----------------------|
| App No.: | P22/02753/RM | Applicant: | Aberdare Estates Ltd |
| Site: | Land North Of Brimsham Park Yate Dowsell Way South Gloucestershire BS37 7DY | Date Reg: | 20th May 2022 |
| Proposal: | Erection of a nursery and associated works with access, appearance, landscaping, layout and scale to be approved (Approval of reserved matters to be read in conjunction with P19/6296/RVC originally PK12/1913/O for the Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Outline application including access with all other matters reserved.) | Parish: | Yate Town Council |
| Map Ref: | 371279 184567 | Ward: | Yate North |
| Application Category: | Major | Target Date: | 16th August 2022 |



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P22/02753/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 Yate Town Council contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of a nursery with drainage, landscaping and associated works with site access, appearance, layout, scale, and landscaping to be determined. The approval of Reserved Matters is to be read in conjunction with outline permission PK12/1913/O as amended by P19/6296/RVC. This outline consent included details of access into the site off Randolph Avenue and Leechpool Way, with provision for access from Peg Hill. The scheme benefits from an approved design code (North Yate New Neighbourhood Design Code Rev D March 2017) and masterplan (Condition 39 Detailed Masterplan 4739-LDA-00-XX-DRL-0013), as well as a number of framework plans approved at outline stage.
- 1.2 The application site comprises Parcel 36 in the North Yate New Neighbourhood, as shown on the approved phasing plan. The site is located centrally in the North Yate New Neighbourhood and is bounded to the north and east by the School Site in Parcel

37 to the west by proposed play areas and to the south by Dowsell Way (a primary road) with residential Parcel 1 opposite. The site is a short distance to the Local Centre.

- 1.3 The proposal consists of a nursery building positioned centrally in the site with a public area to the south providing parking and access and a private area to the north providing play space. A statement of compliance has been submitted in support of this application to set out how it complies with the approved parameter plans and Design Code and where it does not comply, puts forward justification.
- 1.4 Through negotiation during the application process, the following are some of the improvements secured to the scheme:
 - Increased soft landscaping
 - Additional trees
 - Improved hard landscaping materials
 - Changes to boundary treatment

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance
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
CS30 Yate and Chipping Sodbury
CS31 North Yate New Neighbourhood

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP6 Onsite Renewable and Low Carbon Energy
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP47 Site Allocations and Safeguarding

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)
Waste Collection: Guidance for New Developers SPD (adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK10/042/SCO, Scoping Opinion for a proposed mixed-use site approximately 104ha in North Yate.
- 3.2 PK12/1913/O, Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Outline application including access with all other matters reserved. Approved on 17th July 2015.
- 3.3 PK15/5230/RVC, Variation of condition 41 of Planning Permission PK12/1913/O to change the proposed wording which related to the need for an Energy Statement and energy targets. Approved on 6th May 2016.
- 3.4 PK16/2449/RVC, Variation of condition 12 attached to planning permission PK12/1913/O to allow for a programme for archaeological investigations across the site. Approved on 15th August 2016.
- 3.5 PK17/0039/NMA, Non-material amendment to Condition 19 of PK16/2449/RVC (Outline planning permission for the North Yate New Neighbourhood) to reflect the updated phasing plan submitted pursuant to Condition 4. Approved on 23rd February 2017.
- 3.6 PK17/4826/RVC Variation of conditions 12, 19 and 41 attached to outline planning permission PK12/1913/O to rationalise and validate amendments to conditions previously granted under application reference numbers PK15/5230/RVC, PK16/2449/RVC, and PK17/0039/NMA. Permitted 27th November 2017
- 3.7 P19/6296/RVC, Variation of condition 19 attached to outline planning permission PK12/1913/O (as amended under applications PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA and PK17/4826/RVC) to amend the wording of the condition (19) to "There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. Construction use and residential use are deemed operational". Approved on 13th September 2019.
- 3.8 PK17/4260/RM, Laying out of landscape and infrastructure (Phase 0) including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping. (Approval of reserved matters including appearance, landscaping, layout and scale to be read in conjunction with Outline Planning

Permission PK12/1913/O superseded by PK16/2449/RVC). Approved on 21st May 2018.

- 3.9 PK18/1656/RM, Approval of remaining site wide infrastructure including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping in relation to Phase 0 (Reserved Matters application to be read in conjunction with outline planning permission PK12/1913/O) amended by PK17/4826/RVC in regards to landscaping, appearance, layout and scale). Permitted 5th December 2018.
- 3.10 P21/02991/NMA, Non material amendment to P19/6296/RVC to change the description of development as stated in outline planning permission reference PK12/1913/O and subsumed into outline planning permissions reference PK15/5230/RVC, PK/16/2449/RVC, PK17/4826/RVC and P19/6296/RVC to Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), residential care home or extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Permitted 02nd July 2021.
- 3.11 Reserved matters applications for neighbouring residential parcels.
- 3.12 P22/05330/RVC - Variation of condition 39 attached to P19/6296/RVC to supersede the approved Land Use Parameter and Framework Plans (which specifies office (B1) use for the northern employment parcel) with Land Use Plan 7728_1000-Rev 01 dated 17th August 2022 to allow a mix of employment uses including office use (B1) and general industrial use (B2) in that parcel – Under consideration.

4. **CONSULTATION RESPONSES**

4.1 Yate Town Council

First Response – Object

Whilst we strongly support the principle of a nursery in this location, and know there is a need, we are forced to object because of worries about the details. We have read the application transport statement, but that assessment does not address our concerns.

1. Lack of cumulative highways assessment. Dowsell Way will be the main east west spine route through the whole 2600 house development and as such will be a busy road, even with a 20 mph speed limit. The site is close to a tight bend on Dowsell, close to the School entrance, which according to the master plan will be right on the corner, and right opposite the junction into Charles Close. The application transport statement does not address the cumulative effect of the junction, the entrance and the school entrance right where there is a set of sharp turns in Dowsell Way. We object until a full highways assessment has been done of the cumulative impact of these three junctions,

2. The site only has 3 drop off parking spaces - and given many people drop children at nursery on the way to work, and there is no suitable on street parking in the vicinity

3. No dropped kerbs are shown on the nursery side of the road, and there is no crossing island. Given the combined impact of the nursery and people crossing to the school there needs to be a safe crossing point, even on a 20mph road

4. We are surprised at the lack of green space, there is no soft landscaping, apart from a hedge round the car park. All the outdoor space for the children is soft pour, tarmac or or artificial grass.

5. Support the concerns raised by the Environmental policy officer. It is not on to build buildings with emissions, which could so easily be reduced to being low carbon, even if the applicant feels unable to go to zero carbon. We would prefer zero carbon, but object unless the further reductions suggested by the Environmental Policy Officer are implemented or conditioned.

Second Response - Neutral

We withdraw our objection, but we would comment as follows:- "we continue to have concerns about highway safety and the lack of natural green environment on site for the children."

4.2 Landscape

First response - Raised concerns about the limited impact of the building, the rear boundary treatment and landscaping of the children's play area. Requested changes to the boundary to provide a robust and attractive boundary and advised that a rich and varied environment which includes greenery should be made available to children. An alternative layout that maximises the amount of the site to be given over to children's play area was suggested.

Second response – Considered changes made to be an improvement but considered more could be done to improve the play area and boundary treatment.

4.3 Urban Design

First response – Noted some positive elements but raised concerns about boundary treatment and landscaping. Some improvements suggested to the front elevation and advised material samples would need to be viewed on site.

Second response – Considers the proposal acceptable on balance

4.4 Crime Prevention Design Advisor

First response – Noted that the applicant had engaged with them prior to submission of the application. Recommended that perimeter fencing be provided to the front of the site so that it can be secured out of hours. Would ideally like to see higher fencing all around the site. Recommended improvements to the refuse storage area. Raised concerns about the building canopy but acknowledged that this would be offset somewhat by securing the perimeter. Provided general advice.

4.5 Climate Change Officer

First response – Recommended improvements to fabric efficiencies and requested additional information in relation to refrigerants, hot water, EV, climate adaptation and resilience to overheating. Recommended maximising the use of solar PVs.

4.6 Transportation Officer

No objection to proposal subject to conditions to secure parking spaces, electric vehicle charging and suggested changes to submitted travel plan.

4.7 Drainage Officer

No objection.

4.8 Public Art

No comment in relation to this site. Barratts are implementing the public art plan for the whole North Yate new neighbourhood.

4.9 Archaeological Officer

Archaeological work has already taken place in this location and was negative. No further work is necessary and there is no objection to the application.

Other Representations

4.10 Local Residents

No neighbour representation received for this application

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

North Yate New Neighbourhood is a major development site allocated by policy CS31 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 for a major mixed use development of up to 3000 dwellings. Outline consent was granted on 17th July 2015 for a mixed use development across 100.76 hectares of land comprising up to 2450 new dwellings, including 4.63 hectares of employment land, a local centre, two primary schools and supporting infrastructure. This approval covers a substantial area of the NYNN allocation. A masterplan and design code for the North Yate New Neighbourhood were subsequently approved by the Local Planning Authority on 20th January 2017 and 12th May 2017 respectively. The principle of the development is therefore, acceptable.

5.2 Environmental Impact Assessment

This Reserved Matters application is considered an EIA application as it is a subsequent application in respect of EIA development. It is considered that the proposal is within the scope of the original Environmental Statement and consideration of the reserved matters below sets out how the scheme complies with the principles and parameters secured in the outline permission to avoid and mitigate significant environmental impacts. There are considered to be no new significant effects.

5.3 Access, layout, landscaping, scale and appearance.

5.3.1 The approved Masterplan and Design Code set out a number of Framework Plans and the proposed form of development is largely consistent with these and deviations justified as set out in this report.

5.3.2 A nursery use is specified for this parcel in the Land Use Framework. The Building Heights Framework suggests building heights of one to two storeys up to 12m. The Urban Structure Framework identifies the nursery site as a location for a Key Building

and suggests a continuous frontage along the urban edge to terminate key views and create an urban environment. There are no on plot requirements arising from The Access and Movement Framework, The Green Infrastructure Framework, the Blue Infrastructure Framework or the Density Framework.

