

List of planning applications and other proposals submitted under the planning acts to be determined by the director of environment and community services

CIRCULATED SCHEDULE NO: 21/23

Date to Members: 25/05/2023

Member's Deadline: 01/06/2023 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE 25 May 2023

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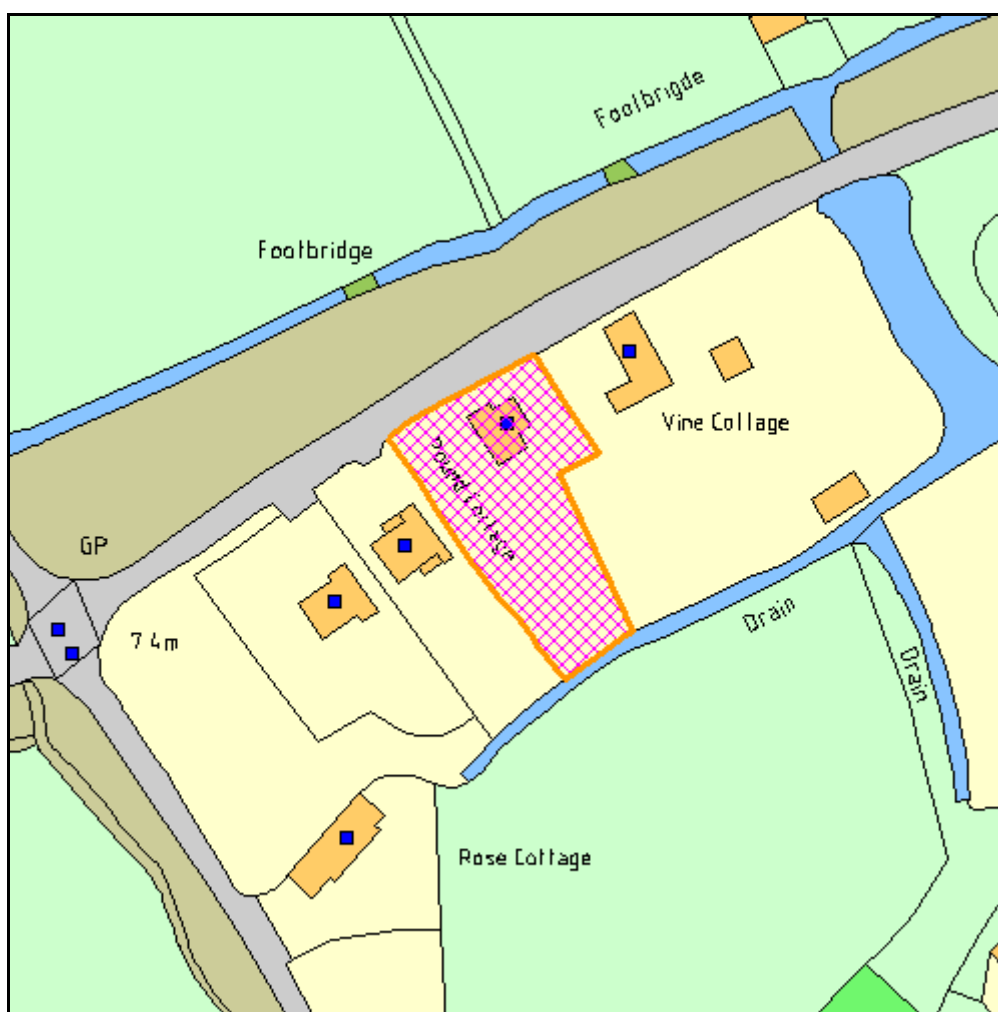
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P23/00891/HH	Approve with Conditions	Pound Cottage Lower Stone Road Rockhampton South Gloucestershire GL13 9DT	Severn Vale	Rockhampton Parish Council
2	P23/01165/R3F	Approve with Conditions	St Stephens C Of E Vc Junior School Lansdown Road Kingswood South Gloucestershire BS15 1XD	New Cheltenham	None
3	P23/01284/RVC	Approve with Conditions	112 North Street Downend South Gloucestershire BS16 5SE	Frenchay And Downend	Downend And Bromley Heath Parish Council

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
17/23	12 O'Clock Tuesday 25 April	9am Thursday 27 April	5pm Thursday 4 May	Friday 5 May
18/22	No Circulated due to elections.			
19/22	Normal			
20/22	Normal			
21/22	12 o'clock Tuesday 23 May	9am Thursday 25 May	5pm Thursday 1 June	Friday 2nd June

