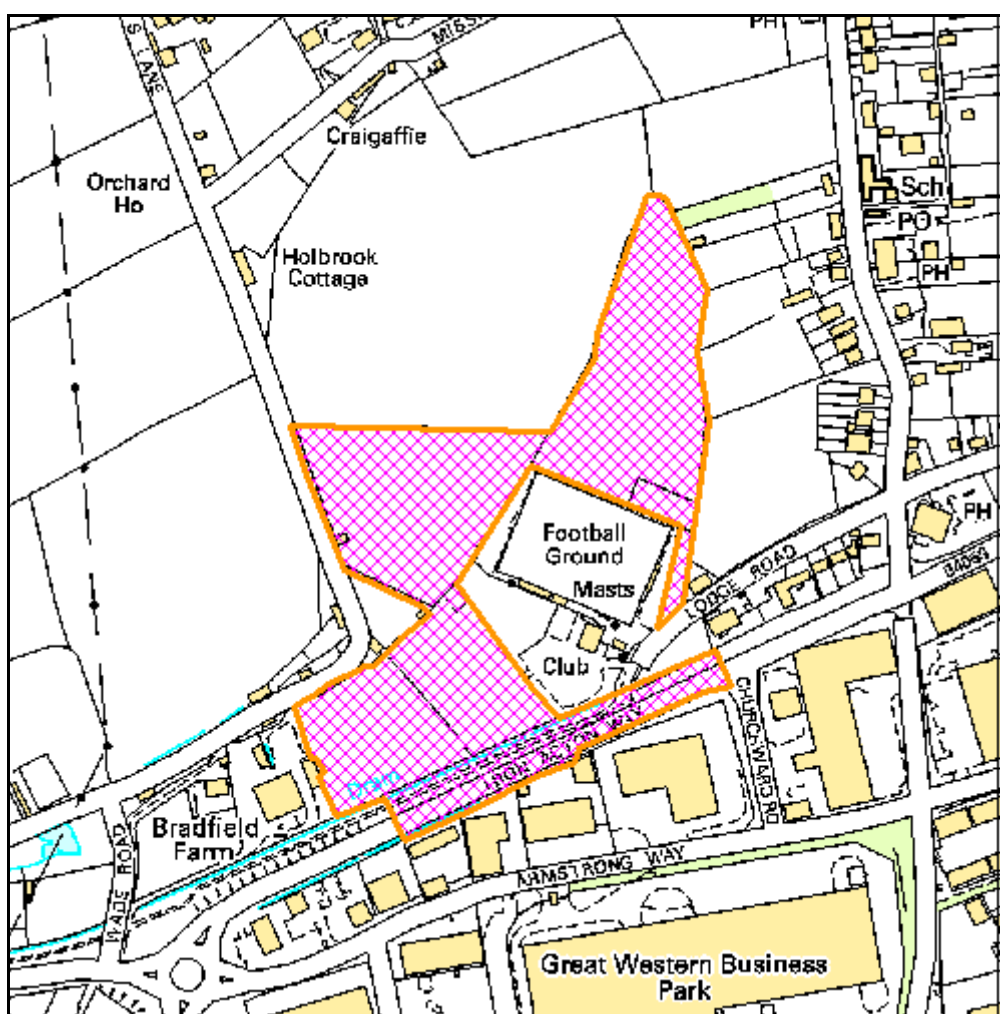


## SPATIAL PLANNING COMMITTEE - 25th January 2021

<b>App No.:</b>	P19/2575/F	<b>Applicant:</b>	Redrow Homes Ltd
<b>Site:</b>	Land North Of Iron Acton Way And East Of Dyer's Lane, Yate, South Gloucestershire	<b>Date Reg:</b>	21st March 2019
<b>Proposal:</b>	Erection of 118 dwellings, public open space, drainage, landscaping and ancillary works. (Full Planning)	<b>Parish:</b>	Iron Acton Parish Council
<b>Map Ref:</b>	369686 183401	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Major	<b>Target Date:</b>	19th June 2019



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P19/2575/F

## **REASON FOR REFERRAL TO THE SPATIAL PLANNING COMMITTEE**

This application is referred to the Spatial Planning Committee (SPC) for final determination on the grounds that the Strategic Sites Delivery Committee (SSDC) determined the application in a way which is contrary to the Planning Officer's recommendation that authority be delegated to the Director of Environment and Community Services to grant planning permission subject to conditions set out on page 38 of this report and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the Heads of Terms set out on page 35 of this report.

Members of the SSDC voted to refuse the planning application on the basis of the following reasons:

- 1) On balance, it is the committees' judgement that in this instance and considering the proposal on its own merits there are considered to be material considerations which outweigh all of the benefits that have been identified and indicates that the development plan should be followed and that planning permission should be refused.

In particular that the scale and layout of the scheme would amount to an inappropriate 'suburban bulge' at odds with the character and identity of the village.

Further, the proposal would blur the distinction between Yate and Engine Common and result in this village being subsumed as part of this neighbouring town. The separate identity of the village would be lost forever and the setting of Engine Common would be seriously compromised.

The proposal is therefore contrary to policies CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

- 2) The application is not supported by an agreed Section 106 Agreement to secure appropriate provision of Self Build plots, the access junction and transportation contributions, Public Open Space and Affordable Housing.

This SPC Report seeks to explain and respond specifically to the reasons for the SSDC refusal. The original SSDC Report which included a full assessment of the proposal has been attached as Annex A.

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of 118no. dwellings, public open space, drainage and infrastructure.
- 1.2 The application site comprises approximately 5.7 hectares of land located to the north of Iron Acton Way. The site comprises four separate field parcels, which wrap around the north, west and south boundaries of Yate Town Football Club. Two of the fields are publically accessible from Dyers Lane and Iron Acton Way via a public footpath. The application fields are mainly flat and have mature hedgerow and ditches to the boundaries. There are some very large

Oak trees growing on the field boundaries, which are covered by tree preservation orders. There are various metal field gates that provide agricultural access to the parcels.

- 1.3 The site is located to the northwest of Yate just outside the defined settlement boundary – the boundary of which is defined by Iron Acton Road. The site is located outside the designated Bristol/Bath Green Belt, the boundary of which is defined by Dyers Lane and abuts the north and western boundaries of the application site. The site is located to the northwest of the Beeches industrial estate, which is on the opposite side of Iron Acton Way. It also abuts Yate Town Football club on the east, northeast and southwest boundaries. Yate Railway Station is approximately 920m southeast of the site and Yate Town Centre is approximately 1076m to the southeast when measured in a straight line. Bus stops are located along Iron Acton Way.
- 1.4 A new vehicular access is proposed into the site off Iron Acton Way, which will provide vehicular access to the three main areas of housing. A Public Right of Way (PROW) extends through the site and will be required to be formally diverted through the proposed development. The proposed 118 units comprise a mix of dwellings and apartments of 1, 2, 3 and 4 beds of two and three storeys in height.
- 1.5 Following negotiation with the applicant the following improvements have been made to the scheme:
  - The northeast parcel has been reduced in scale and density from 32 units to 23 with open space provided around the perimeter of the parcel to form a green corridor providing more room to the trees and vegetation and a softer edge to the development;
  - A tighter block form has been introduced to the southern and central parcels with more repetition to the main frontage to drive more character;
  - A stronger building frontage has been provided along Iron Acton Way and a key building added to address views from the site entrance;
  - Amendments have been made to reduce the impact of the development on occupiers of Rose Cottage;
  - The layout better incorporates views of and is more respectful of prominent trees at the site;
  - Amendments have been made to the layout and appearance of dwellings to provide a more comfortable relationship between Dyers Lane and the development;
  - Architectural changes have been made to buildings to be more in keeping with the local character;

- An area for 6 self-build units is now accommodated at the site;
  - Improvements have been made to the access junction to provide safe access and egress from the site and to provide safe crossing points over the road for pedestrians, cyclists and horse riders.
- 1.6 A screening exercise has been undertaken under the EIA 2017 Regulations which concluded that the development would not warrant an EIA to be undertaken.
- 1.7 The fields forming the application site were part of a larger appeal scheme under PK12/1751/F, for a mixed use development across 14.9 hectares of land comprising 210 new dwellings, 1329sq m of office floorspace (Use Class B1), 1914sq m of employment floorspace for light industrial use (Use Class B1c) and/or warehouse and distribution (Use class B8), new clubhouse and carpark at Yate Town Football Club. The application included vehicular access and an SNCI field parcel directly off North Road; and a large field to the north of the application site which extended close to Mission Road. Following the refusal of the application by the Local Planning Authority for numerous reasons, a public inquiry was held over 5 days in March 2013 and the inspector dismissed the appeal in his decision on 8<sup>th</sup> April 2013. The only refusal reason that was upheld by the planning inspector related to the impact of the development on the character and identity of Engine Common. Further consideration of this appeal scheme is set out in the main body of the report.
- 1.8 A planning application (P20/15214/F) has been submitted by Cotswold Homes for the erection of 34 dwellings on a parcel of land adjoining the eastern boundary of the application site. This application is still under consideration by the Local Planning Authority and has not yet been determined.
- 1.8 Members at the SPC have recently resolve to grant planning permission for the Newland Homes housing development on the western side of North Road (P19/7769/O).

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework Feb 2019  
The National Planning Practice 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

CS10 Minerals  
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  
CS30 Yate and Chipping Sodbury  
CS34 Rural Areas

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

PSP1 Local Distinctiveness  
PSP2 Landscape  
PSP3 Trees and Woodland  
PSP6 Onsite Renewable and Low Carbon Energy  
PSP7 Development in the Green Belt  
PSP8 Residential Amenity  
PSP9 Health Impact Assessments  
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  
PSP24 Mineral Safeguarding Areas  
PSP37 Internal Space and Accessibility Standards for Affordable Dwellings  
PSP40 Residential Development in the Countryside  
PSP42 Self Build and Custom Housebuilding  
PSP43 Private Amenity Space Standards  
PSP44 Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD  
Revised Landscape Character Assessment SPD  
Residential Parking Standards SPD  
Waste Collection: Guidance for New Developments SPD  
Affordable Housing and Extra Care SPD

**3. RELEVANT PLANNING HISTORY**

- 3.1 PK12/1751/F, (Larger site including some of the current application site), Mixed use development across 14.9 hectares of land comprising 210 new dwellings, 1329sq m of office floorspace (Use Class B1), 1914sq m of employment floorspace for light industrial use (Use Class B1c) and/or warehouse and distribution (Use class B8), new clubhouse and carpark at Yate Town Football Club with provision of associated parking, infrastructure and landscaping. The Planning Inspector dismissed the appeal on 8<sup>th</sup> April 2013.

- 3.2 PK17/0608/O, (This site is located outside of the proposed application site but was adjacent to the north and eastern boundaries. This site extended close to Mission Road and also had its main vehicular access off North Road). Outline application for the erection of up to 90 no. dwellings with associated access, open space, landscaping and drainage infrastructure. (Access for consideration with all other matters reserved). Refused by the Local Planning Authority on 6<sup>th</sup> June 2017.
- 3.3 PK18/014/SCR, Proposed residential development. It was determined that an ES was not required on 2<sup>nd</sup> August 2018.
- 3.4 P19/7769/O, (This site is located on the eastern side of North Road on land between Engine Common Lane and the rear garden boundary of properties on North Road). Demolition of 276 North Road and erection of up to 89no. dwelling, open space and other associated works (Outline) with access to be determined. All other matters reserved. This application was referred to the Spatial Planning Committee on 13<sup>th</sup> January 2021 where members resolved to grant planning permission in accordance with the officer's recommendation.
- 3.5 P20/15214/F, - Erection of 34 dwellings on a parcel of land adjoining the eastern boundary of the application site. This application is still under consideration by the Local Planning Authority and has not yet been determined.

