

# 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: 13/23**

**Date to Members: 31/03/2023**

**Member's Deadline: 06/04/2023 (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](mailto:MemberReferral@southglos.gov.uk) identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral You may wish to consider the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

### **Additional guidance for Members**

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

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

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

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

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

A template for referral is set out below:

## Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

**Date:**

To be emailed to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk)

# CIRCULATED SCHEDULE 31 March 2023

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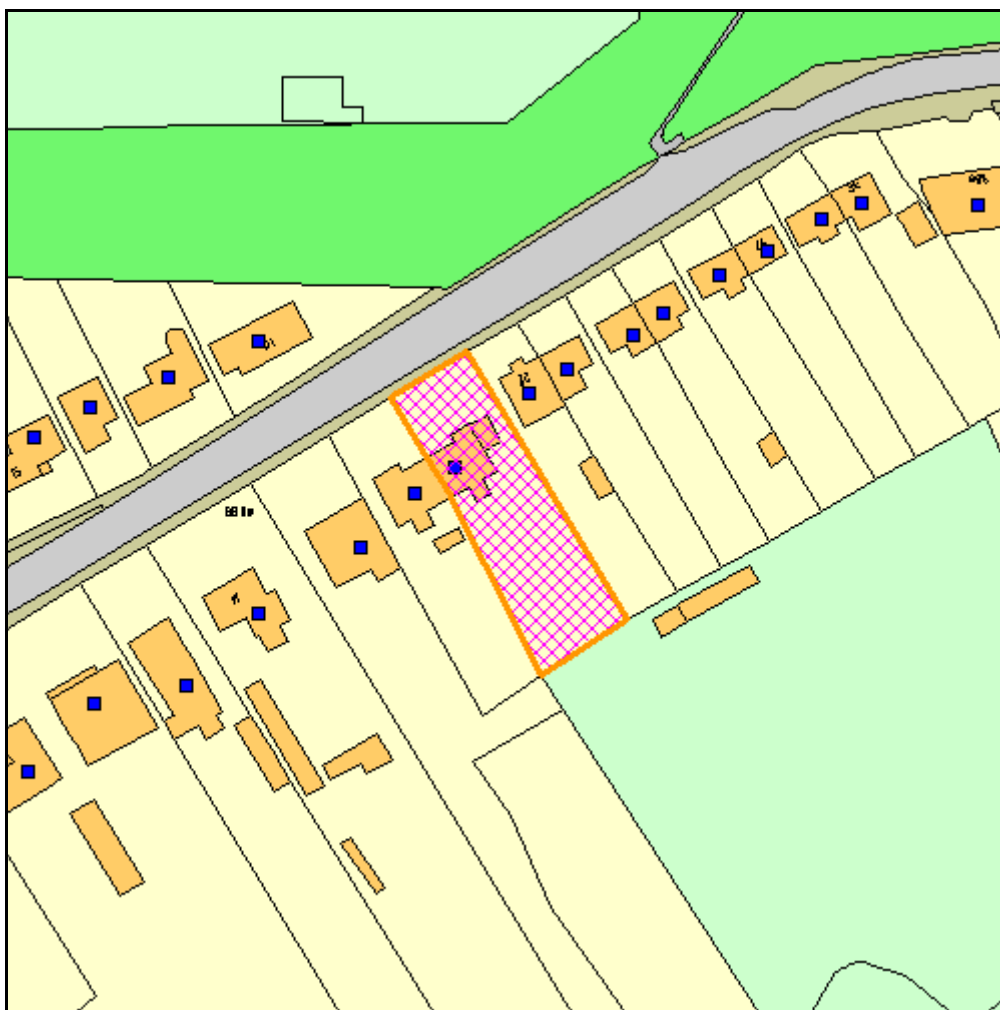
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>P22/06557/F</b>	Approve with Conditions	Land At 20 Hambrook Lane Stoke Gifford South Gloucestershire BS34 8QB	Stoke Gifford	Stoke Gifford Parish Council
2	<b>P22/06568/F</b>	Approve with Conditions	18 Hambrook Lane Stoke Gifford South Gloucestershire BS34 8QB	Stoke Gifford	Stoke Gifford Parish Council
3	<b>P22/06837/O</b>	Approve with Conditions	Land At 36 Stonehill Longwell Green South Gloucestershire BS15 3HW	Longwell Green	Hanham Abbots Parish Council
4	<b>P23/00706/F</b>	Approve with Conditions	Land At Grove Lane Hinton South Gloucestershire SN14 8HF	Boyd Valley	Dyrham And Hinton Parish Council
5	<b>P23/00730/HH</b>	Approve with Conditions	200 Avon Way Thornbury South Gloucestershire BS35 2DP	Thornbury	Thornbury Town Council

Dates and officer deadlines for Circulated Schedule Easter Bank Holidays 2023

<b>Schedule Number</b>	<b>Officers Deadline reports to support</b>	<b>Date to Members</b>	<b>Members deadline</b>	<b>Decisions issued from</b>
14/23	5pm Wednesday 5 <sup>th</sup> April	9am Thursday 6 <sup>th</sup> April	5pm Friday 14 <sup>th</sup> April	Monday 17 <sup>th</sup> April
15/23	5pm Wednesday 12 <sup>th</sup> April	9am Thursday 13 <sup>th</sup> April	5pm Friday 14 <sup>th</sup> April	Thursday 21 <sup>st</sup> April