Dates and officer deadlines for Circulated Schedule May Bank Holiday and Kings Coronation

CIRCULATED SCHEDULE NO. 21/23 -25th May 2023

App No.:	P23/00891/HH	Applicant:	Ms J Case
Site:	Pound Cottage Lower Stone Road Rockhampton South Gloucestershire GL13 9DT	Date Reg:	8th March 2023
Proposal:	Demolition of existing outbuilding. Erection of annexe ancillary to the main dwelling.	Parish:	Rockhampton Parish Council
Map Ref:	365204 193551	Ward:	Severn Vale
Application Category:	Householder	Target Date:	2nd June 2023



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N.T.S.

P23/00891/HH

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following 5no. objections from local residents contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the demolition of existing outbuilding and erection of annexe ancillary to the main dwelling.
- 1.2 The application site can be found at Pound Cottage, Lower Stone Road, located within the village of Rockhampton, and is set within a generous sized plot. The dominant feature within the site is a two-storey detached dwellinghouse.
- 1.3 This site is located within Flood Zones 2 and 3.
- 1.4 It is noted that since the application was initially submitted, revised plans have been accepted by the LPA. The revised drawings have amended the site boundary line to accurately reflect what is on the ground. A re-consultation was sent out for a period of 21 days.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Residential Parking Standard SPD (Adopted) 2013
Householder Design Guide SPD (Adopted) 2021
Annexes & Residential Outbuildings SPD (Adopted October 2021)

3. **RELEVANT PLANNING HISTORY**

- 3.1 **PT00/0573/F**. Erection of detached garage. **Approve with Conditions.** 30/04/2000.
- 3.2 **P84/1491**. Erection of two storey side extension to existing dwelling to form dining room with bedroom over. **Approval Full Planning.** 04/06/1984.

4. **CONSULTATION RESPONSES**

- 4.1 Rockhampton Parish Council
No comments received.
- 4.2 Lead Local Flood Authority
(17/05/2023)
We have now received clarity on the methods of foul and surface water disposal to be utilised, and therefore we have, no objection.
- (22/04/2023)**
Unacceptable in current form. We require the proposed methods of foul and surface water disposal to be utilised.
- 4.3 The Archaeology Officer Natural & Built Environment Team
Recommend that a HC11 condition for a programme of archaeological work should be applied to any consent granted. This work will be in the form of a watching brief.
- 4.4 Sustainable Transport – Transportation DC
No objection.
- 4.5 Local Residents
(Initial consultation)
2no. comments of objection received from local residents. The following points and concerns were raised.
- Not in-keeping with the scale of existing buildings
 - Higher roofline than that of existing buildings to be demolished
 - Impact current views
 - Impede on our privacy
 - Do not object to developing the existing workshop, but do object to the proposed extension
 - More suitable design could be drawn up utilising the existing double garage and existing workshop
 - Detrimental impact on the far reaching countryside

- Will make the rear of our property feel overlooked and enclosed
- Noise pollution
- Incorrectly labelled elevations
- Inaccurate red boundary line
- Expansive blank east elevation abutting our boundary
- Overbearing and dominant

(Re-consultation)

5no. comments of objection received from local residents, 2no. of which are from the same neighbours raised under the initial consultation.

- My concerns have not been addressed at all and remain
- Proposed scale does not give any consideration to others
- Potential letting of the annexe
- If were to be let out, where would the additional vehicles park
- Affect outlook
- Addition of a habitual building at this location is unnecessary
- Size appears excessive
- Additional height and length with single pitch is out of keeping
- Obtrusive to passers-by and eyesore to close neighbours
- States installation of solar panels as the reason for the mono-pitch design – dwellings existing roof could be used for this purpose
- Not well integrated with existing adjacent development

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 ***Annexe Test***

For a proposal to be an annexe it should only contain ancillary accommodation to the main dwelling and have some form of functional and physical reliance upon the main dwelling.

5.3 The proposed annexe would be a self-contained, single-storey structure. It would have accommodation space for 1no. bedroom, open plan living and dining space with kitchenette and bathroom. In terms of physical and functional reliance, the proposed annexe would be detached from the main dwelling (albeit in close proximity), located within the rear garden of the host property, sited along the eastern boundary. The garden area, in addition to the available off-street parking provision would be shared with the existing house.