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

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

The following is a summary of the reasons given by Yate Town Council in objection to the development. The consultation responses can be viewed in full on the Council's Public Website.

- Strategic objection
- Undermines the strategic planning process and is premature;
- Congestion issues relating to Armstrong Way;
- The proposed T junction access is inadequate;
- North Road traffic lights cause a disproportionate number of accidents;
- The proposal includes no service provision;
- Site is not as well connected as set out in the DAS with distances to services in excess of the ones in the DAS;
- There is no NEAP provided so the proposal does not meet the needs of older children;
- Concern regarding the impact on the long term viability of YTFC due to lighting and loss of overflow car park;
- Impact of surface water runoff on the pitch and its drainage;
- Tandem parking arrangement for dwellings by the main junction will require cars to reverse onto the highway;
- Impact of traffic noise on residents;
- Housing backing onto the football ground will be affected by noise and light pollution.

#### 4.2 Iron Acton Parish Council

The following is a summary of the reasons given by Iron Acton Parish Council in objection to the development. The consultation response can be viewed in full on the Council's Public Website.

- Contrary to the Core Strategy and is premature;
- The Council has a five year housing supply so the presumption in favour of the development should no longer apply;
- Similar proposals have been refused at appeal;
- The proposal is out of keeping with the surrounding development and will harm the rural character of Engine Common;
- It is unlikely that surface water runoff could be dealt with adequately at the site and could cause a flood risk to other areas;
- There will be an increase in congestion of local roads and the surrounding rural roads could be used as rat runs;
- Amendments are required to the design of the access into the site;
- The proposed development is unsustainable.

External

#### 4.3 Historic England

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

#### 4.4 Highways England

No objection

#### 4.5 Avon and Somerset Constabulary

In summary as the situation stands with the parking between buildings the application is still not acceptable in its current format, however were the suggested condition to be accepted then this would make the design acceptable.

Internal

#### 4.6 Listed Building Officer

The application site does not appear to contain any designated or non-designated above ground heritage assets. It is also considered that the proposed development would not impact on the setting of any heritage assets within the locality. The Grade II Wisteria Lodge is the closest designated heritage asset which is approximately 500m to the west of the application site. However, due to intervening existing structures and mature planting, it is not considered that there would be any significant inter-visibility or co-visibility between/with the site and the listed building. Due to the separation distances and levels of existing screening, it is not considered that the proposals would be harmful to the setting and in turn significance of any designated heritage asset.

#### 4.7 Affordable Housing Officer

No objection subject to the applicant making the changes below and the applicant entering into a S106 agreement to secure the affordable housing.

- Confirming the minimum sizes of the 1 bedroom flats in line with the standards detailed in these comments
- Providing fully dimensioned drawings of the wheelchair units to obtain housing enabling's approval of these units and confirming they will meet M4(3)(2)(a)
- Changing the ground floor wet room and the position of toilet in the first floor bathroom in line with the OT's comments
- Confirming the parking arrangements for the Wheelchair units in line with comments above and that these will meet M4(3)(2)(a) requirements
- Confirming that the Affordable Homes will meet M4(2)

#### 4.8 Transportation

Transportation development control recommend conditional consent to this application subject to the applicant first entering into an appropriate legal agreement (i.e. a S106 legal agreement) to secure the following:

1. Construct a signalised junction and crossing facility with access to the development from Iron Acton way as shown in principal on the plan 'Site Access Signal Junction' (i.e. drawing no. 173082/A/102) together with all associated works – this is to include the construction of a service layby adjoining to the signal controller box.
2. Construct a bus lay-by on Iron Acton Way together with all associated works and bus stop facilities.
3. Financial contribution of £35,000 toward the highway tie-in-works to the Council's programmed scheme on Iron Acton Way.
4. Financial contribution of £4,000 towards 'safe route to school' provision (i.e. a pair of dropped-kerb crossing including tactile paving near Lodge Road junction with North Road).
5. Pay the Council the sum of £2,000/year for a total period of 5 years towards the monitoring fees of travel plan.

Other planning conditions;

1. 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:
  - Parking of vehicle of site operatives and visitors;
  - routes for construction traffic;
  - hours of operation;
  - method of prevention of mud being carried onto highway and provision of wheel-washing facilities on site

- pedestrian, cyclist and horse-rider protection;
  - proposed temporary traffic restrictions;
  - arrangements for turning facilities of site for vehicles;
  - method to prevent dust.
2. Parking – prior to occupation of the dwelling, provide off street parking all to be maintained satisfactory thereafter
  3. Electrical charging point – provide each dwelling with Electrical Charging Point facility and maintain these satisfactory thereafter.
  4. travel plan – No building shall be occupied until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been submitted and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented in accordance with the agreed travel Plan Targets.
  5. There shall be no vehicular access onto Dyer's Lane - all connections to Dyer's lane would be footway and cycle connection only.

4.9 Urban Design Officer

Subject to clarification of the last remaining issues I have no further objection.

4.10 Environmental Protection Officer

I am now able to comment accordingly that the assessment meets the appropriate criteria.

"The Environmental Protection team (Noise) notes the use of the British Standard BS 4142 for the near commercial pre-existing noise source from Murray's plant hire, and reliance on the BS 4142 for this to form part of the ambient noise. The council's approach is to ensure the background noise LA90 does not exceed the pre-existing noise climate –which RO1 demonstrates.

The requested additional reporting RO2 clarifies the overall impact including the dominant road traffic noise, and data to ensure compliance for the proposed dwellings gardens and external amenity under the British Standard BS8223 as amended and the WHO criteria.

There is now no formal noise objection and the additional report does show compliance for the proposed dwellings primarily for external amenity; internal living conditions will be met by double glazing, mechanical ventilation and trickle vents."

4.11 Self Build Officer

This application generates a self and custom housebuilding requirement of 6no. serviced plots for self and custom build to be provided on site and in line with the principles / heads of terms as set out above.

- A Self-build Delivery Statement is required from the developer setting out self and custom build delivery under policy PSP42;
- A self-build phasing plan (prior to commencement);
- Consideration of the use of a simple self-build Design Code (prior to commencement);

- A marketing strategy is required before commencement of any self-build phase;
- Plot passports are required as part of the marketing of each self-build plot;
- Confirmation of principle access road for the self-build plots.

#### 4.12 PROW

The proposal now includes a suitable crossing for the multi user route (lights/Pegasus type crossing);

That diverted footpath route should have suitable accessible path furniture namely in line with BS 5709:2018 gap/bollard/gate/kissing gate type and a suitable footbridge onto Dyers Lane;

That the new route of the path is recognised by a public path diversion order and suitably signed once built I am happy to accept the proposals.

#### 4.13 Landscape

There have been a number of amendments made in line with previous comments. The Alteration to accommodate the bin collection point by unit 111 has made the layout worse than previously. The bin collection point should be omitted entirely and the driveway used adjoining plot 110 where adequate space exists.

The provision of walling to the south west side of the apartment block remains a concern due to the necessity to dig foundation trenches through the RPA of the large oak tree. Given that the RPA also has footpath, attenuation basin and building foundations within or close to it, harm minimisation should be the priority. Therefore fencing and hedging should be substituted for the wall.

#### 4.14 POS Officer

I do not object to the application but the following issues need to be resolved now or via condition; the Open Space Provision Plan will need to be correct for the purposes of the S106.

Area west of plot 112 should be included on the Open Space Provision Plan.

Clarification required as to POS path surfacing. For durability reasons I do not recommend the use of hoggins.

Two visitor parking bays (opposite plot 27) shown on Adoptable Highways Plan should be removed from being POS on the Open Space Provision Plan.

#### 4.15 Drainage Officer

No objection in principle to this application subject to condition.

#### 4.16 Highway Structures Officer

No comment

4.17 Public Art Officer

No objection subject to condition

4.18 Climate Change Officer

No objections subject to conditions

4.19 Ecology Officer

The revised plans from an ecology perspective are a significant improvement from the previous layout and will help ensure that there dark corridors and the public open space which can be utilised by commuting and foraging bats. I had one suggestion and that is whether the native hedgerow on the northern boundary of Detailed On-plot Landscape Proposals Sheet 4 of 5 could be planted with a few more standard native tree species. This would enhance the hedgerow and provide a more improved commuting and feeding corridor for bats around the site. I'll defer the detail to the Landscape Officer.

The revised plan is acceptable subject to one minor revision and that is the inclusion of the allotments into the dark corridors (purple area on the maps) plan. As suggested, this would then be secured by a condition for lighting design strategy (for bats), which would include a lux contour plan, demonstrating how these dark corridors will be delivered.

Likely recommended conditions will include a landscape and ecological management plan (LEMP), construction environmental management plan (CEMP), and pre-construction badger surveys.

The LEMP will include all details relating to the ecological enhancements for the site including the bird and bat boxes recommended above. The CEMP will include all require mitigation as recommended within the ecology report. Pre-construction badger surveys shall be completed within 12 weeks from the start of construction/site clearance.

4.20 Environmental Protection Officer Contaminated Land

Please note that contaminated land conditions are being recommended at this stage because the information relating to the potential contamination is considered insufficient. Once a Phase 1 and Phase 2 Site investigation have been completed satisfactorily, and in the event that no contamination issues remain outstanding, discharge of all remaining conditions may be recommended.

In order to ensure that the site is suitable for its proposed use and in accordance with The National Planning Policy Framework, the following conditions are recommended for inclusion on any permission granted.

A) Desk Study - Previous historic uses of land within 250m of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of

potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

B) Intrusive Investigation/Remediation Strategy - Where following the risk assessment referred to in (A), land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas 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.

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

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

#### 4.21 Archaeological Officer

I find the DBA submitted with this application to be thorough and concur with the findings and suggestion that further work could be secured through condition.

#### 4.22 Lighting Engineer

The lighting impact assessment report suggests that the light towards the proposed dwellings resulted by proposed floodlighting, is in line with the referred ILP guidance for E2 environmental zone before curfew. I would

however recommend ensuring that the floodlights are not operational after curfew.