- 5.3.3 The approved Design Code expands on the principles secured in the parameters plan to provide more detailed guidance on the type of development for each location. Each character area contains specific codes and guidance to ensure that a distinct character emerges through the adherence to simple rules. A Code Reference Plan provided for each character area stipulates which codes must be used when designing at the RM stage. The site forms part of the Yate Meadows character area. This area is intended to have the strongest visual and physical relationship to the wider countryside. It is characterised by contiguous green space and contains extensive ponds, swales and recessed flood attenuation areas. The residential parcels to the south of the application site have approved Reserved Matters and have been implemented. The school site wraps around the nursery site and a play area is proposed to the west. RM applications for these sites have yet to be submitted. The only code applicable to this site is the Boundary Code.
- 5.3.4 The Boundary Codes specify the type, material and variation of boundary treatment along urban edges to create a consistent character. The Boundary Code specified is reflective of the intended use and need for site security and follows the perimeter of the nursery and school sites. The Boundary Code is B6M and specifies - Dwarf wall with palisade/rigid mesh fencing. The proposal does deviate from the boundary code providing lower fencing and hedging to the front of the site where high fencing is not required for security reasons and weld mesh fencing to the rear and side boundaries where additional security is required. It is considered that the deviation from the code to the front of the site is justified for urban design reasons and the lower boundary enclosure is an improvement. The transition from one boundary treatment of railing with hedge to weldmesh fence occurs in line with the front elevation of the building and is considered to have an acceptable appearance.
- 5.3.5 As there are no other applicable codes there is more flexibility with regards the Access, Layout, Scale, Appearance and Landscaping to the site subject to compliance with the parameters plans. Vehicular access is proposed in the centre of the site with pedestrian access to the west. The front/southern part of the site is given over to access parking and turning. The nursery building is located centrally in the site spanning almost the full width and private play areas are wrapped around the building to the north and west. It is considered that the proposal provides a layout that responds to site constraints having regard to operational needs of the applicant for the size of nursery proposed such as the provision of staff and visitor parking and direct access to outdoor space from each area of the nursery. Landscaping was improved during the course of the application to provide additional soft landscaping to the front and rear of the site. On balance it is considered that the landscaping of the site is acceptable and whilst additional hedging along the western boundary would be desirable it is recognised that it would reduce the play area available to children in the nursery. The scale of the building is considered to be acceptable. Some improvements have been made to the appearance of the building by introducing variations in brickwork. The use of buff brick is in keeping with the character area palette and materials on approved schemes. The parameters plans recommend that the nursery is a key building in the development but due to its siting, height, orientation it will have

limited presence in the street scene. However, it is considered that the front car park is well landscaped and the site as a whole will be identifiable as the nursery site. It should also be noted that the Urban Design officer advised that the overall appearance of the building is fairly positive and additional interest was provided by a feature brick panel on the front elevation. It is considered that the proposal complies with the parameters plans to an acceptable degree given the size of the site, the nature of the use and operational requirements.

5.3.6 In addition to complying with the principle and parameters secured in the outline consent the proposal must also comply with the relevant policies contained within the Development Plan.

5.3.7 Core Strategy Policy CS1 seeks to ensure that new development is of the highest possible standard of design and is inter alia of an appropriate scale, form, appearance and layout that respects and enhances the character, distinctiveness and amenity of both the site and its context. Policies Sites and Places Plan PSP 2 requires landscape design to be of a high standard. It is considered that by responding to the parameter plans and Design Code that the layout, scale and appearance of the proposed development complies with Policy CS1 and PSP2

5.3.8 The Reserved Matters have also adequately responded to other requirements such as conditions on the outline consent, highway safety, energy efficiency, designing out crime and waste collection and these are discussed in more detail later in the report. Overall, it is considered that the layout, landscaping, scale and appearance of the development are acceptable.

5.4 Other Matters

5.4.1 Residential Amenity - PSP8 requires development to provide acceptable living conditions for future occupants and not result in unacceptable harm to the amenities of existing residents. PSP21 relates to Environmental Pollution and Impacts and PSP43 provides Private Amenity Standards. There is also guidance on separation distances. The proposed use is compatible with the neighbouring residential use and is considered to be sufficiently distant from existing and proposed neighbouring uses to avoid impacts such as overlooking.

5.4.2 Security- The applicants have provided a low railing and gates in response to comments from the Crime Prevention Officer which should deter entry to the site when the nursery is not open.

5.4.2 Sustainability - The aspirations and requirements of the development in relation to sustainability have already been agreed by virtue of the approval of the outline permission (granted on 17th July 2015), and reserved matters are required to be determined in the context of the conditions attached to the outline permission. Condition 40 on the outline permission requires RM applications to be accompanied by an Energy Statement which shall set out:- "How the layout, three dimensional building envelope and landscape proposals have been designed to maximise passive solar gains and cooling as well as natural ventilation of buildings. Measure to improve the insulation of the building envelope to reduce energy demand. Calculation of energy demand. The Energy Statement shall require Reserved Matters to achieve a minimum "very good" rating under the relevant Building Research Establishment Environmental Assessment Method (BREEAM) for all building types other than

dwellings.” The condition pre-dates PSP6 in the Policies Sites and Places Plan Adopted November 2017, which imposes a more stringent energy saving requirement of 20% via renewable/low carbon energy generation sources on major greenfield residential development. The applicants have submitted an Energy Statement covering those areas specified in the condition and advised that they are targeting BREEAM very good. Compliance conditions to secure these measures are recommended.

- 5.4.3 Transportation- The nursery site is in a sustainable location within the development and the proposed access is considered to be safe. There are no minimum or maximum parking standards for the type of development proposed and the provision made within the development is considered to be adequate. Yate Town Council raised a number of concerns about highways issues including the relationship of the site access with other sites and the cumulative impact of the developments. The applicants responded to these comments with a note setting out the work already undertaken in support of the outline application in relation to traffic flows for the development as a whole, the pedestrian access to the site and the number of drop off spaces. The council's highway officer raised no objection to the proposals. The applicants have also provided a Travel Plan which promotes sustainable forms of transport for staff and customers.
- 5.4.4 Drainage - The Council's Drainage Officer has raised no objections to the proposal. The Drainage Officer is satisfied that the information submitted demonstrates compliance with the wider Surface Water Drainage Masterplan/Strategy.
- 5.4.5 Ecology - A number of ecological strategies were secured as part of the discharge of conditions on the outline consent. This included a Landscape and Ecological Management Plan, and wildlife mitigation strategies. These strategies were required to help mitigate the impact on, as well as measures to enhance wildlife. An informative note is attached to notify the developer of the requirement to accord with the relevant wildlife strategies. An Ecological Assessment was submitted in support of the application and proposes enhancement such as bird boxes and bee bricks which can be secured by condition. A condition in respect of lighting is also attached to secure a sensitive lighting scheme as recommended in the ecological assessment. Subject to conditions, the application is considered to comply with policy PSP19.
- 5.4.6 Consideration of likely impact on Equalities - The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application it is considered to have a neutral impact on equality.

5.5 Planning Balance

- 5.5.1 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.

Whilst some issues relating to design and landscaping have not been fully resolved it is considered that there is insufficient harm arising from outstanding issues as to warrant a refusal. As such, taking all matters into account, this development is recommended for approval, subject to conditions.

- 5.5.2 The comments of the Town Council are noted, but given that the Transport and Landscape Officers have raised no significant concerns and that the landscaping has been improved as part of officer negotiations, there are insufficient grounds to raise a reason for refusal.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 Reserved matters consent is GRANTED subject to conditions.

CONDITIONS

1. No development shall commence on-site above ground floor slab level until the exact specification of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area and to allow flexibility in sourcing materials.

2. No development shall commence on-site above ground floor slab level until a sample wall panel demonstrating the detailing of brickwork and associated mortar joints, not less than 1-metre square, has been constructed on-site, inspected and approved in writing by the Local Planning Authority. Thereafter, the panels shall then be left in position for comparison purposes whilst the development is carried out. The development shall be carried out in accordance with the approved sample.

Reason: In the interests of visual amenity and the character and appearance of the area.

3. No development shall commence on site above ground floor slab level until details of the proposed PV system including location, dimensions, design/ technical

specification together with calculation of projected annual energy yield (kWh/annum) and associated reduction in residual CO2 emissions has been submitted to and approved by the Local Planning Authority. No part of the development shall be occupied until the PV system has been installed in accordance with the approved details.

Reason: In the interests of the sustainability of the site and to accord with the Masterplan and Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013

4. No part of the development shall be brought into use until Electric Vehicle Charging Points have been installed on site in accordance with the approved plans. These shall be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the sustainability of the site and to accord with the Masterplan and Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013

5. No part of the development shall be brought into use until the parking and cycle parking facilities shown on the approved plans have been provided. Once installed they shall be thereafter retained for that purpose.

Reason: To ensure adequate off street parking is provided to serve the development and to promote sustainable forms of transport to accord with policy PSP10 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

6. No part of the development shall be brought into use until the bin storage shown on the drawings hereby approved has been provided. Once installed they shall be 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.

7. No part of the development shall be brought into use until the biodiversity enhancements set out in Chapter 5 of the Ecological Assessment (May 2022) received 16th May 2022 have been implemented. Once installed they shall be maintained in accordance with the approved details for the duration of the development.

Reason: The ensure biodiversity enhancements are secured to accord with policy PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

8. Within 6 months of first occupation of development, the full BREEAM Post Construction report shall be submitted to the local planning authority and approved in writing. The report shall be prepared by a registered BREEAM assessor and include confirmation that this has been submitted to the BRE (or other approved registration body), including dates/receipt confirmation email from the BRE/other approved registration body. Within 6 months of first occupation, the final post construction

BREEAM certificate(s) indicating that a BREEAM 'Very Good' rating has been achieved shall be submitted to the local planning authority and approved in writing.

Reason: In the interests of the sustainability of the site and to accord with the Masterplan and Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013

9. The nursery hereby approved shall be built to the fabric first/energy efficiency measures as set out in the Energy Statement hereby approved.

Reason: In the interests of sustainability and reducing the energy demand of dwellings beyond statutory minimum building regulations and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

10. The approved Travel Plan (April 2022), as updated on 26th September 2022 shall be implemented in accordance with the agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

Reason: To promote sustainable forms of transport to accord with policy PSP10 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

11. The site shall be used as a Nursery and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: To be essential infrastructure to serve the wider development.