5.4 Whilst the proposed annexe could be accessed independently of the main dwelling, it would not provide an attractive proposition for the residents of the host property or the annexe if it were to serve as an independent dwelling.

Therefore, given the relationship and location of the proposed annexe relative to the host dwelling, the annexe test it met.

- 5.5 It is noted that the supporting Planning Statement reads “*when not in use for residential purposes the outbuilding is designed with flexible rooms that can be used as a home office, occasional short-term let or recreational arts/craft space*”. The comment received from local resident during the re-consultation process regarding the concern of potential letting of the annexe has been acknowledged. Correspondence has taken place between the case officer and agent associated with the application and can confirm that the applicant has agreed to omit the proposed usage for short term lets from the proposal. On this basis, officers are satisfied that the annexe would be used ancillary to the main house. A condition would be included on the decision notice to secure this should the application be found acceptable in all other respects.
- 5.6 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of Policies, Sites and Places Plans seeks to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the application site and its context.
- 5.7 As existing, the property benefits from an outbuilding positioned along the sites eastern boundary, along with the siting of greenhouse and summerhouse. The proposal comprises demolition of said outbuilding and relocation of the smaller structures.
- 5.8 In place of the three existing structures, an engaged outbuilding would be erected. The building would occupy somewhat an ‘L’ shaped footprint, measuring a maximum length of (approx.) 13.4 metres and width of 5.1 metres. The building would have a mono-pitched roof, which would rise from an eaves of 2.5 metres to a ridge height of 4.2 metres. A new section of timber fence would be erected along the line of the eastern boundary with new building set-back from the fence line.
- 5.9 Various openings would be incorporated within the annexes design, positioned to all elevations. Furthermore, installed to the roof would be two zones of solar panels. External finish to the annexe would be render with accents of exposed stonework and tiled roof. All new doors and window would be set in either timber or aluminium casements.
- 5.10 Officers acknowledged that the proposed annexe is relatively substantial in size, occupying a footprint double that of the existing outbuilding. Nevertheless, the development would remain subservient to the host dwelling and the building would be proportionate in scale to the size of the garden, ensuring an appropriate relationship to the main property, complying with the Council’s Annexes and Residential Outbuildings SPD.
- 5.11 The proposal considers a climate responsive design, this has been achieved through the incorporation of a mono-pitch roof, which increases the roof area capable of accommodating solar panels. This would increase the quantity of

renewable energy sources on the site and reduce the environmental impact on the existing dwelling and proposed annexe. Furthermore, the proposed method of surface water disposal is rainwater harvesting. The water from the roof would drain away to water butts and be used throughout the year for watering the garden.

- 5.12 It is of relevance to raise that upon review of the surrounding area, there appears to be no defined architectural style or settlement pattern. The local context is relatively rural with only a modest number of properties located within close proximity of the application dwelling, all of which are detached and display their own individual cottage style. The proposed annexe if built, would be representative of an acceptable design quality which would not be detrimental to the character of the existing dwelling nor its immediate context. As such, the proposal is deemed to comply with policies CS1 and PSP38.
- 5.13 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan relates specifically to residential amenity in which it states development proposals are acceptable, provided that they do not create unacceptable living conditions or result in unacceptable impacts on the residential amenities of occupiers of the development or of neighbouring properties. These are outlined as follows (but not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.
- 5.14 The only potentially affected neighbours of this development would be adjacent properties Martindale and Vine Cottage. Officers recognise that whilst the ridgeline of the proposed building would rise no higher than that of the existing, the proposed roof form would be a mono-pitch as opposed to dual pitched. This combined with the increase in length of the new building compared with the existing workshop would present a much higher and wider walled perspective facing eastwards. Nevertheless, it is of relevance to raise that a timber fence is proposed along the eastern boundary which the proposed outbuilding would sit behind, therefore creating somewhat of a horizontal break through change in materiality in what would otherwise be a singular blank rendered elevation.
- 5.15 Given that the shared boundary between the application site and neighbour to the east is not straight, but instead steps in around two quarters along its length whereby the application dwellings detached double garage stands, and given the proposed outbuilding is to be sited round this corner. A minimum separation distance of (approx.) 15 metres would exist between the proposed outbuilding and Vine Cottage.
- 5.16 Therefore and notwithstanding the expansive nature of the proposed eastern elevation, officers consider it difficult to imagine given the context of the case and given the size of Vine Cottages residential curtilage, how the proposed development would result in an unreasonable degree of overbearing and dominant impact on the residential amenity of Vine Cottage. It is accepted that there may be a limited degree of overshadowing to Vine Cottages garden, specifically along the shared boundary but not to a sufficient degree to warrant refusal of the application.