## **Other Representations**

### **4.23 Local Residents**

47 consultation responses have been received from members of the public that object to the development proposed. The responses received can be viewed in full on the Council's Planning Website. The following is a summary of the reasons given for objecting:

### **4.24 Objections Relating to Ecology**

Concerns regarding the number of trees to be removed;  
There would be a negative impact on local wildlife that use the site;  
The site is very attractive and is a habitat for wildlife and used by walkers, runners, horse riders and cyclists will be spoilt by the development;  
Protected great crested newts live in the area;  
Loss of hedgerow;

### **4.25 Objections Relating to YTFC**

Impact of YTFC on the development and will likely cause complaints in the future;  
Loss of car park for YTFC will result in more car parking on local roads

### **4.26 Objections Relating to Transport**

Concern regarding accuracy of the queuing and delay transport statistics;  
Existing transport infrastructure is already stretched and cannot cope with more traffic;  
Inadequate public transport and will there be contributions from the development to improved services;  
Access to the development from Goose Green Way is inadequate;  
Distances to services in the transport report do not appear to be accurate;  
Surrounding rural lanes could be used as rat runs to avoid congestion;  
Development is unlikely to be suitable for bus routes;  
Increase in traffic likely to Chaingate Lane and Dyers Lane;  
The proposal would impact a National Cycle Path and bridleway adjacent to the bypass to the detriment of highway safety;  
Plans don't take into account proposals to provide an additional link to the M5 motorway;  
Plan show that this is phase 1 so all effects need to be quadrupled;  
Increase in air pollution;  
Additional traffic along Dyers Lane and Mission Road will be a danger to pedestrians, joggers, cyclists and horse riders;  
The development would add further significant congestion to Iron Acton Way;  
Insufficient parking in Yate Shopping Centre;  
Development should go to better suited areas elsewhere with adequate services already in place;

### **4.27 Objections Relating to Policy**

The speculative nature of the proposal ahead of the JSP and Local Plan review is inappropriate;

Development is contrary to the development plan as it is outside of any settlement boundary;  
Similar proposals have been refused at appeal;  
If allowed it could start a precedent for similar development proposals;  
SGC has a five year land supply therefore, the housing proposed is not required to meet demand;

4.28 Objections Relating to Drainage/Flooding

Concerns regarding use of an existing storm drain that goes underneath our building and links to Armstrong Way;  
Is the foul and surface water drainage scheme adequate to serve the dwellings, will it cause flooding elsewhere;  
The makeup of the ground causes flooding and drainage problems;  
Concerns regarding land raising to drain the site and could cause flooding elsewhere;  
Concerns regarding plans to raise the level of land which isn't reflected on the streetscene plans;

4.29 Objections Relating to Visual Amenity/Character

The development would harm the rural character of Engine Common;  
Intrusion of development into open countryside;  
There would be a negative impact on the local heritage and character;  
The design, style and layout of the development are out of keeping with the surrounding dwellings;  
The proposal would join Yate to Iron Acton and Engine Common;

4.30 Other Objection Reasons

Noise impacts from businesses along Armstrong Way may generate complaints from occupiers and prejudice current hours of working;  
A lack of services in the area to serve the development and existing services such as schools and doctors surgeries are already at capacity;  
What price would the properties be sold for and what social democratic are they aimed at? Will social housing be provided?  
Location wouldn't suite retired person due to a lack of facilities in walking distance;  
Historical report should go back before 1881, what about Roman Road?  
The removal of the site for recreation and enjoyment would cause mental health issues;  
The residential amenity of Rose Cottage would be adversely affected;  
Over development of the site;

4.31 ABP Planning

Objection letters have been received by a planning consultant on behalf of a neighbouring residential occupier. A further objection was received in relation to the amended plans. The following is the reasons given for objecting:

The site is outside the established settlement boundary  
The Council say they now have 5-year housing land supply (December 2018)  
The proposal is premature to the adoption of the Joint Spatial Plan  
The proposal is premature to South Gloucestershire's Local Plan Review

The development will unacceptably merge Yate with Engine Common and materially harm the countryside character on the edge of these settlements. The site is in an unsustainable location. The residential amenity of Rose Cottage will be severely affected. Objection is also raised on the detailed grounds of -

1. Drainage impact
2. Traffic generation

4.32 A further 37 letters of objection were received to revised plans submitted following an additional consultation process. The responses received can be viewed in full on the Council's Planning Website.

- Adverse impact on horse riders due to increase in traffic to rural lanes and the site access crosses a bridle way which could endanger horse riders. An adequate crossing point would need to be provided;
- Issues with flooding, traffic and wildlife are still the same;
- There are no local amenities in the area;
- Local schools are full so pupils would need to be driven further afield;
- Impact on parking at YTFC;
- Adverse impact on mental health;
- Out of keeping with the area;
- In a rural area and therefore, contrary to policy;
- The area has a very high water table and is regularly flooded;
- Designs are out of keeping with the character of surrounding development;
- Development would destroy trees, hedgerow and affect wildlife;
- Increase in land levels to implement drainage;
- Would likely to lead to further development on land to the north;
- Poor public transport links;
- Increase in pollution;
- Further housing is not required given development taking place at Ladden Garden Village;
- Development would be to the detriment of walkers, joggers, cyclists and horse riders;
- Development represents inappropriate development of the green belt;
- Similar development has been refused at appeal;
- Has Wessex water been consulted;
- Drainage design is inadequate and could cause flooding;
- Amount of parking proposed will give the development a cluttered and urban feel;
- Inadequate and dangerous access into the site.

4.33 One letter of support has been received from a member of the public. This person considers the housing to be much needed in a perfect location. They also consider that there would be benefits to the local football club with the new improved facilities.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

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

5.2 The South Gloucestershire development plan comprises the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and the South Gloucestershire Policies Sites and Places Plan (adopted) November 2017.

5.3 The site is located outside the defined settlement boundary of Yate and is therefore, within open countryside. The settlement boundary is defined by Iron Acton Way to the south and the rear garden boundaries of existing residential properties on North Road to the east.

5.4 Policy CS5 of the Core Strategy sets out the Council's strategy for development with a hierarchy of preferred locations for development. It states that most new development will take place within the communities of the North and East Fringes of Bristol. At Yate, the policy states that *"new development will be of a scale appropriate to achieve greater self-containment and to improve the separate but inter-related roles and functions of the towns, focusing on investment in the town centres and improving the range and type of jobs"*. The policy states that in the open countryside, new development will be strictly controlled. Policy CS34 of the Core Strategy seeks to protect, conserve and enhance the character of rural areas for reasons relating to beauty, wildlife, landscape, biodiversity and heritage. It states that the settlement boundaries defined on the Policies Map will be maintained around rural settlements until they are reviewed either through Neighbourhood Plans, the Policies Sites and Places DPD or a replacement Local Plan. No review of settlement boundaries was undertaken in the Policies Sites and Places DPD; there is no Neighbourhood Plan for Yate; therefore, a review of the settlement boundaries is next likely to take place in the new South Gloucestershire Local Plan, which will replace the Core Strategy and Policies Sites and Places Plan.

5.5 The proposal is therefore, contrary to policies CS5 and CS34 in the development plan.

5.6 Due to the Covid-19 pandemic, the Council's annual land use monitoring data collection has been delayed. However, an update to the 2020 Housing Land Supply has been published in the form of an Early Extract. The Early Extract from the Council's Annual Monitoring Report, published in December 2020, sets out the Council's five year land supply position. It states that, as the Council's Core Strategy is now more than five years old, in accordance with the NPPF, the Council has identified and updated a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing supply against its local housing need (LHN) defined using the new standard method for calculating local housing need. NPPF Paragraph 73 requires that the supply of specific deliverable sites should also include a buffer. The Council's 2019

Housing Delivery Test is 134%. As South Gloucestershire has delivered at least 85% of its local housing need, in accordance with paragraph 73 and footnote 39 of the NPPF, a 5% buffer to ensure choice and competition in the market for land is appropriate. Based on this approach, the Council can demonstrate 5.28 years' worth of deliverable housing supply against its local housing need. Accordingly, the most important policies for determining the application, including policies CS5 and CS34 are not deemed to be out of date through the application of footnote 7 of the NPPF.

- 5.7 However, as the Council's Core Strategy is more than five years old and predates the latest versions of the NPPF it is important to consider how much weight should be afforded to the policies having regard to their consistency with the NPPF and any other material considerations. An important material consideration in addition to whether the Council is able to demonstrate a five-year land supply is the extent of any surplus supply of land. In the appeal decision dated May 2019 for development on land South of Gloucester Road, Thornbury the Inspector considered the Council's 5-year land supply surplus to be marginal. Another material consideration is the Government's clear objective set out in the NPPF to significantly boost the supply of housing.

5.8 Consideration of SSDC Resolution to Refuse Consent

Members of the SSDC voted to refuse the reserved matters application on the basis of the following:

1. On balance, it is the committees' judgement that in this instance and considering the proposal on its own merits there are considered to be material considerations which outweigh all of the benefits that have been identified and indicates that the development plan should be followed and that planning permission should be refused.

In particular that the scale and layout of the scheme would amount to an inappropriate 'suburban bulge' at odds with the character and identity of the village.

Further, the proposal would blur the distinction between Yate and Engine Common and result in this village being subsumed as part of this neighbouring town. The separate identity of the village would be lost forever and the setting of Engine Common would be seriously compromised.

The proposal is therefore contrary to policies CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

2. The application is not supported by an agreed Section 106 Agreement to secure appropriate provision of Self Build plots, the access junction and transportation contributions, Public Open Space and Affordable Housing.

5.9 This SPC Report will focus on the issues relevant to the refusal reasons.

5.10 Impact on the Identity and Setting of Engine Common

- When considering this issue, consideration needs to be given to a previous appeal decision relating to the fields forming the application site. These formed part of a significantly larger scheme which was subject to an appeal (application no. PK12/1751/F). The appeal scheme was dismissed by the Planning Inspector on 8<sup>th</sup> April 2013 following a public inquiry. The only reason the appeal was dismissed related to the impact of the appeal scheme on the character and identity of Engine Common. The appeal scheme was for a mixed use development across 14.9 hectares of land comprising 210 dwellings, 1329sqm of office floor space and 914sqm of employment floor space.
- 5.11 When comparing the application scheme to the appeal scheme, the main differences are that the application scheme is significantly smaller in size, as it comprises 5.7 hectares of land and 118 dwellings. The appeal scheme also extended significantly further north as it included a large area of land beyond the northern boundary of the middle parcel of the application site and would have been far more prominent from views from Mission Road to the north in comparison to the application scheme.
- 5.12 Another major difference is that the appeal scheme was designed to form part of Engine Common. The appeal scheme encroached into an SNCI field directly to the west of North Road and it was accessed directly off, and provided a frontage onto North Road. Therefore, the appeal scheme would have been, and was intended to be highly visible from views from the heart of the village. The appeal scheme also provided an access off and a frontage onto Iron Acton Way, with the main access road linking North Road and Iron Acton Way together.
- 5.13 The application scheme has been designed to address the concerns raised by the Planning Inspector. The application scheme is not accessed off North Road; it is only accessed off Iron Acton Way. There is no frontage onto North Road in the village and the development has been pulled back a sufficient distance so that it would not be visible from any views from the village. There would be an even further reduction in the visibility of the application scheme from Engine Common due to amendments made during the course of the application to reduce the density of the northern parcel to 23 dwellings from 32 originally proposed. Generous green buffers have also been provided around the perimeter of the northern parcel, which would provide trees and vegetation on the boundaries much more room and better protection and provides a softer edge to the scheme.
- 5.14 The application scheme has been designed to be separate from Engine Common due to the increase in physical separation, the lack of any views of the development from, or frontage, or access from the village. The application scheme would therefore, be primarily viewed in conjunction with the large industrial buildings on the opposite side of Iron Acton Way as an extension to Yate. The application scheme would protect the separate character and identity of Engine Common and would not blur the distinction between Yate and Engine Common. The Council's Urban Design and Landscape Officers have carefully considered the application scheme and following amendments made they now

raised no objections. It is therefore, considered that the application scheme addresses the concerns raised by the Planning Inspector and the concerns made by members at the SSDC.