12. The development hereby approved shall carried out in strict accordance with the following plans:

Dwg 2725-P100 Site Location plan, received 16th May 2022

Dwg 2725 - P120 Proposed Site Block Plan, received 16th May 2022

Dwg 2725 - P150 Rev D Proposed Site and Ground Floor Plan, received 21st September 2022

Dwg 2725 - P190 Proposed Roof Plan and Section, received 27 June 2022

Dwg 2725 - P210 Proposed South and North Elevation, received 27 June 2022

Dwg 2725 - P211 Proposed East and West Elevation, received 27 June 2022

Dwg 222 - 001 - rev E Soft Landscape Plan, received 21st September 2022

Dwg 222 - SCH -001 rev D Plant Schedule, received 21st September 2022

DWG 22719-HYD-00-ZZ-DR-C-700 rev P02 Drainage Strategy, received 16th May 2022

Dwg 2419 - B21 - XX - St -DR - E - 70801 rev P0 External Lighting Concept Design, received 16th May 2022

Landscape Management Plan, received 21 September 2022

Travel Plan rev D, received 26 September 2022

Energy Statement, received 16th May 2022

Ecological Assessment, received 16th May 2022

Dwg 2725 P230 Refuse Enclosure, received 06th September 2022

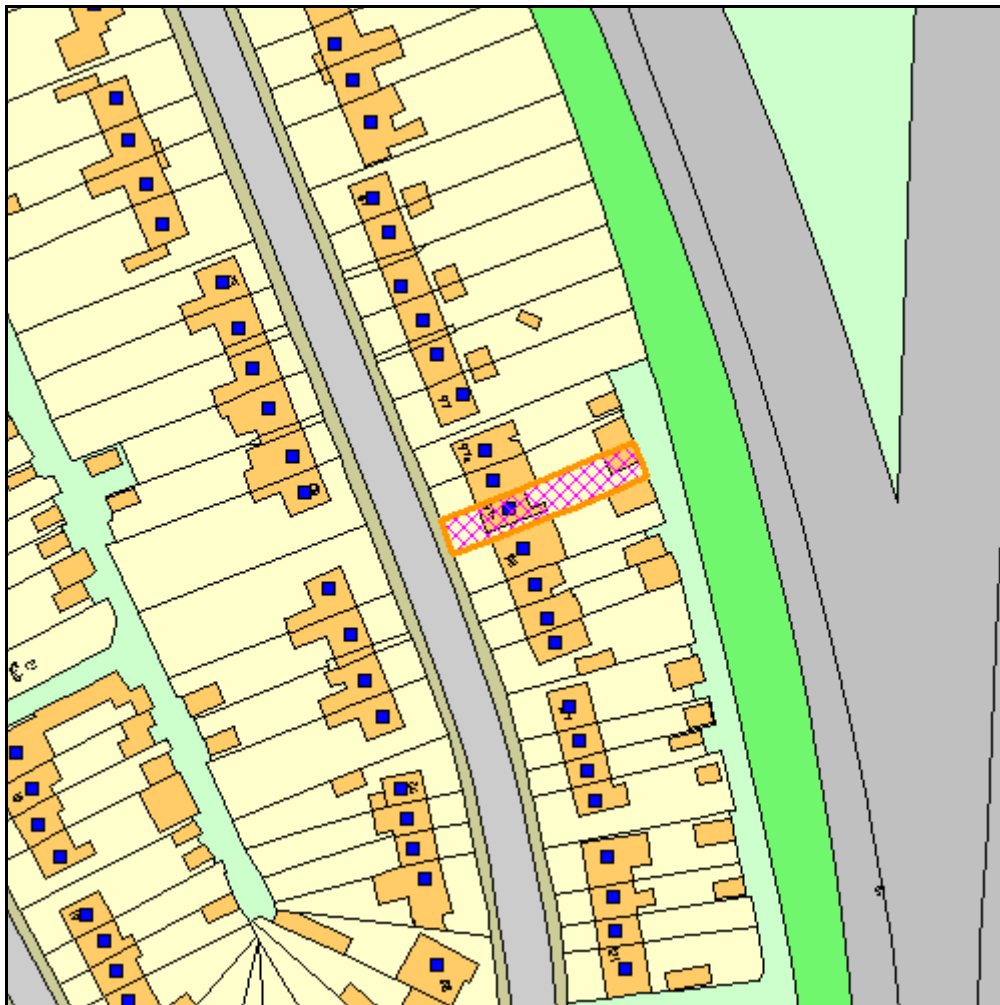
Reason: For the avoidance of doubt.

Case Officer: Eileen Medlin

Authorising Officer: Charmian Eyre-Walker

CIRCULATED SCHEDULE NO. 39/22 -30th September 2022

| | | | |
|----------------------------------|--|-------------------------|------------------------|
| App No.: | P22/03761/F | Applicant: | Mr Kashif Rashid |
| Site: | 97C Conygre Grove Filton South Gloucestershire BS34 7DW | Date Reg: | 8th July 2022 |
| Proposal: | Change of use of garage to garden room. | Parish: | Filton Town Council |
| Map Ref: | 361076 179394 | Ward: | Filton |
| Application Category: | Householder | Target Date: | 31st August 2022 |



© South Gloucestershire Council 2007. all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P22/03761/F

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because an objection representation has been received by Filton Town Council which is contrary to Officer Recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of garage to garden room at 97C Conygre Grove, Filton.
- 1.2 The site is situated within the north Fringe of the Bristol Urban Area and comprises a two-storey semi-detached dwellinghouse.
- 1.3 This application is required as the use of the garage is restricted by planning condition.
- 1.4 During the course of the application, revised plans were submitted to amend the proposal from a proposed annexe to a garden room. Accordingly, a 14-day period of re-consultation took place.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

| | |
|------|--|
| CS1 | High Quality Design |
| CS4a | Presumption in Favour of Sustainable Development |
| CS5 | Location of Development |

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 P21/02429/F Erection of front porch. Erection of a single storey rear extension to form additional living accommodation and installation of hip to gable roof extension and 1 no. rear dormer to facilitate loft conversion. Erection of single storey detached double garage.

Split decision (refusal of dormer and hip/gable) 01.07.2021

Condition 2

The garage hereby approved shall only be used for the purpose of garaging motor vehicles associated with the property known as 97C Conygre Grove, BS34 7DW, and for other ancillary domestic storage purposes.

Reason

In the interest of ensuring that the property retains a satisfactory level of parking following the loss of parking on the frontage in accordance with PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Objection.

Filton Town Council would like this added to the deeds that the annexe should never be sublet from the main building in the future of the present of any future owners.

No response received to re-consultation.

4.2 Transportation DC

No objection subject to condition.

4.3 Public Comment

2 comment received objecting to the planning application. Comment summarised below:

- Garden room is a disguised bungalow for future HMO use
- Rear access is unpaved garden lane
- Increase the likelihood of flooding.
- Overdevelopment and inappropriate.
- Planning committee should conduct a site visit.
- The build will dominate the surrounding areas and gardens and be out of keeping and character.
- Will increase the already burdensome on street parking.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

- 5.2 The garage previously received consent via application P21/02429/F but is yet to be built. A condition was attached to the permission which restricted the use of the garage solely to the purpose of garaging motor vehicles and other ancillary domestic storage purposes. This was required as a porch was also proposed to the front elevation which reduced the available off-street parking to 1.no space. This application seeks to remove the porch to create 2.no parking spaces to the front driveway and to remove the restrictive condition placed on the garage to form a garden room.

5.3 Design and Visual Amenity

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

Outbuilding

The garage has previously been accepted in design and visual amenity terms. The main change to the permitted outbuilding is the removal of the rear garage door and the installation of a door and 2.no windows to form a garden room. The amendments are minor and will not impact the wider character of the area. A suitably worded condition will be attached, should permission be granted, to ensure the outbuilding remains ancillary to the main dwelling. Overall, the proposal adheres to CS1 and PSP38.

Front porch

The existing front porch is to be removed to enable the formation of 2.no parking spaces to the front driveway. The front elevations will return to its original state and is in keeping with other building down Conygre Road. Overall, the proposal has been carefully assessed and has found to be in compliance with these policies

5.4 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The garden room remains an ancillary outbuilding to the main dwelling so will not result in a significant impact on residential amenity. Overall, the proposal has been carefully assessed and has found to be in compliance with these policies.

5.5 Private Amenity Space

Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. As found in the previous application, P21/02429/F, the property should benefit from 60sqm of private amenity space. The footprint of the proposal remains unchanged so will result in a private amenity space of c.55sqm. Whilst this is 5sqm deficit, the remaining amenity space would be sufficiently useable and of sufficient quality. It is not considered that a refusal could be sustained of a 5sqm shortage of private amenity space.

5.6 Transport (Access and Parking)

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The number of bedrooms in the dwelling remains at 3.no, which requires 2.no parking spaces. As discussed above, the current porch reduces the number of available spaces on the front driveway to 1.no consequently the garage had been conditioned to ensure the sufficient number of parking spaces are provided. The porch is to be removed to provide 2.no spaces to the front of the property, accordingly the proposal is accepted in terms of parking standards and the condition restricting the garage can be removed. A condition will be attached, should permission be granted, to ensure the porch is removed prior to the first use of the proposed garden room.

5.7 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Location plan

Existing plans (1802-02)

Existing elevations (1802-03)

(above plans received 06/07/2022)

Existing and proposed block plan (1802-01A)

Proposed plans (1802-04A)

Proposed elevations (1802-05B)

Reason

To define the terms and extent of the permission.

3. Prior to first occupation of the garden room hereby approved, the parking arrangements as shown on plan 1802-04 (proposed plans, as received 5th September 2022) shall be provided. This shall include the removal of the existing front porch. The parking and access arrangements shall be retained thereafter.

Reason

In the interest of ensuring the property retains a satisfactory level of parking in accordance with PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

4. The garden room hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 97C Conygre Grove, Filton, South Gloucestershire, BS34 7DW.

Reason

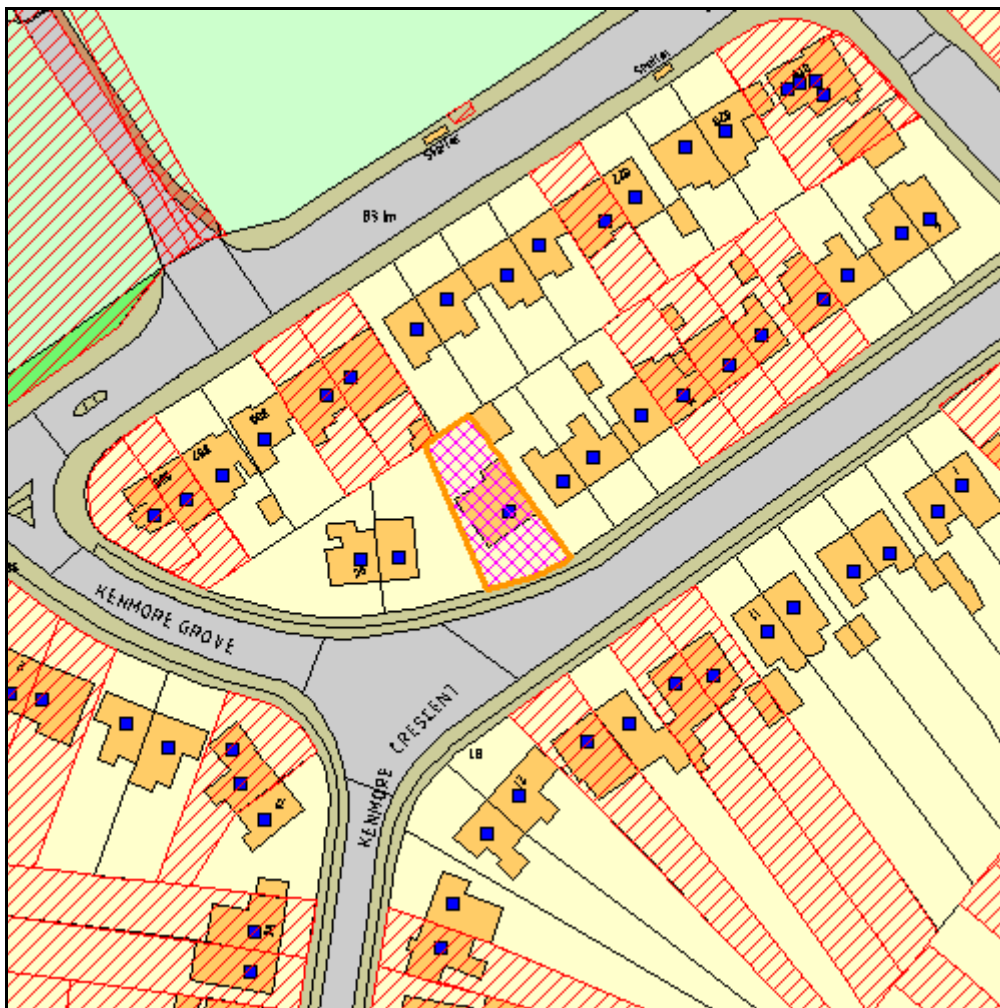
The development has been permitted on the particular circumstances of the case and the development would require further assessment to be used as a separate residential dwelling with regard to internal dimensions of the building, amenity, access, and private amenity space, to accord with policies CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; policies PSP8, PSP16, PSP38, and PSP43 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the NPPF.