- 5.17 Turning attention to neighbouring property to the west, Martindale. Whilst several large openings would be positioned to the proposals west elevation, the outbuilding would be single-storey in nature, as such all fenestration would be located at ground floor. A desktop study indicates that existing treatment along the shared boundary in question, combined with existing trees and vegetation on site, and the fact that a separation distance of (approx.) 11 metres would sit between the new outbuilding and Martindale, that the proposal would not cause significant harm to residential amenity.
- 5.18 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. Although the annexe would be self-contained, it would still be considered ancillary to the host dwelling. As such, the proposed development would increase the occupancy of the application property, as well as build on existing rear garden. A property of the proposed size (4-bedrooms) is expected to provide a minimum of 70m² private external amenity space. The properties remaining private garden could continue to be well in excess of the Council's design standards, complying with policy PSP43.
- 5.19 Transport (Access and Parking)
Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. For the purposes of clarity, the combination of annexe and host dwelling constitutes a requirement of 2no. off-street parking spaces for the site. It is understood that the application property would continue to benefit from a double garage and area of hardstanding which is large enough to accommodate any vehicles associated with both the main property and the annexe. On this basis, no objection is raised under policy PSP16.
- 5.20 Flood Zone
The application has been reviewed by the Lead Local Flood Authority whom are in acceptance of the level of detail provided including proposed methods of foul and surface water disposal.
- 5.21 Archaeology
The Archaeology Officer has raised that the application site is located within the medieval settlement of Rockhampton and is near an area of medieval and/or post-medieval ridge and furrow. Although the application site has had some previous development, it does have areas within which potential archaeology is likely to be undisturbed. As such, a prior to commencement of works condition regarding a programme of archaeological investigation, in the form of a watching brief would be attached to any favourable decision notice. The applicant has agreed that the imposition of such condition would be acceptable.
- 5.22 Other Matters
The comments received from local residents regarding the proposed development impacting current views have been acknowledged. Nevertheless, as stated in the Adopted Householder Design Guide SPD, the planning system has been established to work in the public interest and therefore it does not afford protection to a specific private view.

5.23 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

(Received 02nd March 2023)

Application Form

Existing - Site Section

Proposed - Site Section

Proposed East Elevation

The Location Plan

(Received 08th March 2023)
Existing East Elevation
Flood Risk Assessment

(Received 26th April 2023)
Planning Statement (Rev B)
Existing - Section AA (Rev B)
Existing Ground Floor Plan (Rev B)
Existing North Elevation (Rev B)
Existing Roof Plan (Rev B)
Existing Site Plan (Rev B)
Existing South Elevation (Rev B)
Existing West Elevation (Rev B)
Proposed - Section (Rev B)
Proposed Block Plan (Rev B)
Proposed Ground Floor Plan (Rev B)
Proposed North Elevation (Rev B)
Proposed Roof Plan (Rev B)
Proposed Site Plan (Rev B)
Proposed South Elevation (Rev B)
Proposed West Elevation (Rev B)

Reason

To define the terms and extent of the permission.

3. The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Pound Cottage, Lower Stone Road, Rockhampton, South Gloucestershire, GL13 9DT.