5.15 Newland Homes Scheme

Following the vote for refusal of the application scheme by members at the SSDC, members at SPC have approved another housing development at Engine Common, which is located outside the settlement boundary. That application, submitted on behalf of Newland Homes, was for outline planning permission for the demolition of 276 North Road and the erection of up to 89 no. dwellings (P19/7769/O). The approval of that application by the SPC is a significant material consideration for members when considering the application scheme. The Newland Homes application relies on an access directly off North Road in the heart of the village and requires the demolition of an existing dwelling which fronts onto North Road. The Newland Homes scheme would be far more visible from views from the village of Engine Common. The application site of the Newland Home scheme comprises an SNCI field and being a backland development site, it directly borders a number of existing properties to the west and south. The Newland Home scheme is therefore, immediately abutting Engine Common whereas the application scheme is some distance away and separated by mature vegetation and a new POS buffer. The application scheme is also considered to provide more benefits particularly to Yate Town Football Club.

5.16 Impact on Iron Acton Way and Dyers Lane

The narrow width of the highway, hedgerows, mature trees, stone walls to boundaries along with post and rail fencing contribute to the rural character of Dyers Lane. The original plans comprised dwellings backing on to Dyers Lane, which would have resulted in domestic fencing and garages appearing prominent and clearly out of keeping with its character. Very large and impressive oak trees growing on the northern boundary were also poorly integrated into the original layout. Key views of the trees, which could have made a positive contribution to the visual amenity of the development, were blocked by built form and the Root Protection Zone (RPZ) of trees were encroached into by hard surfacing, fencing and private gardens. Similarly the 1.8 metre high fencing proposed to the side boundary of plots 67, 68 and 69 would have appeared completely alien to the character of Dyer's Lane.

5.17 Through negotiation between Council Officer's and the applicant, the revised layout and treatment to the Dyer's Lane frontage is considered to be a considerable improvement. Dwellings to Dyers Lane (14-22) are set back behind a strip of public open space. This provides a buffer to the trees to better protect their RPZ's, to provide maintenance access and to provide a more appropriate setting for the trees and to enhance their prominence from views from within the scheme. It also ensures the retention of the existing boundary hedgerow. Dwellings are orientated to front onto the lane which would result in a more comfortable and legible relationship between the two and removes the need for prominent 1.8 metre high fencing to Dyers Lane, opening up views across the application site.

5.18 Impact on the Character of Iron Acton Way

Iron Acton Way provides vehicular access into the site and will form the main frontage of the development. The development in this location will be prominent from views from Iron Acton Way through gaps in the existing vegetation, from views from a bridleway/cycleway that extends along the frontage of the site and from the vehicular access into the site. Initially, the dwellings were orientated away from Iron Acton Road and were positioned such that there would be a very weak site frontage. A stronger and more positive frontage was required given that the development would be prominent from views from Iron Acton Way. In response, terraces of 2 and 3 storey dwellings are positioned and orientated to form a strong frontage and a 3 storey apartment block is located at the main entrance to provide a focal building to address a key view at the site entrance. Elsewhere in the site, dwellings are a maximum height of two storeys to respect the character of Dyers Lane and to ensure that the development is screened from views from Engine Common.

- 5.19 Other general improvements have been made to the layout of dwellings in accordance with comments received from the Council's Urban Design Officer. The density of the central and southern parcels has been increased to make better use of the land, the perimeter block layout has been tightened and there is an increased level of repetition of housetypes along the main spine road to generate more character to the main routes.

5.20 Impact on Trees and Hedgerow

It is the tree and hedgerow structure at the site that is the key feature of the landscape and makes the most positive contribution in terms of character and visual amenity, and the layout has been amended to provide more space and better protection to the trees and hedgerow.

- 5.21 On the original layout plans submitted there were many instances where private gardens, boundary treatments, hardstanding and drainage features encroached into the root protect zone of trees. The proposed dwellings were also located very close to the canopy spread of the trees. The original layout plans submitted would therefore, have had a detrimental effect on the health and visual amenity of existing trees at the site and would not have safeguarded their future viability.

- 5.22 In response, following concerns raised by officers, buildings and roads have been pulled further away from and out of the root protection zone of trees such that development can be accommodated outside the RPZ of the trees. Strips of public open space have been incorporated into the layout to buffer the development from trees and hedgerow such that the root protection zone of the majority of trees is contained entirely within public open space. This affords the trees far more space and protection and ensures their future viability.

- 5.23 Members at the SSDC queried how many trees would be lost as a result of the development. A total of 24 trees including individual trees and trees within groups would be lost as a result of the development out of a total of 231 trees at the site. All grade A, high quality trees, at the site would be retained. Gaps would need to be created in 5 hedges such that a total length of 102 linear metres of hedges would be lost to make space for new access points.

Accordingly, the overwhelming majority of trees and hedgerow will be retained at the site. There would also be a significant level of tree and hedgerow planting as part of the proposal. This would result in a net gain of a minimum of 96 trees as some 120 trees are proposed to be planted within the POS areas. There would be a net gain of 136 metres of hedgerow as 238 metres of new native hedgerow is proposed to be planted. This level of replacement planting will mitigate the small number of trees and hedgerow to be lost through the development and will provide biodiversity gain.

- 5.24 A condition is attached to ensure that tree protection fencing is erected prior to any development commencing at the site to ensure that the trees to be retained are protected and not damaged through the course of the development. A condition is also attached to ensure there is no works within the RPZ of trees unless an arboricultural method statement is first agreed by the Council. Accordingly there is no officer objection to the development on the basis of the impact on trees and hedgerow.

5.25 JSP and Prematurity

The application was originally submitted to coincide with the examination of the Joint Spatial Plan (JSP) in public to demonstrate the delivery of part of the Yate Strategic Development Location (SDL), which formed part of the plan. The Yate SDL consisted of two broad locations to the north and west of Yate to deliver a new residential neighbourhood. In July 2019, examination hearings on the Joint Spatial Plan were held, chaired by two Planning Inspectors appointed by the Secretary of State. Following these hearing sessions, the Inspectors concluded there were fundamental concerns about the soundness of the plan, and they indicated that withdrawal of the plan from examination was likely to be the most appropriate option. The Inspector did not reach the view that any of the individual SDL locations could not in principle form a sound part of a plan for the West of England or any of the individual local authority areas. It was the selection process and strategy that was the main issue that the Inspector had. On 7th April 2020 the four councils wrote to the Inspectors to confirm the withdrawal of the Joint Spatial Plan from examination. Accordingly, no weight can be given to the JSP.

- 5.26 Paragraphs 48-50 of the NPPF explain the limited circumstances in which it may be justified to refuse an application on the basis that it is premature. The NPPF sets out strict rules as to when arguments regarding prematurity will be justified. In this instance, the most relevant issue is that a draft emerging plan needs to be at an advanced stage; therefore, any objection on the basis of prematurity when a plan has not been submitted for examination would seldom be justified. The emerging Spatial Development Strategy and the Council's Replacement Local Plan are still at very early consultation stages and have not been submitted for examination; this is likely to be 2022/2023 and therefore, no weight can be given to either emerging plan. Accordingly, there is no officer objection to the proposal on grounds of prematurity.

5.27 Impact on Agricultural Land

An Agricultural Considerations report has been submitted in support of the proposal. This sets out that the majority of the application site consists of grade 4 poor quality agricultural land (81% or 4.6 hectares of the total area of the

application site). A small proportion of the site would consist of grade 3a agricultural land (16% and 0.9 hectares) located in the southwestern corner. The report highlights that it would not be practical to exploit the small area of grade 3a agricultural land for agricultural purposes and as such, it has limited economic benefits. National and local plan policy seeks the use of poorer quality land in preference of best and most versatile agricultural land. Given that the majority of the site consists of poor quality agricultural land and only a small proportion of best and most versatile agricultural land, the proposal is considered to be in accordance with policy CS9 and CS34 of the Core Strategy.

5.28 Impact on the Residential Amenity of Rose Cottage

A number of existing residential properties are located within the vicinity of the application site. Rose Cottage is located particularly close to the northern boundary of the site. An objection letter has been received from a Planning Consultant on behalf of the occupiers and the concerns raised are noted. Originally there were a number of proposed dwellings which abutted the entire side boundary of Rose Cottage. This was considered to be unreasonable due to the effect it would have on the residential amenity of the occupiers due to the overbearing impact and loss of privacy. A play area proposed adjacent to the rear garden boundary of the neighbouring property would also have generated noise from use and would have added further cumulative harm to the residential amenity of occupiers.

- 5.29 The layout of the development has been reconfigured so that the dwellings proposed no longer back on to, or abut the side boundary of the neighbouring property. Side elevations of properties would face towards Rose Cottage with a separation distance of around 9 metres at the closest point. The only windows that would directly face towards Rose Cottage serve a bathroom and landing in plot 33 and an ensuite in plot 23. Any views towards Rose Cottage from any windows in the front and rear elevations of proposed dwellings would be at an oblique angle. Accordingly, given the level of separation between the proposed dwellings and the existing property, it is not considered that there would be a significant adverse effect on the residential amenity of neighbouring occupiers through loss of privacy. A condition is attached to ensure that the side windows in plots 23, 32 and 33 at first floor level comprise obscure glazing. Revised plans have also removed the play area to the rear garden boundary and have relocated it to the northeastern parcel. A strip of public open space has been introduced along the Dyers Lane frontage and the flank boundary of Rose Cottage. Existing and additional vegetation to this POS area would help to buffer the proposed development and reduce the impact on the residential amenity on neighbouring occupiers. Whilst the Planning Consultant on behalf of the residential occupiers considers that the changes to the scheme are insufficient to overcome their objection on residential amenity grounds, it is considered that the amendments proposed would reduce the impact of the development on the residential amenity of occupiers of Rose Cottage to an acceptable level. It is noted that the current outlook enjoyed by occupiers over the fields would be lost; however, the amended layout will ensure that there would not be an adverse effect in terms of loss of natural light or an overbearing impact. Accordingly, whilst there would be an impact from the development on the residential amenity of occupiers of Rose Cottage, it is

considered that the impact is acceptable and would not be adversely harmful. A Construction Environmental Management Plan (CEMP) is attached to reduce the construction impacts of the development on occupiers to an acceptable level.