Case Officer: Charlie Morris

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 39/22 -30th September 2022

| | | | |
|----------------------------------|--|-------------------------|------------------------|
| App No.: | P22/04239/HH | Applicant: | M Goodfellow |
| Site: | 22 Kenmore Crescent Filton South Gloucestershire BS7 0TN | Date Reg: | 29th July 2022 |
| Proposal: | Raising of roofline and installation of 2no. rear dormers to facilitate loft conversion (resubmission of P22/01801/HH). | Parish: | Filton Town Council |
| Map Ref: | 359392 178441 | Ward: | Filton |
| Application Category: | Householder | Target Date: | 21st September 2022 |



© South Gloucestershire Council 2007. all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P22/04239/HH

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the raising of the roofline of the application property and installation of 2no. rear dormers to facilitate loft conversion.
- 1.2 The application site is a 4no. bedroom detached dwelling, located at 22 Kenmore Crescent, and set within the area of Filton.

This application is a resubmission of a previously refused application under planning reference P22/01801/HH, which was refused for the following reasons:

1. The development would result in a poorly designed building with inappropriate proportions that would appear visually dominant and not sufficiently reflect existing characteristics of the host dwelling. Due to this, it is considered the development is contrary to policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) the supplementary guidance within the South Gloucestershire Council Householder Design Guide (Adopted March 2021) and the National Planning Policy Framework.

- 1.3 Throughout the course of the application process, revised plans were submitted to the Council following design concerns raised by the case officer. As such, the proposal now seeks the raising of the ridgeline with the addition of 2no. traditional dormers, rather than 1no. box dormer. The description of development has been amended accordingly.

2. POLICY CONTEXT

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

- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 **P22/01801/HH (Refused – 17 May 2022)**
Raising of roofline and installation of 1 no. rear dormer to facilitate loft conversion.
- 3.2 **PT01/3064/F (Approved – 28 November 2001)**
Erection of two storey side extension

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
OBJECTION
Overdevelopment
Addition of dormer

- 4.2 Sustainable Transport
The applicant seeks to convert the loft into living space. The proposals would make 22 Kenmore Crescent a 5 bed dwelling. SGC minimum parking standards state that a 5 bed dwelling requires 3 off street parking spaces. The submitted plans show that the existing parking situation of 2 driveway spaces and a garage will remain unchanged and as such the parking requirement is met. Subject to the 3 spaces being retained, there are no transportation objections.

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

- 4.3 Residents
No comments have been received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 The development proposes to raise the roofline of the property and construct a 2no. pitched roof rear dormers. Each element has been discussed in turn.

5.3 Raising the roofline

The plans show that the existing roof is of a hipped design, measuring 5m at the height of the eaves and 7.7m at the highest point of the ridgeline, as measured from ground level.

5.4 The proposal would alter the design of the roof to present a double gable end property. The plans show that the proposed roof would measure 5m at the height of the eaves and 8.3m at ridge height, as measured from ground level.

5.5 Rear Dormer

The raising and altering of the roofline would facilitate the conversion of the loft and the installation of 2no. pitched roof dormers, with addition of 2no. roof lights within the roof, to the rear. The plans show that each dormer would measure 2.1m in width, 1.8m in total height and would protrude 2.8m from the roof slope.

5.6 Design & Visual Amenity

Policy CS1 of the Core Strategy states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Furthermore, policy PSP38 of the Policies, Sites and Places Plan expresses that development within existing residential curtilages, including extensions and new dwellings, will be acceptable where they respect the character and appearance of the host dwelling and existing street scene by taking into account building line, form, scale, proportions, architectural style, landscaping and use of materials. The policy also underlines the importance of development within residential curtilages and the impact that this has on residential amenity, and that development should not prejudice the private amenity space or the amenity of neighbours.

- 5.7 In terms of design, the amendment of the plans to present 2no. traditional style dormers, than 1no. larger box dormer, is a much more sympathetic and proportionate addition to the property. This ensures the property does not appear top-heavy and reduces the bulkiness which was present as part of the refused application and originally submitted plans. The design of the dormers is also the preferable choice as set out within the SGC Householder Design SPD as they provide a greater level of integration with the form of the main roof structure.
- 5.8 Whilst it would be preferred to have each dormer set down slightly more from the ridgeline of the roof, it is clear along Kenmore Crescent that there is no defined uniformity to the roofscape, other than to the principal elevation, with some neighbours installing box dormers under permitted development rights, while others present similarly design dormers to that of this application. There are also instances where some dormers have also been built up to the ridgeline. The development would therefore not look out of place in its context.
- 5.9 The raising of the roofline would take the height of the property marginally higher than that of its neighbours at both No. 20 and No. 24. It is clear to see from the street scene that there is a mix of roof designs and forms, including both hipped and gable. There are no objections to raising the ridgeline of the property in this respect.
- 5.10 On that basis, the proposal is found to have addressed previous reasons for refusal and is compliant with the relevant policies set out within the development plan and the accompanying guidance with the Householder SPD which seek to promote high quality design.
- 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. Similarly, policy PSP43 reinstates the requirement for the provision of sufficient private amenity space standards and that private and communal external amenity space should be; functional, safe, accessible, of sufficient size and should take into account the context of the development and, including the character of the surrounding area.
- 5.12 The property itself is detached but is within relatively close proximity to its neighbours at No. 20 and No. 24 Kenmore Crescent due to the built-up residential nature of the area. To the rear, there is a separation distance of approximately 19m between the rear elevation of the application property and the rear elevation of 610 Southmead Road.
- 5.13 The proposal has been carefully assessed and it can be reasonably found that the proposal is unlikely to have any significant harm on the residential amenity of any of the surrounding neighbours. The proposal is therefore compliant with policies PSP8 and PSP43 of the development plan with respect to residential amenity.

5.14 Parking Standards

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

5.15 The proposal does not seek to alter the existing parking arrangements, however it is proposed to increase the number of bedrooms at the property from a 4no. bedroom to a 5no. bedroom dwelling. PSP16 requires that 5no.+ bedroom properties should be able to sufficiently demonstrate off street parking for 3no. vehicles.

5.16 The property benefits from sizable driveway space, as well as an integral garage. As such, it can be reasonably demonstrated that sufficient off-street parking can be provided, and the proposal is compliant with PSP16 of the development plan.

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. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Received by the Local Authority on 27 July 2022:

Site Location Plan (Drawing No. 4014.PL.01)

Existing Plans and Elevations (Drawing No. 4014.PL.03)

Received by the Local Authority on 26 September 2022:

Existing and Proposed Block Plans (Drawing No. 4014.PL.02 - Revision C)

Proposed Plans and Elevations (Drawing No. 4014.PL.04 - Revision E)

Reason

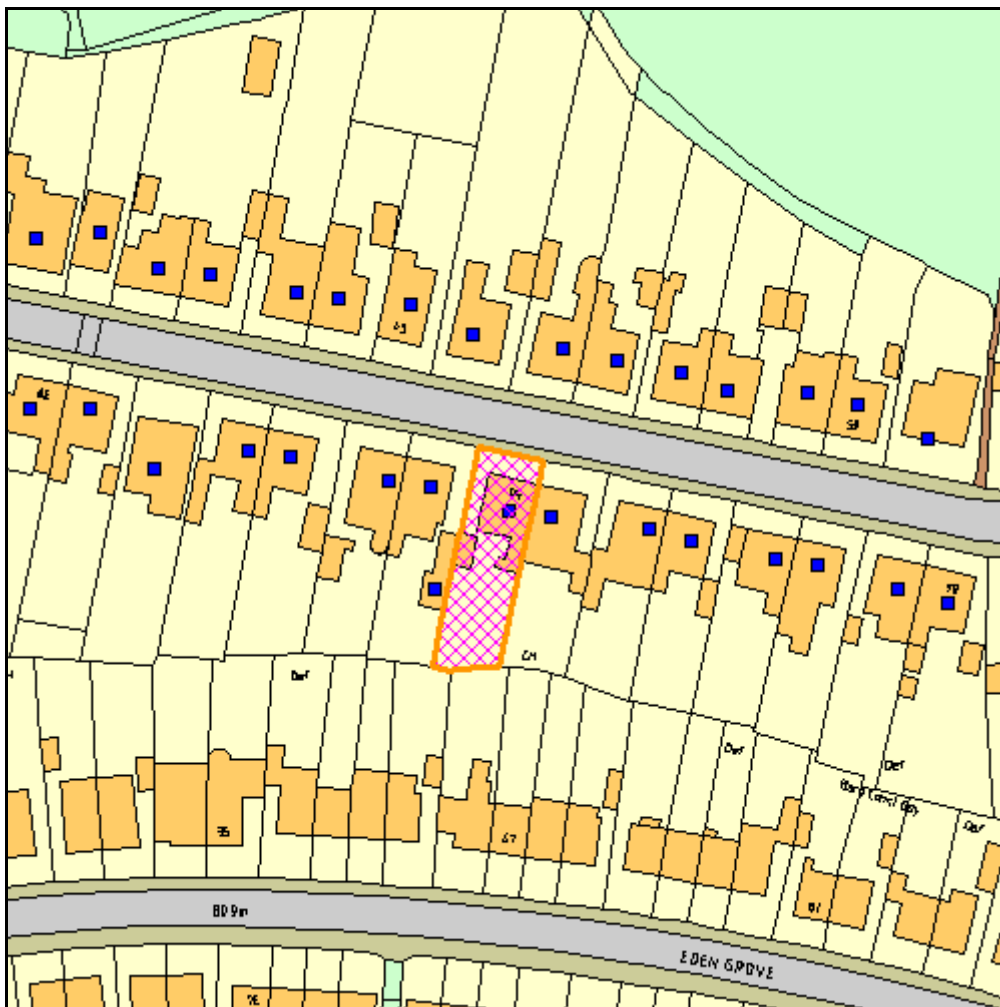
To define the terms and extent of the permission.