Reason

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

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

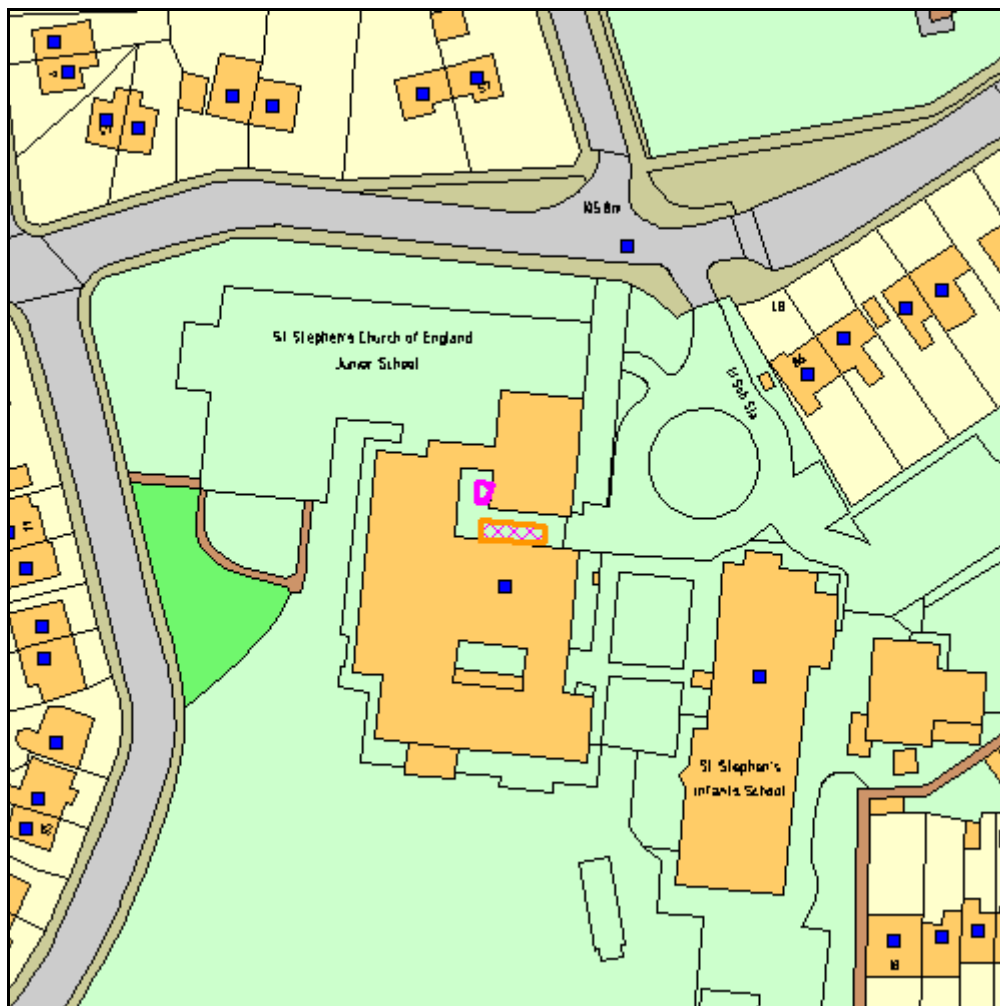
Reason

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

Case Officer: Chloe Summerill
Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 21/23 -25th May 2023

App No.:	P23/01165/R3F	Applicant:	South Gloucestershire Council - Property Services
Site:	St Stephens C Of E Vc Junior School Lansdown Road Kingswood South Gloucestershire BS15 1XD	Date Reg:	30th March 2023
Proposal:	Installation of 5 no. external Air Source Heat Pump units within existing school courtyard space.	Parish:	None
Map Ref:	364977 174747	Ward:	New Cheltenham
Application Category:	Minor	Target Date:	2nd June 2023



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P23/01165/R3F

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

INTRODUCTION

This report/recommendation is referred to the Circulated Schedule in accordance with procedure given that the application has been submitted by South Gloucestershire Council itself.

THE PROPOSAL

- 1.1 Planning permission is sought for the installation of new external Air Source Heat pumps which will allow for the replacement of the existing as boiler central heating system serving the school. A total of 5 Air pumps will be installed within an existing courtyard. The existing courtyard area is used for informal storage and is not part of the existing playground area.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2021
National Planning Policy Guidance
- 2.2 Development Plans South Gloucestershire Local Plan Core Strategy Adopted December 2013.

CS1 High Quality Design
CS2 Green Infrastructure
CS8 Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure and Cultural Activity
CS29 Communities of the East Fringe of the Bristol Urban Area

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP6 Onsite Renewable and Low Carbon Energy

3. RELEVANT PLANNING HISTORY

None directly relevant

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
The area is unparished
- 4.2 Sustainable Transport

No objection

4.3 Lead Local Flood Authority
No Objection

4.4 Local Residents
No response received.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy CS23 supports development that contributes to the enhancement of Community Infrastructure and this development it is considered would fall within that category. Policy PSP6 explains that all development will be encouraged to minimise end user requirements and states that the Council will take a positive account of and support development that provides for renewable and low carbon energy measures.

The proposal is acceptable in principal but will be determined against the analysis set out below.