- 5.30 Concerns raised regarding the impact of noise from cars and their headlights on occupiers of Rose Cottage, which would be approaching from a 90 degree angle to the side of the property, are noted. There would however, be a separation distance of around 6 metres from the shared surface street and the side elevation of Rose Cottage at the closest point. The existing boundary hedgerow would also be retained which would help to mitigate any impacts. The proposed relationship between the shared surface street and the neighbouring property is also fairly typical and is considered to be appropriate. Accordingly, it is not considered that any impacts from road noise or light spill from car headlights would have an adversely harmful effect on the residential amenity of neighbouring occupiers.
- 5.31 All other existing properties are at a sufficient distance from the application site to ensure that the residential amenity of occupiers will not be adversely affected.
- 5.32 The layout and positioning of proposed dwellings are such that future occupiers will have an acceptable level of residential amenity in terms of privacy, natural light and outlook. Garden sizes are adequate to ensure that they will be functional and offer a good level of amenity for future occupiers.
- 5.33 Impact on PROW  
Public footpath LIA/21 extends through the southern parcels and connects Dyers Lane to Iron Acton Way. The line of the existing footpath is required to be diverted through the scheme; however, the plans demonstrate a footpath link on dedicated paths and shared surface streets to retain the connection between Dyers Lane and Iron Acton way. A new crossing over the ditch along Dyers Lane may be required, and a condition is attached on this basis. The applicant will need to apply to formally divert the footpath under Section 257 of the Town and Country Planning Act; an informative note is appropriate to bring this to the attention of the developer. The proposal will retain the connection between Dyers Lane and Iron Acton Way via a direct route which extends in part through public open space with prominent views of mature trees which will provide a high degree of visual amenity. The vehicular access off of Iron Acton Way will impact an existing multi user route, which extends east-west immediately north of Iron Acton Way. The revised access plans have been amended to include separate signalised pedestrian and equestrian crossing points over the road to maintain safe connectivity of this existing route. Accordingly, there is no objection in respect of the impact on Public Rights of Way.
- 5.34 Impact on Yate Town Football Club (YTFC)  
Members at the SSDC raised concerns regarding the impact on Yate Town Football Club, particularly through the loss of a field which has in the past been used for overflow parking. YTFC were consulted on the proposed development and have raised no objections to the proposal. The application land that has

been used for overflow parking in the past is not owned by YTFC and therefore, consent to use the field as overflow parking could have been withdrawn at any point by the owner. It is the responsibility of YTFC to address any parking issues that the use of their site creates and this is not a matter that is relevant to the proposal or can be given any weight under this application.

5.35 If the application scheme is approved, the developer would replace the existing floodlights at YTFC, which are very old, with newer and far more energy efficient bulbs. The new lighting would create significantly less light spill and could be dimmed prior to and after matches and provide a lower light level for junior matches or training. This would reduce the running costs for their operation and would benefit the club. The Council's Lighting Engineer considers the proposal to be acceptable and has raised no objections on the basis that light spill would be adversely harmful to the residential amenity of future occupiers. With regards to noise, a Noise Assessment has been submitted in support of the development, which states that a football match was scheduled at a time when the noise monitoring was being undertaken at the site and it did not result in any significant change in noise levels. It is not therefore, considered that the development would be adversely affected by noise from the adjacent football ground. The Council's Environmental Protection Officer has raised no objections to the proposal on the basis of noise impacts. Other benefits would be the removal of very tall Leylandii trees around the pitch and the replacement with a fence and wall, which would provide a secure boundary for the club and also facilitate a covered spectator area in the future.

5.36 Accordingly, it is not considered that the proposal would have an adverse effect on the viability of YTFC and there would be benefit to the club with regards to the replacement floodlighting and the resulting increase in population of some 272 people, which could generate new support.

5.37 Is the Site in a Sustainable Location?

The table below sets out the distance of the application site from surrounding facilities and services.

Facility	Walking distance from site access at B4059	Policy PSP11 Appropriate Walking and Cycling (meters)
North road community primary School	450	3,200
Brimsham Green Secondary school	1400	4,800
Petrol station on the B4059 Yate Road with a convenience store	700	1,200 /800
Fox Yate PH/restaurant	360	800
Codrington Arms PH/restaurant	750	
North yate pharmacy	1,900	1,200
Leisure (yate Town	100	

football club) yate outdoor sport complex	1600	800
(Weekly) superstore or supermarket – centre of Yate	2,400-2,600	800
Codrington Arms pub and Post Office	600	800
Major employers	Some 10 major employers in the area with walking distance ranging 550 to 1700	2,000
Bus stop (on Iron Acton Way) Bus stop (North Road)	170 340	400

5.38 As the table above shows, the majority of services and facilities in the surrounding area are accessible by walking and cycling. There is a multi-user route located directly outside of the site adjacent to the southern boundary, segregated from Iron Acton Way which connects to the Bristol and Bath cycle path and provides safe walking and cycle links to Brimsham Green School via Lodge Road and Broad Lane; both are roads with low levels of traffic. A large industrial estate is located on the opposite side of Iron Acton Way and would be within easy walking and cycling distance from the application site. There are bus stops located very close to the site (2min walk) which provide access to Yate Town Centre, Bristol, Thornbury and Cribbs Causeway. The site is also within relatively close proximity to Yate Railway Station (19 min walk and 6 min cycle), which provides frequent services to key destinations such as Bristol Temple Meads and Bristol Parkway; this, it is considered, elevates the merits of the application site above most other sites in terms of sustainability.

5.39 When considering the sustainability of the site, an important material consideration is a Planning Inspector's comments on a 210 dwelling scheme on land west of Engine Common in 2013 (application PK12/1751/F), which is immediately adjacent to the current application site.

*"The proposed employment development would be located immediately adjacent to the settlement boundary of Yate. Both this and the proposed residential development would have convenient access to the highway network and the wide range of other services and facilities available within Yate. In transport terms, the scheme would comprise a sustainable urban extension to the town of Yate".*

5.40 Accordingly, the site is considered to be located in a sustainable location and there is no objection on this basis.

#### 5.41 Vehicular Access into the Site

The access junction off of Iron Acton Way has been upgraded following discussions with the Council's Transportation Officer to ensure adequate and safe access and egress. The access into the site was originally proposed as a simple 'T' junction with uncontrolled pedestrian/cycle refuge islands across Iron

Acton Way. Access arrangements have been reviewed significantly following comments made by the Local Highway Authority in order to address road safety issues. The proposal now includes the provision of a signalised junction including a signalised pedestrian crossing over Iron Acton Way, as well as a Toucan crossing and a Pegasus crossing over the access road into the site. The revised access proposals caters for pedestrian, cycle and equestrian movements along the bridleway which extends parallel to Iron Acton Way. Existing bus stops on Iron Acton Way should be relocated in order that they are in a more user friendly location for occupiers of the new development and accessible by a formal hard surface link. The recommended HoT (no.2) addresses this matter.

- 5.42 The new junction and site access to the development proposed have been designed so they are fully aligned with the Council's scheme for highway improvements in the area. The Council has a programme for highway improvements along a section of Iron Acton Way and on the wider route along the B4059 into Yate. These improvements are required to mitigate, and are funded by development approved at the North Yate New Neighbourhood which is currently under construction.
- 5.43 Overall, the proposed junction access arrangements onto the existing public highway is considered to be adequate from a highway safety perspective and the internal road layout is adequate to serve the new development on site.
- 5.44 There should be no vehicular access between the application site and Dyers Lane; therefore, a condition is attached which requires any existing vehicular accesses to be stopped up with only a pedestrian access provided.
- 5.45 Traffic Impact  
The proposed development would contribute to the existing volume of traffic on Iron Acton Way as well as on adjoining road networks nearby. However, the Transport Assessment submitted in support of the application and the revised junction layout demonstrates that the scheme would not have a significant impact in terms of congestion. Relevant to determination of this application is the history of the application site. Consideration must be given to the application no. PK12/1751/F as set out in Planning History section of this report. The application was refused by the Council and subsequently dismissed by the Inspector at appeal. However, the Inspector did not uphold the Council's refusal reason relating to highway impact because the applicant had proposed mitigating measures. Details of the junction arrangement now agreed with the current scheme is similar to those previously agreed with the earlier application.
- 5.46 Yate Town Council's concerns about the new access and the development traffic impact onto the public highway (on the B4059) are noted. However, the revised junction arrangement has been designed to ensure that any future impact of the proposed development traffic would be minimised at this location. When both schemes of highway works (i.e. development works as well as the Council's committed highway works on Iron Acton Way) are fully complete the section of Iron Acton Way between Iron Acton Way roundabout and the new junction into the development will be sufficiently wide to have two lanes eastbound and one lane westbound. The revised junction design has the

support of the Council's traffic signal engineer. Overall, it is not considered that a highway objection could be sustained on traffic ground.

#### 5.47 Public Open Space and Allotment Provision

The proposal in most parts would provide significantly more public open space on site than is required to be provided under policy CS24 of the Core Strategy as the table below sets out.

Type	Policy Requirement (sqm)	Proposed (sqm)	Provision in excess of Policy
Informal Recreation Space	3159	5048	1889 (+60%)
Natural and Semi-Natural Green Space	4086	13112	9026 (+220%)
Provision for Young People	655	732	77 (+12%)
Allotments	545	779	234 (+43%)

- 5.48 No on site sports provision is proposed and would not be expected to be given the size of the site; and the Council's POS Officer accepts an off-site contribution of £228,746.27 to improve outdoor sports facilities located off-site. The allotment provision has been assessed by the Council's POS Officer and is considered to be acceptable. The recommended HoT secures a total of 779sqm of land for allotments which exceeds the minimum policy requirement of 545sqm. There are options as to how that quantum translates to the number of individual allotment plots provided. The Allotment Association specifies that a full size allotment plot is 250sqm in area but that would mean that fewer plots could be provided on the site; in addition, a plot of that size takes a great deal of time and ability to maintain. Therefore, a full size plot is typically not suitable for most people. The landscape plans submitted show 4 half size plots of 125m<sup>2</sup> each but the plan also states that there is potential to further split the allotments into quarter size plots where there would be a total of 7 allotments provided. The allotments would ultimately be marked out and managed by the appointed management company. In the location proposed, the allotments would not be overly shaded by vegetation and although no dedicated car parking is provided for the allotments they would be within a 5 minute walk to most of the dwellinghouses. The allotments would be secured by fencing and individual storage sheds would be provided in which horticultural equipment could be stored securely rather than being transported to the allotments on each visit. A water supply would also be provided for the allotments.

#### 5.49 Coal Mining

A Coal Mining Report has been submitted in support of the application. The report concludes that 'based on the coal mining report and the known underlying ground conditions no coal or non-coal mining risk has been identified on the site'. Accordingly, there are not considered to be any issues in respect of coal mining at the site that would affect the proposed development and no issues were raised under the previous appeal scheme which the application site formed part of.

5.50 Refusal Reason 2

The HoTs set out under paragraph 7 of this Committee Report have been agreed with the developer and would secure 35% affordable housing to an adequate standard, 6 units of self-build accommodation, public open space provision on site, an off-site sports contribution and the necessary highway works and improvements. If Members at the Spatial Planning Committee resolve to approve planning permission solicitors would be instructed to draw up a legal agreement to secure the HoTs and this would entirely address refusal reason 2.

5.51 Planning Obligations

The Community Infrastructure Levy Regulations 2010 set out the limitations of the use of Planning Obligations. Essentially the regulations (regulation 122) provide three 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:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development;
- Fairly and reasonably related in scale and kind to the development.

5.52 In the case of the planning obligations set out above, and as set out in the heads of terms below, it is considered that they are appropriate mitigation, necessary to make the development acceptable in planning terms, directly related to the development and in scale and kind to the development. As such, all planning obligations set out are considered to pass the CIL Regulation 122 tests.