Case Officer: Lucie Rozsos

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 39/22 -30th September 2022

| | | | |
|------------------------------|--|---------------------|---------------------|
| App No.: | P22/04356/HH | Applicant: | Mr. Masoud Gomroki |
| Site: | 50 Northville Road Filton South Gloucestershire BS7 0RG | Date Reg: | 3rd August 2022 |
| Proposal: | Demolition of existing garage. Erection of single storey side and rear extension to form additional living accommodation. Enlargement of existing front porch. | Parish: | Filton Town Council |
| Map Ref: | 360153 178162 | Ward: | Filton |
| Application Category: | Householder | Target Date: | 26th September 2022 |



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P22/04356/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.

This planning application will be added to the Circulated Schedule because the proposal has received 1No objection from Filton Parish Council, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a single storey side/rear 'wrap around' extension to form additional living accommodation and for the erection of an enlarged front porch, as detailed on the application form and illustrated on the accompanying drawings. The application also includes the demolition of the existing garage, utility and kitchen.
- 1.2 The application site can be found at 50 Northville Road, is set within a good sized plot, and the host dwelling is an existing single storey semi-detached property. It is located within the established built up residential area of Filton.
- 1.3 As part of the assessment and determination of this application, design comments were made in respect of the originally submitted front extension (porch). Highway comments were also made in respect of the proposed off-street parking provision. As such, revised drawings have now been received and assessed in the report below.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

| | |
|------|--|
| CS1 | High Quality Design |
| CS4a | Presumption in Favour of Sustainable Development |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |

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

| | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP8 | Residential Development |
| PSP11 | Transport Impact Management |
| PSP16 | Parking Standards |
| PSP19 | Sites of Nature Conservation Interest |
| PSP38 | Development within Existing Residential Curtilages |
| PSP43 | Private Amenity Space Standards |

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. **RELEVANT PLANNING HISTORY**

3.1 None relevant.

4. **CONSULTATION RESPONSES**

4.1 Filton Parish Council

1No letter of Objection received –

- *Porch outside of building lines;*
- *Size of flat roof of rear extension; and*
- *Suggestion of similar rear extension to neighbouring No 46 Northville Road.*

4.2 Other Consultees

Sustainable Transport – Transportation DC

No Objections in principle - comments made

- *Information is required to demonstrate the site's present and future parking arrangements; to establish whether the spaces provided are of the correct dimensions and if this development accords with the requirements of Policy PSP16.*

Archaeology Officer

No Comments received.

Other Representations

4.3 Local Residents

No Comments received.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.

5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

- 5.3 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design.
- 5.4 The proposed single storey side/rear 'wrap around' extension, will have a overall width of 1.5 meters to the side, and a maximum overall width of 9.6 meters across the rear façade of the host dwellinghouse. Overall, it will be to a depth of almost 8.75 metres, protruding from the existing rear façade/elevation by 5.8 meters. It will feature a flat roof, and will maintain the existing eaves height from ground level.
- 5.5 The Household Design Guide SPD provides guidance that some side extensions can sometimes dominate or create an inharmonious addition to a dwellinghouse and the street scene. However, the case officer notes that although a projection of 1.5 meters of this single storey flat roofed extension towards the boundary will be partially visible from the street scene, and with the majority of the proposed extension to the rear of the host dwellinghouse, sited subserviently from the principal front elevation, and partially obscured by the 2No tandem parked vehicles in the proposed spaces, that the proposal still continues to represent a high standard of design.
- 5.6 Therefore it has been considered that the single storey side/rear 'wrap around' extension would not result in any harmful impacts on the character of the host dwellinghouse, its attached neighbouring property, or any adjacent neighbouring properties nor the appearance of the surrounding area and or the streetscene.
- 5.7 Following the design comments raised and as such, the subsequent negotiations that have been undertaken, the proposed enlarged front porch now protrudes from the existing front façade/elevation by a total of 1.5 meters (a total of 0.7 meters from the existing bay window) and only extends to an overall width of 2.5 meters. It is now also centrally sited and positioned upon the existing main front door, and now features a gable fronted pitched roof, which now mirrors and relates to the gable fronted pitched roof over the adjacent bay window.
- 5.8 Therefore this proposal is now congruous with its surroundings and respects the existing dwellinghouse. The case officer concludes that the proposed scale, form and height of these extensions, does respect the existing proportions and characteristics of the host dwellinghouse and its surrounding context.
- 5.9 Following on from the design comments received by Filton Parish Council, the proposed porch now 'fits' in between the existing front façade windows, including the original 'box style' bay window, which is an iconic feature to these single storey properties in this area. By virtue of the above, overall, the development now meets the requirements of policies PSP38, CS1 and the Householder Design Guide SPD.

5.10 Residential Amenity

- Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that 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.
- 5.11 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. An assessment of the potential impacts of the proposal being potentially overbearing and any impacts from loss of light or privacy have also been made and the case officer concludes that although the proposed development may result in some impacts as it will introduce new development to the rear of the property, that it is appropriate to consider the level of the impact having regards to the nature and scale of the development proposed.
- 5.12 The proposed single storey side/rear 'wrap around' extension is located to the rear of the host dwellinghouse, and will comprise of an increase of a maximum of 5.8 meters in depth from the existing rear façade and by almost 9.6 meters in width. In line with the *South Gloucestershire Council Householder Design Guide Supplementary Planning Guidance (Adopted 2021)*, the aforementioned impact elements have been considered below.
- 5.13 In terms of any potential loss of light or privacy, and any overbearing effects to the attached property of No 52, it is noted that the proposed single storey side/rear 'wrap around' extension would alter the existing rear façade of the host dwellinghouse and may result in some impacts to the attached neighbouring property of Nos 48 and 52 Northville Road.
- 5.14 In terms of any overbearing and loss of light effects, it is noted that the proposed single storey side/rear 'wrap around' extension would extend 9.6 meters in width across the rear of the host dwellinghouse and extend into the private amenity space by approximately 5.8 meters from the rear façade of the host dwellinghouse, which would also extend beyond the attached neighbouring property of No 52's rear façade. Furthermore, as it is noted that the proposed single storey side/rear 'wrap around' extension will project no further than 2.0 meters into the private amenity space and given that the proposed extension lies in a southerly direction, the case officer notes that although there may be some interruption to natural light, it is not sufficient to apply a refusal.
- 5.15 With the Council's recently adopted *Household Design Guide SPD*, the single storey side/rear 'wrap around' extension proposal has also been considered in terms of the 45 degree test which seeks to test whether there would be likely to be an overbearing effect, loss of light or outlook. For the majority of the daytime hours, the rear façade of the application site and its attached neighbouring property, including their associated private amenity space, face a southerly direction, and the case officer has concluded that any such impacts will be minimal and that a good amount of natural light and outlook will still be achieved.

- 5.16 The presence of the proposed single storey side/rear ‘wrap around’ extension and front extension (porch) in terms of their scale and mass has been assessed and officers are satisfied that these proposals will not result in unacceptable impacts upon the occupants of the attached, adjacent or surrounding neighbouring dwellings, and the proposal does not result in any significant impacts to the occupants of any neighbouring properties and does not have a detrimental impact on residential amenity and is deemed to comply with policies PSP8, PSP38 and the Householder Design Guide SPD.
- 5.17 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. Although the proposal does not include any additional bedrooms, further information was requested to demonstrate off-street parking in compliance with PSP16. As such, information has now been provided, and the application is acceptable in transportation terms.
- 5.18 Private Amenity Space
The dwelling benefits from a good amount of existing private amenity space to the property. PSP43 sets out standards which are based on the number of bedrooms at a property. No concern is raised on the level of amenity space being proposed.
- 5.19 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.20 With regards to the above this planning application it is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. **RECOMMENDATION**

7.1 That the application be **APPROVED** subject to the conditions detailed 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:

PL01 Rev A Existing and Proposed Front (North) Elevations (Date received 31/08/22)

PL02 Rev A Existing and Proposed Sectional Side (East) Elevations (Date received 31/08/22)

PL03 Existing and Proposed Rear (South) Elevations (Date received 01/08/22)

PL04 Rev A Existing and Proposed Side (West) Elevations (Date received 31/08/22)

PL05 Rev A Existing and Proposed Floor Plans (Date received 31/08/22)

PL06 Rev A Existing and Proposed Roof Plans (Date received 31/08/22)

PL07 Rev A Location and Proposed Block Plan (Date received 22/09/22)

Reason

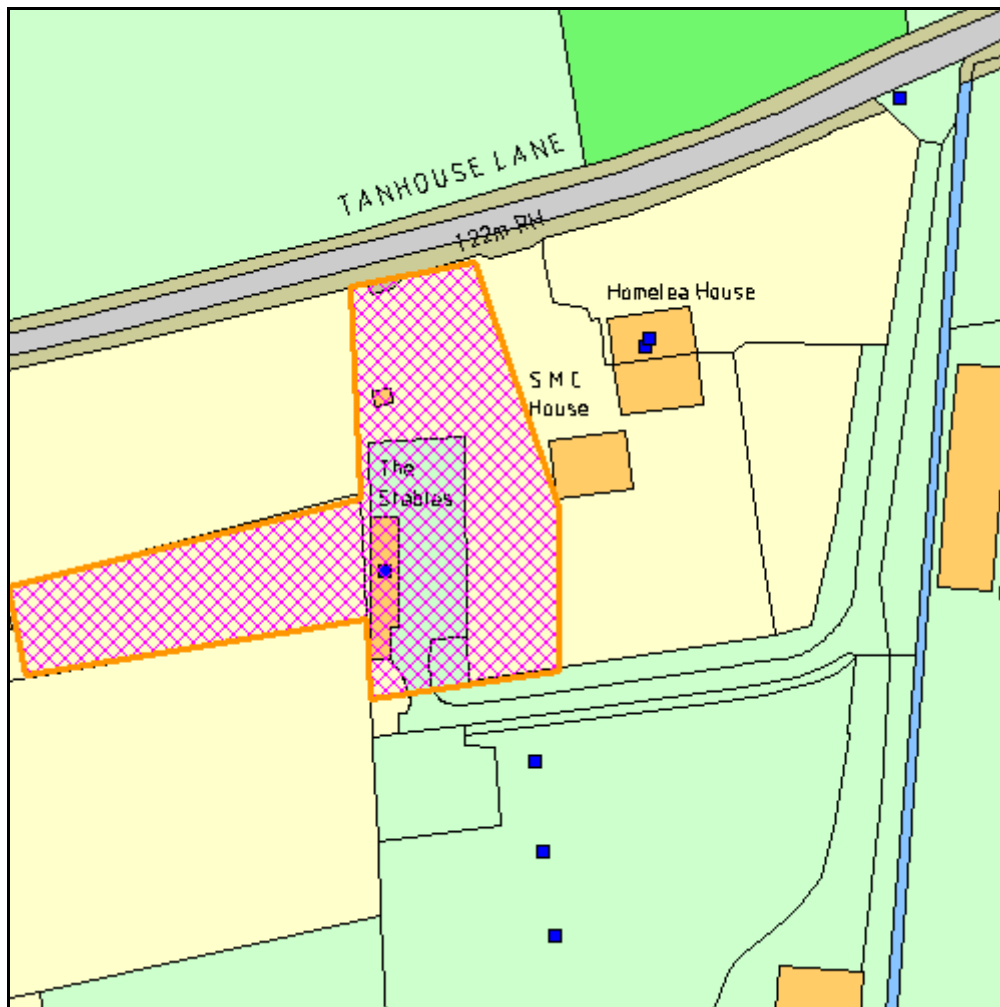
To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 39/22 -30th September 2022