5.2 Design and Visual Amenity

Policy CS1 states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. It states that proposals are required to demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; and, have an appropriate density with an overall layout that is well integrated with existing development.

5.3 Given the discreet location of the pumps, tucked away within an existing courtyard and not being readily visible from the public realm it is not considered that they would have significant impact upon the appearance of the building and the site. As such, it is considered that the proposal would comply with Policy CS1 and PSP1.

5.4 Residential Amenity

Again, given the location of the pumps at a relatively central location in the wider school grounds and surrounded by existing built form, the pumps are not likely to affect residential amenity.

5.5 Highway Safety

The pumps will not affect the existing access or parking arrangements and thus there is no objection from a highway perspective.

5.6 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act, the public sector equality duty came into force. Among other things, those subject to the equality duty must have due regard to: eliminate unlawful discrimination; harassment and

victimisation; advance equality of opportunity; and, foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

CONDITIONS

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

Reason

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

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

Received by the Council on 29th March 2023:

1 - Site Location Plan

EX060-PXX-001 - Block Plan

EX060-PXX- 002 - Proposed Floor Plans

EX060-PXX-003 - Proposed West Elevation Plans

Reason:

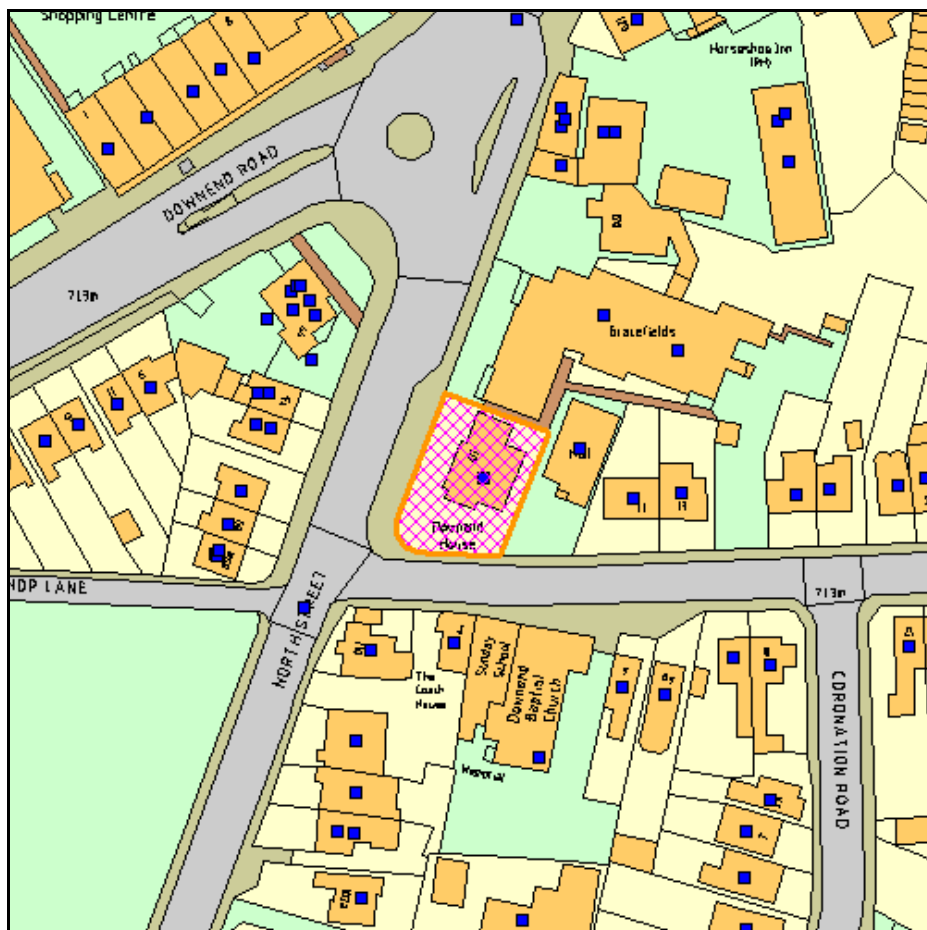
To define and clarify the permission.