5.53 CIL

The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development, if approved, would be liable to CIL charging. Accordingly, this addresses concerns raised regarding a lack of capacity at local schools and surgeries in the local area. The impact of the development and the increase in population generated would be mitigated by the developer paying a CIL.

5.54 Planning Balance

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

5.55 The proposal does not accord with the development plan. It is contrary to policies CS5 and CS34 because it would result in residential development taking place outside of the defined settlement boundary within the open countryside. Paragraph 12 of the NPPF states that planning permission should not normally be granted where a proposal conflicts with an up to date development plan. However, in accordance with the statutory test set out above, it also recognises that material considerations may justify a departure from the development plan.

5.56 The National Planning Policy Framework (NPPF) is an important material consideration. An objective of the NPPF is to significantly boost the supply of homes and it carries a presumption in favour of sustainable development. The NPPF sets out the situations where the balance is tilted in favour of approving development.

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

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

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

5.57 In this case there are relevant development plan policies as set out in Paragraph 2.2 of this report.

5.58 The tilted balance would apply if the Council is unable to demonstrate a five year supply of deliverable housing sites. However, it has already been established that the Council can demonstrate a five year land supply based on the most recent Annual Monitoring Report published in March 2020. The tilted balance is not considered to apply on this basis. The NPPF requires consideration as to whether the most important policies for determining the application are out of date. In considering whether these policies are out of date, the main test is to determine their level of consistency with the NPPF.

5.59 Table 1: Core Strategy policies

Policy	Why is this policy one of the most important for determining this application?	How is this policy consistent with the NPPF?
1. CS1 High Quality Urban Design	CS1 sets the requirements for High Quality Design and requires that new development conforms to the highest possible standards of design and site planning are achieved. CS1 is critical to determination of this application.	Section 8 seeks to promote healthy and safe communities including open space and recreation. Section 12 seeks to achieve well designed places. Para 124 states that the creation of high quality buildings and places is what the planning and development process should achieve, which is the core objective of Policy CS1 to promote the highest possible standards of design and site planning.
2. CS2 Green Infrastructure	New green infrastructure is planned, delivered and	Para 96 promotes access to a network of high quality

	managed as an integral part of creating sustainable communities and enhancing quality of life. Inadequate provision of green infrastructure as an integral part of the proposal would have resulted in refusal of the application based upon its detrimental impact on the amenities of future residents.	open spaces and opportunities for sport and physical activity is important for the health and wellbeing of communities. Planning policies should be based on robust and up to date assessments. CS2 has the same objectives.
3. CS5 Location of Development	CS5 states that new development at Yate new development will be of a scale appropriate to achieve greater self-containment and to improve the separate but inter-related roles and functions of the towns, focusing on investment in the town centres and improving the range and type of jobs, and that existing settlement boundaries will be maintained. CS5 is critical to the determination of the application.	In assessing the consistency of Policy CS5 which deals with the location of development with the NPPF it must be considered alongside the ability for the Council to demonstrate a 5 Year Housing Land Supply of 5.21 and to meet the 45% Housing Delivery Test.
4. CS6 Infrastructure and Developer Contributions	CS6 requires new development of this scale to provide site specific and infrastructure, services and community facilities and financial contributions to mitigate impacts. CS6 is critical to determining the application due to the need for all new development to provide an appropriate level of infrastructure to support both new residents and mitigate the impact on existing residents.	Paras 54-56 outline the NPPF approach to the application of developer contributions to ensure necessary infrastructure delivery, this is also outlined in Policy CS6.
5. CS8 Improving accessibility	CS8 sets out the principles applied to planning applications in terms of accessibility, offsite mitigation, sustainable travel options, parking and vehicular access. CS8 is critical to determining the application without improved accessibility the application would be refused in this location on transportation grounds.	Section 9 of the NPPF promotes sustainable transport, which include improving accessibility by all modes and providing a range of travel options, which is the key objective of CS8.

<b>7. CS18 Affordable Housing</b>	CS18 requires affordable housing provision to meet the needs in South Gloucestershire, including 35% on site or equivalent financial contribution. Failure to provide less than 35% or equivalent contribution (without justification through an open book viability appraisal) would result in the refusal of the application.	Paras. 62-63 of the NPPF promote affordable housing being provided on site, and establish thresholds for affordable housing provision. The core objective of CS18 is to provide affordable housing to meet the need in South Glos.
<b>8. CS23 Community Infrastructure</b>	New development will be required to provide or contribute towards additional, extended or enhanced community and cultural infrastructure where it would generate the need for such facilities. Failure to comply with this would result in refusal of the application. This is adequately addressed through the CIL requirement and is critical to determining the application due to the need for all new development to provide an appropriate level of infrastructure to support both new residents and mitigate the impact on existing residents.	The principle of ensuring community infrastructure is delivered is enshrined in paras. 91 and 92 of the NPPF, CS23 is in line with this.
<b>9. CS24 Green Infrastructure, Sport and Recreation Standards</b>	New development is required to provide green infrastructure, sports and recreation provision which are integral to sustainable communities. CS24 is critical to determining the application due to the need for all new development to provide an appropriate level of green infrastructure to support both new residents and mitigate the impact on existing residents.	Paras. 96-97 of the NPPF promote access to a network of high quality open spaces and opportunities for sport and physical activity for the health and well-being of communities through the retention and enhancement of existing provision and opportunities for new provision. Policy CS24 outlines requirements for South Gloucestershire in line with the NPPF.
<b>10. CS34 Rural Areas</b>	New development in rural areas is required to protect, conserve and enhance its distinct characteristics. Existing settlement boundaries are to be maintained, due to its location in the open countryside	Paras. 77-79 deal with rural housing and Paras. 83 and 84 with a prosperous rural economy, CS34 is in line with these provisions of the NPPF. Policy CS34 also takes key principles of the NPPF requirements for new

	<p>outside the defined settlement boundary and consequential impacts.</p>	<p>developments and applies those to rural areas:</p> <ul style="list-style-type: none"> <li>• Point 1 - Chapter 13, 15 and 16</li> <li>• Point 2 – Para. 170</li> <li>• Point 3 – Chapter 15 and Para. 130</li> <li>• Point 4 – Chapter 13</li> <li>• Point 5 – Paras. 77 - 79</li> <li>• Point 6 – Para. 62-63 and Paras. 77-79</li> <li>• Point 7 – Para. 83-89</li> <li>• Point 8 – Para. 83-89 and Chapter 10</li> <li>• Point 9 – Paras. 148-154</li> <li>• Point 10 – Para. 96</li> <li>• Point 11 – Section 9 and Paras. 54-56</li> <li>• Point 12 – Paras. 155-165</li> <li>• Point 13 – Paras. 148-154</li> </ul>
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5.56 Table 2: Policies Sites and Places DPD policies

<b>POLICY</b>	<b>Why is this policy one of the most important for determining this application?</b>
<b>1. PSP2 Landscape</b>	<p>This states that new development should seek to conserve and enhance the quality, amenity, distinctiveness and special character of the landscape.</p> <p>The assessment of the impact of the proposed development on the quality, amenity, distinctiveness and special character of the landscape and its natural beauty makes PSP 2 a critical policy in determining this application.</p>
<b>2. PSP6 On site renewable and low carbon energy</b>	<p>Outlines the requirements for onsite renewable and low carbon energy, requiring all major greenfield residential development to reduce CO2 emissions further by at least 20% via the use of renewable and/or low carbon energy generation sources on or near the site.</p>
<b>3. PSP11 Transport Impact</b>	<p>Requires that new development proposals are located on safe, useable walking and, or cycling</p>

	routes, that are an appropriate distance to key services and facilities and also served by appropriate public transport. PSP11 is central to the assessment of the application due to the impact of the development upon highways, public transport and walking and cycle networks.
<b>5. PSP20 Flood Risk, Surface Water and Watercourse Management</b>	<b>Requires development to follow the sequential approach to flood risk, for all potential flood risk sources, reduce surface water discharge, incorporate SUDS, design to reduce off-site flood risk; and follow the Surface Water Discharge Hierarchy.</b>

- 5.60 The Policies, Sites and Places Plan was adopted in 2017 and it is considered that all the policies contained within it are up to date and consistent with the NPPF.
- 5.61 In assessing the policies that are considered to be the most important for determining the application it is considered that the policies in general are not out of date by measure of conformity with the NPPF. For the purposes of clarity, Policy CS15 is not considered to be a policy that is most important in determining this application. In accordance with the NPPF, for the purpose of the 5-year land supply calculation, South Gloucestershire's housing need is calculated using the new standard method for Local Housing Need (LHN) not the figure contained in policy CS15. For that reason CS15 is not a most important policy in determining the application.
- 5.62 Policies CS5 and CS34 are consistent with the NPPF and are not considered to be out of date. Given the circumstances of this case these policies are given full weight.
- 5.63 Assessing the policies in terms of attaching weight in the planning balance, most important policies outlined from the Policies Sites and Places Plan (PSP2, PSP6, PSP11 and PSP20) and the remainder of the Core Strategy Policies (CS1, CS2, CS4A, CS5, CS6, CS8, CS9, CS18, CS23, CS24 and CS34) are considered to attract full weight in the planning balance. As the table above attests (Table 1 at paragraph 5.94 of the published Committee Report), they are up to date and consistent with the NPPF.
- 5.64 In conclusion, it is considered that the tilted balance in paragraph 11(d) of the NPPF is not engaged. The most important policies for determining the application are not out of date when considered as a whole.
- 5.65 A standard planning balance is required considering whether there are any material considerations, such as any benefits that would justify a departure from the development plan in this instance.
- 5.66 Under the appeal for South of Gloucester Road, Thornbury the Planning Inspector considered that a major residential scheme providing 240 market

units and 130 affordable units held significant weight when considering the benefits the scheme would bring to the Council's housing land supply even though it was agreed that the Council could demonstrate a 5 year land supply. This was because the Inspector considered that the Council's 5-year land supply was marginal and the proposal provided an opportunity to increase the surplus and strengthen the position in the context of the Government's objective to significantly boost the supply of housing (NPPF para.59) and that an identified 5-years' worth of housing is only a minimum state (NPPF para.73). The proposed scheme whilst smaller than the appeal scheme would still make a sizeable contribution to the supply of open market (76) and affordable housing (42 dwellings). The site is promoted by Redrow Homes, a volume house builder with a proven track record of housing delivery; therefore, it is considered that there is a good chance that a large part of the site would likely be delivered within 5 years.