| | | | |
|------------------------------|---|---------------------|---------------------------|
| App No.: | P22/04499/HH | Applicant: | MR M RUSHENT |
| Site: | The Stables Tanhouse Lane Yate South Gloucestershire BS37 7LP | Date Reg: | 5th August 2022 |
| Proposal: | Erection of single storey rear and side extension to existing bungalow to provide additional living accommodation. Installation of doors to garage. | Parish: | Iron Acton Parish Council |
| Map Ref: | 369898 184962 | Ward: | Frampton Cotterell |
| Application Category: | Householder | Target Date: | 29th September 2022 |



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P22/04499/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 4no. objections from local residents contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a single storey extension to existing bungalow to provide additional living accommodation, and installation of doors to garage.
- 1.2 The application site can be found at The Stables, Tanhouse Lane, located outside any defined settlement boundary, north-west of Yate, and is set within a generous sized plot. The dominant feature within the site is a detached bungalow with detached barn outbuilding.
- 1.3 The host dwelling lacks any architectural significance or detailing due to the dwelling being a converted office. The conversion of the office building to the dwelling was permitted in 2013 under planning ref. PK13/3806/PNC. This application also established the extent of the residential curtilage of the dwelling and the access from Tanhouse Lane.
- 1.4 The application site is located opposite the Bristol/Bath Green Belt which begins on the northern side of Tanhouse Lane. Due to the site being well-contained it is unlikely that the proposal will materially impact the Green Belt in any way.
- 1.5 It is noted that in 2015 a single-storey extension, very similar to that being proposed as part of this application was granted approval under planning ref. PK15/4345/F. It appears that the works never commenced.

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 |
| CS34 | Rural 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 |
| 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 **P21/05061/F**. Demolition of existing buildings. Erection of 3 no. detached dwellings with associated works (Resubmission of P20/23932/F). **Refusal**. 17/12/2021.
- 3.2 **P20/23932/F**. Demolition of existing buildings. Erection of 4 no. detached dwellings and associated works. **Refusal**. 05/03/2021.
- 3.3 **PK15/4345/F**. Erection of single storey front extension to provide additional living accommodation. Erection of a detached double garage. **Approve with Conditions**. 03/12/2015.
- 3.4 **PK10/2833/F**. Erection of 2 no detached dwellings to include double garages, bin stores and associated works. **Withdrawn**. 07/12/2010.
- 3.5 **PK13/3806/PNC**. Prior Notification of Change of use from Office (Class B1) to residential (Class C3) as defined in the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013. **No Objection**. 05/12/2013.

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council
No comments received.

- 4.2 Sustainable Transport – Transportation DC
The applicant seeks to erect a single storey rear and side extension to provide additional living accommodation. The proposals increase the number of bedrooms within the bungalow from 2 to 5. SGC minimum parking standards state that a 5-bed dwelling requires 3 off street parking spaces. Having viewed the submitted block plans I am satisfied that this parking requirement is met. Space to manoeuvre and leave the site in forward gear is also provided and the existing vehicular access will remain unchanged. There are no transportation objections.

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

4.3 Local Residents

4no. objections and 1no. comment neither objecting to nor supporting the planning application have been received from local residents. The following points have been raised.

- *Overdevelopment of the site in relation to other nearby buildings and building not yet under construction*
- *Nowhere in the planning application is there consideration to the forthcoming dwelling that is being built, directly next to the "extension" (P19/09678/F)*
- *If this application is approved, it will directly impact this new dwelling (P19/09678/F) with regards to privacy, noise and visual amenity for the residents*
- *Access onto Tanhouse Lane is at narrow point with limited visibility*
- *Tanhouse Lane is a busy narrow country lane without pavement and is already dangerous for walkers, cyclists, and horse riders*
- *The use of Tanhouse Lane will increase once the thousands of houses which are being built as part of the Ladden Brook extension*
- *The application shows parking for at least 4 cars which would add to the congestion in that area of the road*
- *The application includes a copy of an OS map which is not up to date. It does not show the 11 new houses that have already been built in the area in recent years. It is important that the decision makers for this application are fully informed of exactly how many dwellings there are adjacent to the site.*
- *Previous permission for 3no. dwellings to be built on the site were refused and consequent appeal dismissed. The refusal reasons would also apply to this planning application.*
- *The plans show a bungalow which is very oddly placed on the site with garden rooms and parking for several cars opposite. It does not look like a family home as the proportions of bedrooms and sitting room don't seem to fit with being a family house. We wonder if there are further plans not just a family home being planned for the future.*
- *The bungalow should only be used for permanent residential use*
- *Strong rumours that this proposed building and development is likely to be used for a short stay rental celebration business*
- *Request that a restriction of use is placed on the planning to ensure that it is only used for a continuously occupied domestic family dwelling*
- *The application is hoping to gain a foothold, and then subsequently try and change it after initial permission is obtained*

- *The current barns are derelict, and would probably need demolishing, before re-erection.*
- *Large oak tree to the rear of the bungalow must be protected for the benefit of wildlife and the environment*
- *I would welcome sight of a full up to date ecology report.*
- *I would want to see the application showing plenty of permanent Bat and bird boxes*

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated outside a defined settlement boundary but within an established area of residential development north-west of Yate and is currently utilised as a C3 dwellinghouse. The proposed development will extend the area of living accommodation with the dwelling, at the expense of section of front/side curtilage.

5.2 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.

5.3 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.

5.4 An infill extension forms part of the proposed works, the extension will essentially 'square-off' the bungalows footprint to make rectangular. A new addition is also proposed to project (approx.) 10.1 metres from the properties east elevation, which will be set-in from the south building line by 4.3 metres and have a width of 7 metres, forming a 'T' shaped dwelling. The extension will feature a pitched roof with gable-end, which will match the existing dwellings eave height but be set above the ridgeline by 0.25 metres.

5.5 As eluded to within the introductory section of this report, the application building is a converted office building. By nature of the original use and function of the building, the existing dwelling does not include architectural features or distinct character. Accordingly, although the extension will not appear subservient to the host dwelling, the works will not be detrimental to the design quality and character of the existing building, or wider site. The sites immediate context is prominently characterised by large detached properties, set within large plots. There is no defined settlement pattern or architectural style. In saying that, pitched roof forms with gable-ends do appear to be an occurring feature. All materials used externally in the proposal will match the existing dwelling, apart from the proposed bi-folding doors which will be finished in powder-coated aluminium – this exception is considered acceptable.

- 5.6 Installation of doors to the existing detached barn building also forms part of the application. The barn building comprises 3no. bays. The doors will be located to the barns central bay on the front (east) elevation, fully enclosing the barn from external conditions. The doors will match the existing doors present on the buildings outer bays.
- 5.7 Overall, both the proposed extension and installation of garage doors are of an acceptable standard of design. As such, the proposal is deemed to comply with policies CS1 and PSP38.
- 5.8 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.
- 5.9 Officers acknowledge both the forthcoming dwelling to the east of the application site, approved under ref. *P19/09678/F*. In addition, the new residential units which lie directly to the south of the site.
- 5.10 Although the proposed extension has a relatively substantial sized footprint, the extension remains somewhat modest in scale, achieved by its single-storey nature and shallow pitch roof form. Additionally, the installation of garage doors will be a purely visual change, the proposal will not change the scale of the building and the building will continue to have a use incidental to the main residential unit. Given the separation distances involved between the proposed development and neighbouring properties, the works will not result in any unreasonable harm to neighbouring amenity. Furthermore, it will not affect the amenity of the application site.
- 5.11 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 scheme will increase the degree of occupancy within the dwelling, as well as build on existing curtilage. The remaining private external amenity space will continue to be in excess of the design standards, complying with policy PSP43.
- 5.12 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-bedrooms) expected to provide 3no. off-street parking spaces. The room noted on the proposed floor plans as 'home office' could alternatively be used as an additional bedroom in the future. Nevertheless, it is evident from the submitted drawings that the property is able to demonstrate sufficient parking on-site through the provision of a double garage within the detached barn building and area of hardstanding within the

front curtilage. Moreover, there is sufficient space to manoeuvre and leave the site in forward gear, and the existing vehicular access will remain unchanged. On that basis, no objection is raised under PSP16.

5.13 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.

5.14 Other Matters

Comments from local residents were made during consultation regarding concern for potential future use of the property as a short stay rental. While their concerns are noted, the prospective occupiers and type of tenure do not alter the use class of the property, and as such the use of the property as a short stay rental does not impact upon the consideration of this application.

5.15 Further concerns were raised from local residents regarding a large tree located to the south-west of the host dwelling. The proposed plans indicate that the tree in question is to be retained. Given that the existing bungalow sits between the tree and proposed extension, it is considered that the development will not impact the trees root protection zone.