Case Officer: Ben France

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 21/23 -25th May 2023

App No.:	P23/01284/RVC	Applicant:	Mr B Simmonds John Turley Memorial Trust (Reg. Charity No. 1038472)
Site:	112 North Street Downend South Gloucestershire BS16 5SE	Date Reg:	11th April 2023
Proposal:	Variation of condition 2 attached to planning permission PK18/1651/RVC to amend wording to now read Notwithstanding the provisions of the Town and Country Planning Act 1990 or Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), the premises shall be used as a residential hostel for persons with head injuries, mental health issues, or other related life limiting conditions and other vulnerable members of the community where residents are unlikely to have access to a motor vehicle and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365113 176607	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	2nd June 2023



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

INTRODUCTION

This report/recommendation is referred to the Circulated Schedule in accordance with procedure given that an objection has been received from the Parish Council contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 This planning application is made under Section 73 (“s73”) of the Town and Country Planning Act 1990 (as amended) (“the Act”). Applications made under this section of the Act seek to develop land without compliance with conditions previously attached to the relevant planning permission.
- 1.2 The applicant is seeking to vary condition 2 attached to planning permission PK18/1651/RVC. The full history is set out in Section 3 of the report below. The condition reads as follows at present:

Notwithstanding the provisions of the Town and Country Planning Act 1990 or Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), the premises shall be used as a residential hostel for persons with head injuries, mental health issues, or other related life limiting conditions where residents are unlikely to have access to a motor vehicle and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

The development has been permitted on the circumstances of the case and any alternative use within Class C2 or otherwise would require further assessment with regard to car parking, heritage and outdoor amenity space to accord with Policy CS8, CS9 and CS24 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L13, T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the provisions of the National Planning Policy Framework.

- 1.3 The applicant has indicated that the development is currently occupied by an organisation that provides specialist accommodation for women (mothers and babies) escaping violence in the home. It is therefore proposed to alter the wording of the above condition to include the following phrase “ *and other vulnerable members of the community*” within the text.
- 1.4 The application site is Downend House at 112 North Street, Downend. It is a late-eighteenth to early-nineteenth century three-storey gable-ended much-

altered rendered dwelling which has been used more recently as an office. The property is a grade II listed building. The reason for its listing is given as 'Dr W G Grace Famous Gloucestershire Cricketer was born here 18 July 1848'.

- 1.5 Consent was originally approved for the change of use with associated works of the property to a residential hostel in 2017 (see Section 3 below). The approval involved the provision of providing supported housing accommodation for people with mental health issues or disabilities. The accommodation would act as a form of respite care for short term residents but could also provide longer term accommodation for those in need.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-safeguarded Economic Development Sites
CS15	Distribution of Housing
CS17	Housing Diversity
CS23	Community Infrastructure and Cultural Activity
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP39	Residential Conversions
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
CIL and S106 SPD (Adopted) March 2015
Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. RELEVANT PLANNING HISTORY

Associated Application

- 3.1 PK18/1846/RVC Decision Pending
Variation of conditions 2 and 3 attached to planning permission PK17/0277/LB to vary the external rainwater and soil pipes to be formed in UPVC and substitute with plan numbers 3201, 3202, 3203, 3204 and P101.

Previous Applications

- 3.2 PK18/1651/F Variation of condition 6 attached to planning permission PK17/0276/F to vary the external rainwater and soil pipes to be formed in UPVC and substitute with plan numbers 3201, 3202, 3203 and 3204. Approved with conditions 18th June 2018.
- 3.3 PK17/0276/F Approved with Conditions 10/10/2017
Part demolition and erection of side and rear extensions to facilitate the change of use from offices to residential hostel (Class C2) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended)
- 3.4 K1/1 Approval 12/07/1977
Erection of two-storey building to provide office accommodation with ancillary workshop & storage space.
- 3.5 K1Approval17/04/1975 Erection of office premises with car parking facilities.
Alteration to existing access

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

OBJECTION on the following grounds: - We consider the current provision is adequate. - Changes may generate unwelcome social problems

4.2 Conservation Officer
No comment

4.3 Lead Local Flood Authority
No comment

4.4 Sustainable Transport
No comment

Other Representations

4.5 Local Residents
None received

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning

Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.

- 5.2 An analysis of other conditions attached to the previous planning consent shall also be undertaken as part of this application against the provisions of paragraph 206 of the National Planning Policy Framework.

In summary the principle of development is considered acceptable, the report will not consider the variation of the condition and the status of the other conditions previously applied.

5.3 Proposed variation of condition

As set out above the applicant proposes the inclusion of the words “*and other vulnerable members of the community*” to Condition 2. It is considered that the issue to consider here is whether the use falls within a C2 use and thus whether the variation would undermine the reasons for the original condition. Those occupying the site are on the “at risk register”.