- 5.67 In addition, in the opinion of the Planning Officer, when considering the merits of the application site, it is considered to be located in a particularly sustainable location. There is a multi-user route located directly outside of the site adjacent to the southern boundary, segregated from Iron Acton Way which connects to the Bristol and Bath cycle path and provides safe walking and cycle links to Brimsham Green School via Lodge Road and Broad Lane; both are roads with low levels of traffic. The site is located on the edge of Yate just outside the defined settlement boundary and is within walking and cycling distance to a wide range of services as highlighted by a previous Planning Inspector (application no. PK12/1751/F). For example, a large industrial estate is located on the opposite side of Iron Acton Way and would be within easy walking and cycling distance from the application site. There are bus stops located very close to the site (2min walk) which provide access to Yate Town Centre, Bristol, Thornbury and Cribbs Causeway. The site is also within relatively close proximity to Yate Railway Station (19 min walk and 6 min cycle), which provides frequent services to key destinations such as Bristol Temple Meads and Bristol Parkway; this, it is considered, elevates the merits of the application site above most other sites in terms of sustainability. The majority of the site is also located on poor quality agricultural land.
- 5.68 On site public open space provision would in most parts be significantly in excess of the development plan requirements. There would be social and environmental benefits to the improvements to the floodlighting at Yate Town Football Club and from the removal of adjacent Leylandii trees.
- 5.69 A CIL of some £984,813.23 would be generated by the development, and there would be other economic benefits through the construction.
- 5.70 When considered together these benefits are considered to hold significant weight in favour of the proposal.
- 5.71 On balance, it is the planning officer's judgement that in this instance and considering the proposal on its own merits there are considered to be material considerations which outweigh all of the harms that have been identified and indicates that the development plan should not be followed and that planning permission should be granted.

#### 5.72 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.

5.73 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 authority be delegated to the Director of Environment and Community Services to grant permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

#### Heads of Terms

##### Self Build

1. 6 self-build plots secured and phasing;
2. Not to commence development until following documents submitted and approved in writing:
  - Details of 6 CB plots with plan identifying boundaries;
  - Delivery Statement;
  - Design Code;
  - Marketing Strategy;
  - Plot Passports for all Custom-build plots;
  - Servicing details.
3. Work proactively with the council to raise public's awareness of the future availability of CB plots and the likely timing of CB plots being made available and marketed;

4. Not more than 50% of non-CB dwellings shall be first occupied until 40% of the CB plots are in a serviced condition, remediated condition, and marketed appropriately;
5. Deliver CB plots to a serviced condition and remediated condition in accordance with the approved Delivery Statement;
6. Each CB plot shall be marketed appropriated during the first marketing period in accordance with agreed Marketing Strategy;
7. Where the Owner contracts to sell any Custom-build Plot as a Custom-build Dwelling or a Shell Home the Owner shall pay to the Council the sum which is 1% of the purchase price agreed for the Custom-build Plot and up to a maximum value of £1,000 per Custom-build Plot, such sum to be paid to the Council prior to the sale of such Custom-Build Plot.

#### Highways

1. Construct a signalised junction and crossing facility with access to the development from Iron Acton way as shown in principal on the plan 'Site Access Signal Junction' (i.e. drawing no. 173082/A/102) together with all associated works – this is to include the construction of a service layby adjoining to the signal controller box as well as the payment of 'Commuted' sum towards the future maintenance of the new traffic signal equipment in connection with this scheme.
2. Construct a bus lay-by on Iron Acton Way and pedestrian link to the Bridleway together with all associated works and bus stop facilities.
3. Financial contribution of £35,000 toward the highway tie-in-works to the Council's programmed scheme on Iron Acton Way.
4. Financial contribution of £4,000 towards 'safe route to school' provision (i.e. a pair of dropped-kerb crossing including tactile paving near Lodge Road junction with North Road).
5. Pay the Council the sum of £2,000/year for a total period of 5 years towards the monitoring fees of travel plan.
6. Provision of 3m wide footway/cycle connection to adoptable standards to the western boundary of the site and to connect to Dyers Lane together with all associated works.

#### Public Open Space

The applicant shall provide 5048sqm of informal recreational open space on site with private maintenance.

The applicant shall provide 13112sqm natural and semi-natural green space on site with private maintenance.

The applicant shall provide 732sqm of equipped play provision for children and young people on site with private maintenance.

The applicant shall provide 779sqm of allotments on site with private maintenance.

The applicant shall provide a contribution towards outdoor sport facilities of £228,746.27 towards off-site provision and/or enhancement and a maintenance contribution of £69,233.62

Prior to occupation of the 1st dwelling, the applicant shall secure the management and maintenance of the Public Open Space (POS) and Sustainable Drainage System (SUDS) in perpetuity, to adoptable standards, and in accordance with an appropriate management regime to be first approved by the Council. The developer shall maintain

the POS and SUDs in accordance with the maintenance regime until such time as the whole of the POS and SUDs areas are either transferred to the Council or transferred to a management entity, the details of which shall be first approved by the Council.

#### Affordable Housing

35% of 118 dwellings to be delivered as 42 Affordable Homes as defined by the NPPF, to be provided without public subsidy, on-site and distributed throughout the development in clusters of no more than 12 units.

#### Tenure and Type

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

- 73% Social Rent
- 27% Shared Ownership

#### Design

All affordable homes to be built to the same high quality design standards and visually indistinguishable from the market units and in addition, Part M of the Building Regulations accessibility standards M4(2), Secured by Design Silver, Part Q Building Regulation standards and compliance with the RP Design Brief;

- i. All rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels;
- ii. All properties to have vinyl/tiles on floor in all ground floor rooms;
- iii. Ceiling height tiling to 3 sides of bathroom to be provided;
- iv. Provide wall mounted shower (either electric or valve and kit);
- v. Provide gas and electric points to cooker space (where gas is available);
- vi. Painted softwood curtain battens to each window (where construction is traditional as opposed to timber frame)

No more than 6 Affordable Homes should share an entrance and communal area. Registered Providers would generally expect flats within a single block to be of the same tenure.

#### Wheelchair Provision

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

#### Delivery and Phasing

The Council to refer potential occupants to all first lettings and 75% of subsequent lettings.

Delivery is preferred through the Council's list of Approved Registered Providers. In the event of the developer choosing a Registered Provider from outside the partnership then the same development and management standards will need to be adhered to.

Affordable Homes to be built out with the market housing on site in line with agreed triggers within the S.106 Agreement.

#### Rent Levels and Affordability

Social Rent homes to be let at Target Rent (Rent Standard Direction 2014).

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

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

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

The reason for the above obligations is to ensure that the mitigation of the impacts of the development are met.

Following the Council introducing the CIL tariff that Head of Corporate Finance is authorised to levy the CIL charge.

Should the Section 106 not be completed within 6 months of the date of this Committee report that delegated authority be given to the Director of Planning, Transport and Strategic Environment to refuse the application if an extension of time to complete the agreement is not sought.

## **CONDITIONS**

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

Reason

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

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

For the avoidance of doubt the following details will be required to be submitted to discharge the above conditions unless otherwise agreed in writing by the Local Planning Authority:

- Confirmation and acceptance of the adoption and agreed connection point and discharge rate for surface water disposal from Wessex Water. This may be submitted as the approved Section 104 Drawing/s.
- Confirmation of approval or the 'in principle' acceptance of Ordinary Watercourse Consent from the Lead Local Flood Authority (LLFA) for the four (4) proposed culverted ditch crossings.
- A clearly labelled drainage layout plan showing the pipe networks and any attenuation features and flow control devices. The plan should also include updated details of the contributing impermeable areas within the catchment zones.
- Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer) up to the 10080 minute duration; and

no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance.

To include the submission of the corresponding MicroDrainage model (MDx File) for a full review and audit.

- Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance.
- Updated cross-sectional and drainage layout plans of the attenuation basin adjacent to plots 1 & 26 to incorporate the raising of the all-round maintenance access track levels by a minimum 300mm around the North and West sections where it bound plots 1 & 26 as an extra flood safeguard during extreme events in excess of 1-100Yr + 40% CC events. The South and East may to remain at their current levels to act as a natural spillway should extreme event scenarios arise.

The width of the all-round access track should be a minimum 3 - 5 Metres for the allowance of relevant equipment maintenance activities.

- The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
- The plan should also show any pipe node numbers referred to within the drainage calculations.
- A manhole / inspection chamber schedule to include cover and invert levels.
- Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation features and Flow Control Devices where applicable for the lifetime of the development.

#### Reason

In order to ensure that an adequate means of drainage is provided and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP20 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

This is a pre-commencement condition in order to avoid any unnecessary remedial works.

3. Prior to the construction of the development above Damp Proof Course Level (DPC) a public art plan to include, but not be limited to, a rationale for the programme, budget, timetable, commissioning strategy, artist brief/s and long list of artists shall be submitted to and agreed in writing by the Local Planning Authority. Public art shall be implemented in accordance with the agreed details.

#### Reason

To ensure that public art is well embedded into the scheme in the interests of the character and visual amenity of the development and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

4. Prior to the construction of the development above Damp Proof Course (DPC) level, a revised Energy Statement with calculations showing predicted energy demand and carbon dioxide emissions based on the final design and specification of the development shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the revised Energy Statement.

Reason

To achieve improved energy conservation and protect environmental resources, to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions, in accordance Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP6 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

5. Prior to the construction of the development above Damp Proof Course (DPC) level, details of the PV panels (including the exact location, dimensions, design/ technical specification and roof plans) together with a calculation of energy generation and associated CO<sub>2</sub> emissions to achieve a reduction in residual emissions from renewable energy of at least 20% in line with the Energy Statement approved under condition 4 shall be submitted to and agreed in writing by the Local Planning Authority. The renewable energy technology shall be installed in accordance with the agreed details prior to the first occupation of the corresponding dwellings.

Reason

To achieve improved energy conservation and protect environmental resources, to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions, in accordance Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP6 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

6. The residential units hereby approved shall be built to the fabric first/energy efficiency measures as set out in the Energy Statement approved under condition 4, including units achieving a minimum airtightness of 5m<sup>3</sup>/h.m<sup>3</sup> @50 Pa. Prior to the first occupation of the 10th, 50th, 100th dwellings a copy of the 'as built' Energy Performance Certificate (EPC) shall be provided to the Local Planning Authority for the corresponding dwelling to evidence that this has been achieved.

Reason

To achieve improved energy conservation and protect environmental resources, to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions, in accordance Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP6 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

7. Within three months following the occupation of the final dwelling with PV as identified under condition 5, the following information shall be submitted to and agreed in writing by the Local Planning Authority:

- Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate(s).
- A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO2 emissions by the percentage shown in the approved Energy Statement.

Reason

To achieve improved energy conservation and protect environmental resources, to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions, in accordance Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP6 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

8. Prior to the erection of any external lighting at the site, details of a scheme of lighting shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the scheme will demonstrate compliance with the plan ECO7:Dark Corridors Rev A received by the Council on 23rd October 2020. All external lighting erected shall thereafter accord with the approved details.

Reason

To ensure that dark corridors for bats are retained in the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

9. Should 12 months or more have elapsed between the original field survey and development commencing, the site shall be re-surveyed for badger and a report submitted to and approved in writing by the Local Planning Authority, such report is to include details of any work subject to the licensing provisions of the Protection of Badgers Act 1992. All works shall be carried out in accordance with said report.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

10. Prior to development commencing, a Landscape and Ecological Management Plan (LEMP) shall be drawn up and agreed with the Council in writing. The Plan shall accord with the approved landscape plans and include details of all existing habitat to be retained; any new habitat to be created; and its management. The LEMP shall also include a programme of monitoring of all works for a period of 5 years. For the avoidance of doubt, the LEMP shall include provision for bird and bat boxes. All works are to be carried out in accordance with the approved LEMP.

Reason

In the interests of wildlife and the ecology of the site and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan

(adopted) November 2017. This is a pre-commencement condition to ensure that wildlife on the site is adequately protected.