5.16 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 04th August 2022):

Block Plan

Combined Existing Plans

Combined Proposed Plans

Existing Barn Plans

Existing Block Plan

Proposed Barn Plans

Site Block Plan

The Location Plan

Reason

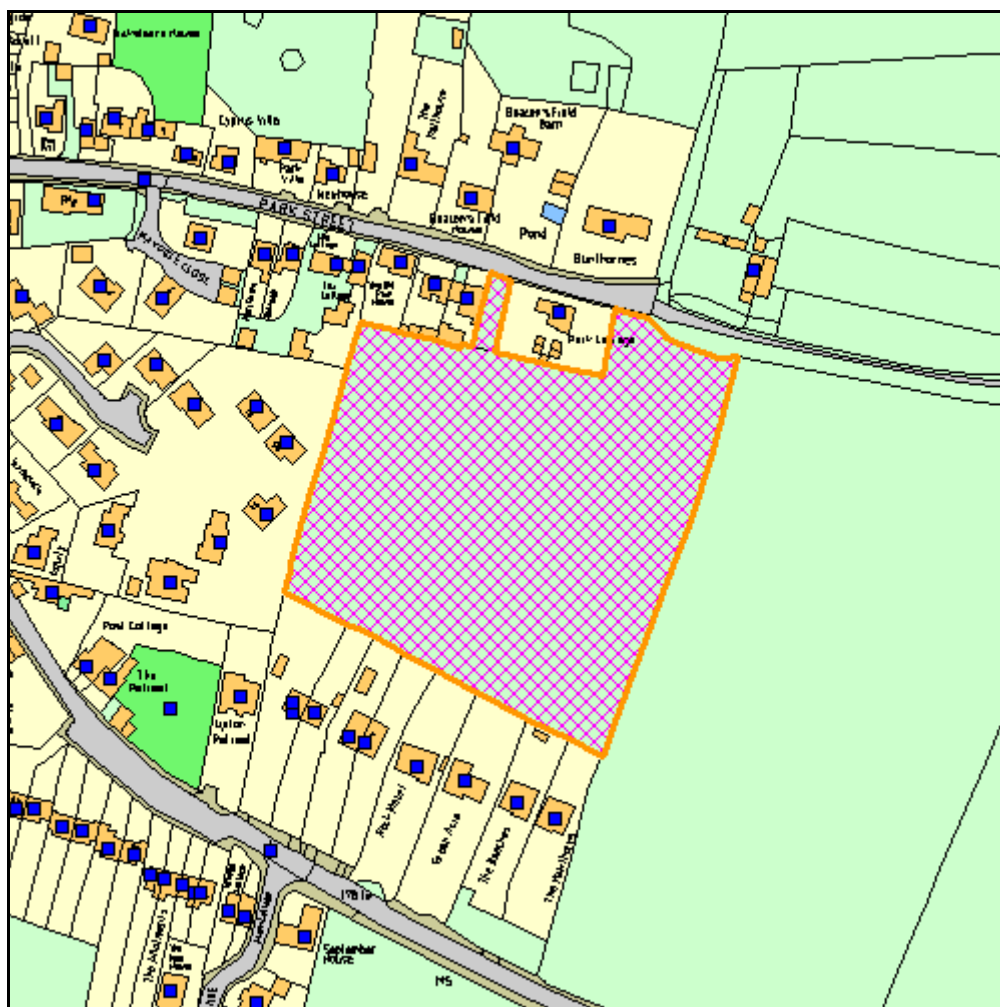
To define the terms and extent of the permission.

Case Officer: Chloe Summerill

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 30/22 -30th September 2022

| | | | |
|----------------------------------|--|-------------------------|---------------------------------------|
| App No.: | P22/04720/RVC | Applicant: | Spitfire Homes |
| Site: | Land South Of Park Street Hawkesbury Upton Badminton South Gloucestershire GL9 1BA | Date Reg: | 11th August 2022 |
| Proposal: | Variation of the wording of condition 13 attached to permission PK18/1532/O to read 'Prior to the 21st occupation of any dwelling hereby permitted, the footway along Park Street shall be widened to a width of no less than 1 metre, as shown in principle on drawing PHU-BWB-HML-XX-DR-TR-103 S2 P2'. Outline planning application for 21 no. residential dwellings (Use Class C3) with access and layout to be determined. All other matters reserved. | Parish: | Hawkesbury Parish Council |
| Map Ref: | 378111 186964 | Ward: | Chipping Sodbury And Cotswold Edge |
| Application Category: | Major | Target Date: | 8th November 2022 |



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. P22/04720/RVC

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

CIRCUALTED SCHEDULE

The application is referred to the Circulated Schedule following objection comments from the Parish.

1. THE PROPOSAL

- 1.1 The applicant seeks permission for the Variation of the wording of condition 13 attached to permission PK18/1532/O to read 'Prior to the 21st occupation of any dwelling hereby permitted, the footway along Park Street shall be widened to a width of no less than 1 metre, as shown in principle on drawing PHU-BWB-HML-XX-DR-TR-103 S2 P2'. Outline planning application for 21 no. residential dwellings (Use Class C3) with access and layout to be determined. All other matters reserved.
- 1.2 The application site is land south of Park Street, Hawkesbury Upton. The site is situated outside of the defined settlement boundary of Hawkesbury Upton, adjacent to the boundary on the northern, southern, and western sides. The Hawkesbury Conservation Area is situated to the north and west of the site and the historic Tithe areas of Hawkesbury Upton are located to the north of the site, with a section beyond the western boundary. Adjacent to the site, along Park Street, are a number of locally listed buildings and the site is within the Cotswolds Area of Outstanding Natural Beauty
- 1.3 **Background:**

Condition 13 reads:
13 - Prior to the first occupation of any dwelling hereby permitted, the footway along Park Street shall be widened to a width of no less than 1 metre, as shown in principle on drawing PHU-BWB-HML-XX-DR-TR-103 S2 P2.

Reason:
In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.
- 1.4 This application requests that the wording of Condition 13 be changed to read that the footway would not be widened until the last of the 21 units has been occupied.
- 1.5 The question to dissect here is whether the proposed changes fall within a s73 application. Amendments under s73 applications cannot fundamentally change the description of development and where amending a condition would alter the nature of what was permitted, would be unlawful.
- 1.6 In dissecting the proposal it is necessary to construe the original planning permission and what a reasonable reader (i.e. a person with some knowledge

of planning law and the matter in question) would take to mean by the intention of the original development and the resulting decision. It is expected that such a reader would adopt a common sense approach to the purpose of the permission or condition and take an holistic view of all incorporated documents.

- 1.7 The LPA must consider the development plan and material considerations. A material change to a planning permission cannot be achieved under s73. If the proposed amendment goes beyond the powers of a s73 and cannot be made, a fresh planning application would be required.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning 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 |
| CS15 | Distribution of Housing |
| CS16 | Housing Density |
| CS17 | Housing Diversity |
| CS18 | Affordable Housing |
| CS23 | Community Infrastructure and Cultural Activity |
| CS24 | Green Infrastructure, Sport and Recreation Standards |
| CS34 | Rural Areas |

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

| | |
|-------|---|
| PSP1 | Local Distinctiveness |
| PSP2 | Landscape |
| PSP3 | Trees and Woodland |
| PSP8 | Residential Amenity |
| PSP10 | Active Travel Routes |
| PSP11 | Transport Impact Management |
| PSP16 | Parking Standards |
| 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 |
| PSP40 | Residential Development in the Countryside |
| PSP43 | Private Amenity Space Standards |
| PSP44 | Open Space, Sport and Recreation |

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007
 Local List SPD (Adopted) March 2008
 Residential Parking Standards SPD (Adopted) December 2013
 Affordable Housing SPD (Adopted) May 2014
 Landscape Character Assessment SPD (Adopted) November 2014
 Waste Collection SPD (Adopted) January 2015 (amended March 2017)
 CIL and S106 SPD (Adopted) March 2015
 Hawkesbury Conservation Area SPG (Adopted) November 1999
 Cotswolds AONB Management Plan 2013-2018 (Endorsed)

3. RELEVANT PLANNING HISTORY

- 3.1 PK18/1532/O Outline planning application for 21 no. residential dwellings (Use Class C3) with access and layout to be determined. All other matters reserved. (Re submission of PK17/2722/O).
 Approved 28.6.18
- 3.2 P19/0673/RVC Variation of condition 9 attached to PK18/1532/O to remove height and storey restrictions for plot 6 and variation of condition 15 to substitute plan number 17/167 PA/102 Illustrative Site layout plan, with SCH 03 Rev G Proposed Site Plan.
 Approved 12.4.19
- 3.3 P19/4513/RM Erection of 21no. dwellings with associated works. Approval of reserved matters (appearance, landscaping and scale) to be read in conjunction with outline planning permission P19/0673/RVC, formerly PK18/1532/O.
 Approved 18.11.19
- 3.4 P19/18707/RVC Variation of conditions attached to planning permission P19/4513/RM no. 1 to amend approved drawings, 2 and 3 for provision of natural stone walling in lieu of reconstituted stone on Plots 1, 2, 6, 7, 10, 11, 13, 14, 20 and 21 and provide natural slate tiling on Plots 1, 6, 7 and 13 and rustic pantiles covering all other plots
 Approved 30.7.20
- 3.5 MOD20/0001 Modification to S106 agreement attached to planning permission P19/0673/RVC formally PK18/1532/O.
 Refused 30.7.20
- 3.6 P20/22476/NMA Non-material amendment to P19/0673/RVC to amend the alignment of the site access and the alignment of residential plot 1.
 Approved 5.12.20
- 3.7 P20/22488/NMA Non-material amendment to P19/18707/RVC to make alterations to the alignment of the site access and the alignment of residential plot 1.
 Approved 5.12.20

4. CONSULTATION RESPONSES

4.1 Hawkesbury Parish Council

Objection:

The footpath should be widened before any increased foot traffic.

If the development is not fully occupied for 2 or more years it would mean during that time the footpath would not be widened so additional usage would be on the existing width.

Internal Consultees

4.2 Housing Enabling

No comment

4.3 Public open space

No comment

4.4 Public Art Officer

No comment

4.5 Conservation

No comment

4.6 Landscape Architect

No objection.

4.7 Ecologist

No objection.

4.8 Tree Officer

No objection.

4.9 Public Rights of Way

No objection

4.10 Crime Prevention officer

No objection

4.11 Sustainability officer

No objection

4.12 Self build officer

No comment

4.13 Archaeology

No comment

.

Statutory / External Consultees

4.14 Sustainable Transport

Concerns regarding the proposed wording of the condition and alternative wording suggested.

4.15 Lead local Flood Authority

No objection

4.16 Historic England

No comment

Other Representations

4.17 Local Residents

Three letters from local residents have been received. The points raised are:

- Request a meeting to discuss the widening of the pavement which will restrict access to his drive
- Will no longer be able to turn out of my driveway onto Park Street without having to mount the pavement. I would like to arrange a consultation meeting at the site of the proposed works to discuss this issue with a possible solution being a drop kerb at this, the narrowest point, in the street. This will allow for cars exiting the driveway to achieve the necessary turning circle without having to mount the kerb and risk damage to their vehicles. Without this adjustment, cars and larger vehicles will have no choice but to drive down to the bottom of the Street to turn round each time we leave the house thus unnecessarily increasing traffic flow in Park Street
- Widening the pavements will seriously compromise existing residents ability to park outside their properties and allow for flow of traffic. Has any consideration or provision been made to enable existing residents to park safely?