C2 Use/Purpose of the Condition

It is the intention of the condition to restrict the development to a C2 use. The definition of a C2 use is one that relates to the provision of residential accommodation and care to people in need of care. The C2 use however can include hospitals, residential colleges, training centres as well as care facilities of the kind at this site. The property comprises 9 bed-sits, integral kitchens, communal lounge, staff office and laundry facilities. The organisation provides on-site management, counselling and advice, access and support. As such this is broadly similar to the previous occupier, the needs of which are reflected in the existing condition. It is considered that the use falls within the C2 category.

The purpose of the condition is to limit the use to the purposes stated because it is recognised that there are uses within the C2 category that could impact upon heritage, parking and amenity provision or indeed if it did not fall with C2 and was broadly a C3 use then specific standards for parking and private amenity space would then apply. It is considered that the variation would not undermine the condition in this respect. In terms of parking, three spaces are provided/retained and the site is within a town centre with access to facilities at close quarters. No impact upon heritage would take place as no further physical alteration to the building is required. An outdoor communal area will continue to be provided. In summary it is considered that the variation does not undermine the purposes of the condition.

5.4 Other issues

It is noted that concern has been raised that the development may result in “unwelcome social issues”. Firstly it is important to note that the site is managed and that such issues would be addressed through the management regime. Those referred to the site are on the at risk register. Secondly the purpose of the use is to address a social issue.

As to whether there is already sufficient provision, the submission indicates a need and further to this it is considered that the proposal is fully in accord with the aims and objectives of Policy CS23 states that “The Council will work with partners to provide, additional, extended or enhanced community infrastructure”, with the supporting text clarifying that community infrastructure includes “social care facilities”. The proposal is in accord with these objectives.

5.5 Other Conditions

All previous conditions applied to PK18/1651/RVC will be reapplied. This will include a plans condition, (it was previous the practice to include the approved details as an informative).

5.6 Impact on Equalities

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

With regards to the above this planning application is considered to have a positive impact on equality. It would provide specialist residential accommodation for people in need.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission PK18/1651/RVC varied in relation to Condition 2, as set out on the decision notice accompanying this report.

CONDITIONS

1. Notwithstanding the provisions of the Town and Country Planning Act 1990 or Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), the premises shall be used as a residential hostel for persons with head injuries, mental health issues, or other related life limiting conditions and other vulnerable members of the community where residents are unlikely to have access to a motor vehicle and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

The development has been permitted on the circumstances of the case and any alternative use within Class C2 or otherwise would require further assessment with regard to car parking, heritage and outdoor amenity space to accord with Policy CS8, CS9 and CS24 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L13, T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the provisions of the National Planning Policy Framework.

2. The development hereby approved shall be carried out in accordance with the detailed cycle parking provision as agreed under DOC18/0044. The approved cycle parking shall be installed in full within one month of the first occupation of the hostel and shall be thereafter retained.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

3. The vehicular off-street parking facilities shown on plan 1857-P100-A shall be provided before the building is first occupied as a residential hostel, and thereafter retained for that purpose.

Reason

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

4. The development hereby approved shall be carried out in strict accordance with the Arboricultural Assessment (including the method statement), prepared by Tim Pursey dated June 2017.

Reason

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

5. Notwithstanding the plans submitted, all new external rainwater and soil pipes shall be formed in metal and painted black.

Reason

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

6. This decision relates only to the plans identified below:

Site Location Plan Received 5th April 2023.

Plans approved for PK18/1651/RVC :

EX100 Site Plan, EX101 Existing Ground Floor Plan, EX102 Existing First Floor Plan, EX103 Existing Second Floor Plan, EX201 Existing Elevations, P100A Proposed Site Plan, and P103 Proposed Second Floor Plan,(submitted in association with PK17/0276/F); 3201-C01 Proposed West Elevation, 3202-C01 Proposed East Elevation, 3203-C01 Proposed South Elevation, and 3204-C01 Proposed North Elevation, (submitted in associated with PK18/1651/RVC); and, P101 Proposed Ground Floor Plan, and P102 Proposed First Floor Plan, (submitted in association with PK17/0276/F although superseded in part by the blocking up of the windows on the rear elevation).

Reason:

For the avoidance of doubt

Case Officer: David Stockdale
Authorising Officer: Marie Bath