11. A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of development including any clearance of vegetation. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The CEMP must also demonstrate how the developer will prevent harm to the retained or created ecological features during the construction phase of development. The plan shall include, but not be limited to:
- A mitigation strategy to ensure that there is no harm to any hedgehog and nesting birds through vegetation removal.
  - Processes for keeping local residents informed of works being carried out and dealing with complaints.
  - All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
  - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
  - Measures to control the migration of mud from the site by vehicles during construction.
  - Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works. Piling will not be undertaken.
  - Procedures for emergency deviation of the agreed working hours.
  - Control measures for dust and other air-borne pollutants; to be incorporated into a dust management plan in order to minimise the impacts of construction dust.
  - Measures for controlling the use of site lighting whether required for safe working or for security purposes.
  - Locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of the development.
  - The control and removal of spoil and wastes.
  - Access arrangements for construction vehicles.
  - Measures to control the tracking of mud off-site from vehicles.
  - Measures to control dust from the demolition and construction works approved.
  - Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
  - Adequate provision for the delivery and storage of materials.
  - Adequate provision for contractor and visitor parking.
  - A lorry routing schedule.
  - Contact details of the main contractor.
  - Pedestrian cyclist and horse rider protection.
  - Proposed temporary traffic restrictions.
  - Arrangements for turning facilities on site for vehicles.
  - Membership details for the Considerate Constructor Scheme or similar regime and site induction of the workforce highlighting pollution prevention and awareness.

The CEMP as approved by the Council shall be fully complied with at all times. The development shall be implemented in accordance with the approved CEMP.

Reason

To ensure that the construction of the development does not bring about adverse impacts in terms of ecology, highway safety and the amenities of the area and to accord with policies CS1, CS2, CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policies PSP8, PSP10, PSP11, PSP19, PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to avoid any adverse impacts.

12. A) Previous historic uses of land within 250m of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

B) Intrusive Investigation/Remediation Strategy - Where following the risk assessment referred to in (A), land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas 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.

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

D) Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning

authority. Where unacceptable risks are found additional remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

**Reason**

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

This is a pre-commencement condition in order to avoid any unnecessary remedial works.

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

**Reason**

In 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 Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

This is a pre-commencement condition to ensure that archaeology at the site is adequately protected.

14. Notwithstanding the details submitted, any windows at first floor level in the northern side elevations of plots 23, 32 and 33 shall prior to the occupation of these plots and at all times thereafter comprise obscure glazing to a level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

**Reason**

To protect the privacy of occupiers of the neighbouring dwelling and to accord with policy PSP8 of the South Gloucestershire Local Plan Policies Sites and Places Places Plan (adopted) November 2017.

15. All Affordable Dwellings shown on the approved planning layout plan no. 4002 Rev L shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2) with the exception of any self-contained accommodation built above ground floor level. Where Wheelchair units are identified on the approved planning layout plan no.4002 Rev L these units will be constructed to meet Part M of the Building Regulations Accessibility standard M4(3)(2)(a).

Reason

To ensure inclusive design access in accordance with Policy CS1 of the South Gloucestershire Council Local Plan Core Strategy (adopted) December 2013; and Policy PSP37 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

16. Plots 85-95 on the approved planning layout plan no. 4002 Rev L shall not be occupied until replacement floodlighting has been installed at the Yate Town Football Club ground in accordance with the details hereby approved and evidence of the installation has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure occupiers of the residential units enjoy an adequate standard of residential amenity and are not adversely affected by light spill and to accord with Policy CS9 of the South Gloucestershire Council Local Plan Core Strategy (adopted) December 2013; and Policy PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

17. Notwithstanding the details submitted prior to the construction of the development above Damp Proof Course (DPC) level a revised Public Open Space Provision Plan shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

To ensure consistency on the plans submitted and that areas of land are retained and maintained as public open space where required and are not transferred to private ownership of dwellings in the interests of the character and amenities of the development and to accord with policies CS1, CS2 and CS24 of the South Gloucestershire Council Local Plan Core Strategy (adopted) December 2013.

18. Notwithstanding the details submitted, prior to the construction of any paths within Public Open Space, details of the surface treatment of the paths shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure adequate access through public open space for members of the public and to accord with policies CS1 of the South Gloucestershire Council Local Plan Core Strategy (adopted) December 2013.

19. Prior to the construction of the development above damp proof course level, details of furniture and structures required to ensure adequate access in relation to Public Right of Way LIA/21 shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

To ensure adequate access to the active travel route is provided for the public and to accord with policies CS1 of the South Gloucestershire Council Local Plan Core Strategy (adopted) December 2013; and policy PSP10 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

20. Notwithstanding the details submitted, no development (including any site clearance or demolition works) shall commence until a Tree Protection Plan and Tree Removal Plan is submitted and the location of the tree protection fencing agreed in writing by the Local Planning Authority. For the avoidance of doubt, the Tree Protection Plan shall accord with BS5837 (2012). Thereafter the development shall be implemented in accordance with the agreed details, with all tree protection fencing erected prior to any site clearance works. The Council must be notified when the tree protection fencing has been erected, to allow it to be checked on site and ensure that it is in accordance with the tree protection plan. The applicant's arboricultural consultant should oversee these works. All tree protection must be left in place for the duration of the development and should not be moved without written authorisation by the Local Planning Authority.

Reason

In the interests of the heath and visual amenity of trees and to accord with policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that trees are protected before any development starts.

21. Notwithstanding the details submitted, no development (including any site clearance or demolition works or new tree planting) shall take place within the Root Protection Area (RPA) of any tree at the site until an Arboricultural Method Statement (AMS) has been submitted to and agreed in writing by the Local Planning Authority. Any works within the RPA shall be carried out strictly in accordance with the agreed Arboricultural Method Statement. All works within the Root Protection Area (RPA) of any tree on the site shall be undertaken under the watching brief of an Arboricultural Clerk of Works.

Reason

In the interest of the heath and visual amenity of trees and to accord with policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that trees are protected adequately during construction.

22. All planting, seeding or turfing comprised in the soft landscaping details hereby approved, shall be carried out no later than the first planting and seeding season following the substantive completion of the development hereby approved, and any trees or plants (retained or planted) which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting seasons with others of a size and species as shall reasonably be specified by the Local Planning Authority.

Reason

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

23. Prior to the construction of development above Damp Proof Course (DPC) level a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule

shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

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

24. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level a revised plan showing an amended location for the bin store opposite plot 111 shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the bin store should be relocated to a position away from POS and the POS footpath. Development shall be carried out in accordance with the agreed details.

Reason

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

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

Reason

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

26. Notwithstanding the details submitted, prior to the construction of development above Damp Proof Course (DPC) level a revised plan demonstrating a fence and hedgerow adjoining the western side elevation of plot 48 instead of a brick wall shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

In the interests of the heath and visual amenity of trees and to accord with policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

27. Prior to the commencement of the development a phasing plan to indicate the scale and sequence of build out including the relationship of dwellings to the delivery of infrastructure shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details. For the avoidance of doubt, it is essential that each self-build plot is an individual phase.

Reason

To ensure that the development is comprehensively planned, designed and phased to ensure that the provision of the different land uses within the site are delivered and protected in order to comply with the relevant policies in the Development Plan.

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

Reason

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

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

Reason

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

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

Reason

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

31. Prior to the construction of development above Damp Proof Course (DPC) level, the detailed design including materials and finishes of the following items on all dwellings shall be submitted to and approved in writing by the Local Planning Authority:

1. Eaves, verges and ridges
2. Window frames and reveals
3. All external door hoods, architraves, canopies and porches
4. Extracts, vents, flues & meter boxes

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

Reason

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

32. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided for the plot to which it relates before the corresponding dwelling is first occupied, and thereafter retained for that purpose.

Reason

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

33. Where on-plot parking is provided for residential dwellings, prior to their first occupation, Electric Vehicle (EV) charging points for each parking space should be provided for each dwelling, with shared facilities provided for the apartment blocks.

Reason

To promote sustainable travel choices and to accord with policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

34. Notwithstanding the details submitted, no dwelling shall be occupied until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been submitted and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented in accordance with the agreed travel Plan Targets.

Reason

To promote sustainable travel choices and to accord with policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

35. Before the vehicular access hereby permitted is first used, the existing vehicular accesses into the site from Dyers Lane shall be stopped up in accordance with the approved plans.

Reason

In the interests of highway safety and the character and amenities of Dyers Lane and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policies PSP2 and PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

36. Plots 1-12 and plots 38-48 shall incorporate the attenuation measures outlined in the Residential Planning Noise Assessment A1368 R02a dated 15th February 2019.

Reason

To ensure occupiers of the residential units enjoy an adequate standard of residential amenity and are not adversely affected by noise and to accord with Policy CS9 of the South Gloucestershire Council Local Plan Core Strategy (adopted) December 2013; and Policy PSP21 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

37. Driveways in which the external car parking area is provided between two side elevations of dwellings shall be provided with external lighting to illuminate these areas. External lighting to BS5489:2013 shall be provided for the private driveways/communal car parking areas.

Reason

In the interests of security and crime prevention and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

38. Any sheds shown on the approved drawing no. 4002 rev L to be provided for bicycle storage shall meet the required standard for Secured by Design (SBD).

Reason

In the interests of security and crime prevention and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

39. Notwithstanding the details submitted, prior to the construction of development above damp proof course (DPC), a revised highway adoption plan demonstrating the adoption of a foot and cycle link to the western boundary of the site shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate cycle link is provided to promote sustainable travel choices and to accord with policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

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

Planning Layout, 4002 Rev L  
Received on 3rd December 2020

Housetype Pack - Resubmission Pack Rev C  
Boundary Treatments Plan, 4101 Rev H  
Materials Facade Plan, 4102 Rev F  
Materials Roof Plan, 4103 Rev F  
Bin and Cycle Stores Plan, 4104 F  
Adoptable Highways Plan, 4105 H  
Indicative Landscape Site Sections, P17-2198\_13 Rev B  
Detailed Public Open Space Landscape Proposals, P17-2198\_16 Rev B  
Detailed Public Open Space Landscape Proposals northern greenspace, P17-2198\_17 Rev A  
Detailed Soft On-plot Landscape Proposals Sh1-5, P17-2198\_18 Rev A  
Illustrative Boundary Wall Elevation and Section, P17-2198\_19  
Illustrative Boundary Fence Elevation and Section, P17-2198\_20  
Preliminary Highways Levels (Sheet 1 Of 2), 173082\_PHL\_101 Rev E  
Preliminary Highways Levels (Sheet 2 Of 2), 173082\_PHL\_102 Rev E  
Trent affordable compliance layout ground floor, 850 D  
Trent affordable compliance layout first floor  
Received on 20th November 2020

Dark Corridors Plan, Rev A  
Received on 23rd October 2020

Swept Path Analysis, 173082\_SPA\_01 Rev A  
Access Junction Works, 173082\_A\_102  
Received on 21 October 2020

Site Location Plan, Rev C  
Topographical Survey, 10129/1 Rev C  
Topographical Survey, 10129/1 Rev E  
Topographical Survey, 10129/1 Rev B  
Existing Floodlights, SP1167  
Proposed Floodlights, SP1167/2  
Received on 7th March 2019

Reason  
For the avoidance of doubt.

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