Local residents raised this as an issue during the original consultations.

Putting a housing development at the end of a narrow lane is unsuitable and affects all existing residents.

Widening the pavements will only add to the difficulties that have been incurred to local residents by this development.

5. ANALYSIS OF PROPOSAL

- 1.1 Variation of the wording of condition 13 attached to permission PK18/1532/O which was approved on 28.6.18 and granted outline permission for 21 no. residential dwellings with access and layout to be determined. All other matters reserved.

Scope of a Section 73 application:

- 1.2 Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without a condition(s) previously imposed on a planning permission. The LPA can grant such permission unconditionally or subject to different conditions or they can refuse the application if they decide that the original conditions should continue.

- 1.3 The original planning permission will continue to exist whatever the outcome of the s73 application. A s73 application will not apply if the period in the previous condition limiting the duration within which the development could begin has now expired without the development having begun.
- 1.4 A s73 can allow for quite major changes but the description of development cannot be modified (ref Court of Appeal judgement in the case of *Finney v Welsh Minsters* (2019)). The key principles from the *Finney* case are summarised as:

- **The description of development in an existing planning permission cannot be amended at all. Only the conditions can be varied;**
- **The description of development specified in the decision is that taken from the original planning permission and not from the subsequent application to vary any of the conditions. A s73 cannot be used to amend a s73;**
- **If amending a condition would result in a conflict between it and the description of development (there is no distinction between use and built development), then that particular amendment is beyond the powers under s73 and cannot be made (a fresh planning application would be required);**
- **In any event, any amendment can only be made provided the new condition does not fundamentally alter the original planning proposal for which permission had been granted.**

Extant permission:

- 1.5 Planning permission for 21 houses and associated works – full details in the planning history section above.
- 1.6 It is acknowledged that development has substantially begun and the approved scheme is the fall-back position for the applicant.

Applicant's current proposal:

- 1.7 The information included with the application is limited - the application form merely states the wording they wish for Condition 13 of the original outline permission to remove reference to prior to occupation of any dwelling and be replaced with prior to occupation of the last of the 21 dwellings.
- 1.8 However, the applicant has been in direct contact with the Council's Street Care and Transport Team. The correspondence dated 20.6.22 from the agent reads:

As discussed on Friday, given the ongoing struggles with access for both deliveries and local residents, we feel that any works to effectively reduce the width of Park Lane will be counterproductive for both Spitfire Homes and local residents at this time. To reduce disruption for locals and allow us to complete the core elements of plot build without undue delay, we would like to approach the LPA with a view to varying Condition 13 from pre-occupation to 'prior to occupation of the 21st unit'. By this stage larger delivery vehicles would no longer require access to site and construction of the S278 works would coincide neatly with

finishing works within the estate. Narrowing the carriageway on Park Street at this time would significantly reduce the impact to both existing residents and our own new home owners.

I trust you follow our logic and would request a brief response from SGC supporting our proposal in principle

- 1.9 The response from the Development Implementation Team dated 21.6.22 reads:

As discussed over the phone on Friday I would support the varying of the planning condition. The widening of the footway would involve Traffic Management on the highway and with access still being needed for large vehicles to complete deliveries to site this would cause obstruction for them. As you know with the parking situation along the road some deliveries have had to mount the footway on previous occasions so reducing the width of the road further for the TM and works would not be a viable option. Also having the works completed whilst large vehicles are still accessing site would put the workers at risk. I agree that it would be logical to complete the works at a later date and understand Spitfire Homes reasoning for this.

- 1.10 The opinion of the Development Implementation Team carries significant weight.

- 1.11 Officers note that the width of the road at this point in the village is quite narrow and it is appreciated that larger vehicles such as those for construction or delivery might experience difficulty accessing the site if works to the highway to widen the pavement were to be undertaken at this stage. It is considered that the meaning of the development would not be altered by changing the timing of the implementation of condition 13 from being prior to the first occupation to prior to the 21st occupation.

1.12 Transport

The application seeks permission to review/vary the condition 13 relating to improvement of footway along Park Street. The reasoning given for varying this condition is to allow the main construction associated with the development to be completed before the highway works are implemented.

- 1.13 In reviewing the suggested reworking of the original condition, Officers were concerned of the potential for no highway works to be carried out at all should unit 21 not ultimately be built. The footway improvement has been conditioned by the LPA and for highway safety reasons it must be completed, albeit delayed under this application.

- 1.14 It is therefore suggested that an alternative condition is attached to the decision notice as follows:

- 1.15 *Prior to the 21st occupation of any dwelling or 12 months from the date of this decision notice, whichever is sooner, hereby permitted, the footway along Park Street shall be widened to a width of no less than 1 metre, as shown in*

principle on drawing PHU-BWB-HML-XX-DR-TR-103 S2 P2. Outline planning application PK18/1532/O for 21 no. residential dwellings (Use Class C3) with access and layout to be determined. All other matters reserved.

1.16 If the above condition is attached to the decision notice as Condition 11 and this will become the new planning permission. The change is supported by the LPA.

1.17 Design and Visual Appearance:

The s73 does not propose any changes to the design of the permitted development, merely the timing of when previously agreed changes to the existing pavement would be made. On this basis there are no objections raised.

1.18 Residential amenity:

Comments from local residents requesting a visit to discuss the increase in the size of the pavement already approved is noted. However, this application is to determine whether the change in the wording of the condition attached to the approved scheme can be altered. The local resident is advised to contact the transport team or Highways Authority to discuss their concerns.

1.19 Conclusion:

The above assessment has shown that the proposed changes to Condition 13 would **be within** the remit of a Section 73 application. It is therefore allowed subject to all outstanding conditions being reinstated on this application.

1.20 Discharged conditions :

Attached to PK18/1532/O:

Condition 10 – public art – DOC 22/00274 discharged on 22.9.22

Condition 11 – archaeology- DOC19/0006 discharged on 2.4.19

Attached to P19/18707/RVC:

Condition 8 – SUDS – DOC21/00216 discharged on 2.11.21

All other conditions were compliance conditions to be in accordance with previously submitted and approved/assessed details.

1.21 Impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

1.22 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This

should be reflected in the policies of that organisation and the services it delivers.

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

6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the 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 the application be **ALLOWED** subject to the conditions attached to the decision notice.

CONDITIONS

1. The development hereby approved shall be undertaken in accordance with the following plans:

Received 23 April 2019; filed against P19/4513/RM -
18135/121C Drainage Plan
PL02 Existing Site Plan
PL13 Additional Details
PL25A Garages: Combined Plans
PL35 Plot 2: Combined Plans
PL38 Plot 13: Combined Plans
TPP-01 Rev1 Tree Protection Plan

Received 25 July 2019; filed against P19/4513/RM -
PL03D Proposed Site Plan
PL04E Boundary Plan
PL06C Affordable Housing Plan
PL07C Heights Plan
PL09C Car Parking Plan
PL14-A Site Sections
PL20C Site Sections
PL23E Street Elevations
PL26 Substation Plans
PL34A Plot 20: Combined Plans
PL43B Plots 10 and 11: Combined Plans

Received 12 December 2019; filed against P19/18707/RVC -
PL13A Additional Details Drawing
PL30C Plots 15-19: Combined Plans
PL31A Plots 3 and 4: Combined Plans
PL32B Plot 7: Combined Plans
PL33B Plot 6: Combined Plans
PL36A Plot 1: Combined Plans
PL37A Plot 21: Combined Plans
PL39A Plot 12: Combined Plans
PL40A Plot 5 Combined Plans
PL41A Plot 14: Combined Plans
PL42C Plot 8: Combined Plans
PL44C Plot 9: Combined Plans

Received 27.3.18 against PK18/1532/O:
Transport assessment drawing PHU-BWB-HML-XX-DR-TR-103 S2 P2

Reason:
For the avoidance of doubt.

2. The development shall proceed in accordance with the details shown on plan PL05D Proposed Materials Plan except reference to and the use of Cotswold Hill Quarry Colour Honey shall be replaced with Veizey's Quarry Cotswold Buff.

Reason
To ensure a satisfactory standard of external appearance and to protect the special character, appearance, and scenic beauty of the Cotswolds AONB and the Hawkesbury Conservation Area and to accord with policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

3. The development shall be carried out to match the approved sample panel of stonework. The sample shall be retained on site for the duration of the build programme for reference.

Reason
To ensure a satisfactory standard of external appearance and to protect the special character, appearance, and scenic beauty of the Cotswolds AONB and the Hawkesbury Conservation Area and to accord with policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. The landscaping of the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Plan (prepared by GS Ecology and dated 13 March 2019) as supplemented by plans P16-0517_08 rev.C and P16-0517_09 rev.D and the boundary treatments shall accord with those shown on plan PL04E. The ecological mitigation proposals contained in the plan shall be implemented in full prior to the first occupation of any dwelling hereby permitted.

Reason

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

5. Should any of the planting undertaken pursuant to condition 4 (that is not located within residential gardens) die, become damaged, or diseased within five years of the date of planting, they shall be replaced with an equivalent specimen in the next available planting season. For the avoidance of doubt this shall include the landscape buffers around the perimeter of the site and planting within amenity areas.

Reason

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

6. The development shall proceed in accordance with the energy efficiency measures contained within the Energy Statement (prepared by JSP Sustainability Ltd and dated February 2019).

Reason

To secure a reduction in emissions and to comply with policy PSP6 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

7. The development shall be carried out in accordance with the Construction Environmental Management Plan (prepared by GHPC dated March 2019). In addition to the submitted details, on-site wheel washing should be undertaken to ensure vehicles are clean before leaving the site.

Reason

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

8. The implementation of drainage matters shall be in strict accordance with all the various details, schedules, plans, cross sections and layouts provided under application reference DOC21/00216 discharged on 2.11.21.

Reason

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

9. A scheme of public art shall installed as per agreed details submitted within discharge of condition application DOC22/00274 which was discharged on 22.9.22.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 and Policy CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

10. Development shall continue in strict accordance with the details submitted under application reference DOC19/0006 discharged on 2.4.19.

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. This is required prior to commencement to ensure there is no undue damage to archaeological remains.

11. Prior to the 21st occupation of any dwelling or 12 months from the date of this decision notice, whichever is sooner, hereby permitted, the footway along Park Street shall be widened to a width of no less than 1 metre, as shown in principle on drawing PHU-BWB-HML-XX-DR-TR-103 S2 P2. (Outline planning application PK18/1532/O for 21 no. residential dwellings (Use Class C3) with access and layout to be determined. All other matters reserved).

Reason

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

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

Reason

To protect residential amenity during construction and to accord with the National Planning Policy Framework.

Case Officer: Anne Joseph
Authorising Officer: Suzanne D'Arcy