**CIRCULATED SCHEDULE NO.13/23 -31st March 2023**

<b>App No.:</b>	P22/06557/F	<b>Applicant:</b>	Mr & Mrs Saiu
<b>Site:</b>	Land At 20 Hambrook Lane Stoke Gifford South Gloucestershire BS34 8QB	<b>Date Reg:</b>	24th November 2022
<b>Proposal:</b>	Demolition of existing dwelling. Erection of 2 no. new dwellings with associated works.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362767 179456	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Minor	<b>Target Date:</b>	7th April 2023



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P22/06557/F

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

## **INTRODUCTION**

This application is referred to the Circulated Schedule in accordance with procedure as objections have been received that are contrary to the Case Officer's recommendation

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the demolition of existing dwelling and erection of 2no. dwellings with associated works at 20 Hambrook Lane, Stoke Gifford.
- 1.2 The applicant site comprises a long sloping plot with the host property itself forming a semi-detached bungalow that benefits from a large rear garden and parking towards the frontage. The application is within the urban boundary. To the rear beyond the sloping rear boundary lies the Harry Stoke site allocation. Likewise, it is recognised the development site is not restricted by any local plan policies.
- 1.3 *Procedural Matters* – amended plans.  
During the course of dealing with the planning application, the Case Officer requested a reduction in the height of the proposal, in the interests of visual amenity and additional ecological information to support the proposal. No further public consultation has been conducted. The case officer is satisfied this does not disadvantage the public interest.
- 1.4 An identical proposal for 2 new dwellings with demolition of the existing dwelling also a bungalow is proposed at the neighbouring property known as 18 Hambrook Lane. This application (P22/06568/F) is pending.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity



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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

Residential Parking Standards SPS (Adopted 2013)

SGC Householder Design Guide (Adopted 2021)

**3. RELEVANT PLANNING HISTORY**

- 3.1 P22/01607/F Demolition of existing dwelling. Erection of 2 no. dwellings with associated works. Refused 6<sup>th</sup> July 2022. The application was refused for the following reasons:

*The proposed development, due to its form and massing (as informed by the width-to-height ratio and overall length), would result in pair of semi-detached properties with a 'bulky' appearance that does not demonstrate appropriate design proportions in this context. In addition, this concern is compounded by the height difference between the proposed pair and neighbouring bungalow as to create a juxtaposition that does not respond nor integrate with the existing street scene, thus giving rise to an incongruous structure. Due to this, the development is contrary to policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and, the South Gloucestershire Householder Design Guide (Adopted March 2021).*

*The proposed development, due to scale and sitting, would have an adverse effect on the residential amenity of potential occupiers for No.18 Hambrook Lane by means of an overbearing impact. Due to this, the development is contrary to policies PSP8 & PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and, the South Gloucestershire Householder Design Guide (Adopted March 2021).*

**4. CONSULTATION RESPONSES**

4.1 Stoke Gifford Parish Council

*Objection*

*These houses (4 in total across the 2 applications) would be an overly intensive-development of the site (which has limited width for 4 dwellings) and*

*be out of keeping with the current surroundings, by placing tall 2.5/3 storey dwellings directly opposite to the bungalows (on the western side of the road) and being overly dominant in relation to these bungalows and to the existing dwellings immediately to the south. In particular, it would be overbearing to the neighbouring property number 16 Hambrook Lane. This would be contrary to policies CS1, PSP8 and PSP38.*

*Should planning permission be granted, SGPC would request the inclusion of a condition restricting the hours of working (and movement or delivery of machinery or building materials), during the period of construction, to 07:30 18:00 Monday to Friday, 08:00 13:00 Saturdays and with no working permitted on Sundays or Public Holidays*

#### 4.2 Flood and Water Management Officer

Initial Comment

Additional information is required to provide clarity on whether it is proposed to utilise Rainwater Harvesting and Soakaways for surface water disposal

Clarity has now been provided on this matter and subject to the attachment of a condition to secure a detailed Sustainable Urban Drainage Scheme there is no objection to the proposal.

#### 4.3 Tree Officer

No objection – soft landscaping will be required

#### 4.4 Sustainable Transport Officer

There is no transportation objection to this proposal subject to provision of electric vehicle charging points for each dwelling, each EVCP should be a minimum of a 7.2kw supply.

#### 4.5 Ecologist

##### **Initial Comments (summary)**

A Preliminary Ecological Appraisal (PEA) is to be submitted prior to determination. This is to detail any impacts to protected species (bats, badgers, birds, great crested newt, reptiles, hedgehog) supported by appropriate mitigation where impacts cannot be avoided.

The PEA is to include a Preliminary Bat Roost Assessment (PRA) of the impacted building. If potential of bats is recorded, emergence/re-entry surveys are to be completed in line with the Bat Conservation Trust (BCT) guidelines. If a bat roost is recorded it is expected that a total minimum of three emergence/re-entry surveys are undertaken to characterise the roost and inform mitigation for a Natural England European Protected Species (EPS) license.

The site falls within an amber zone for great crested newts therefore the presents for great crested newts will need to be considered. Habitat suitability index (HSI) assessments are to be completed on waterbodies within 500m of the site where they are not separated by a significant dispersal barrier.

The PEA is to be supported by a desk study and all further surveys (where required) are to be completed and submitted for review prior to determination. The PEA should aim to achieve biodiversity net gain.

**Following the submission of the requested information the following comment has been received (summary):**

The information now submitted is acceptable however in order to proceed, the development is required to join the district level licensing scheme to mitigate the effects of the development on Great Crested Newts. A copy of the certificate issued by Natural England needs to be sent to the LPA to show that the site has agreed to join the DDL scheme. The LPA need to review the certificate and any associated mitigation and proposed conditions prior to determination.

Preliminary conditions are recommended but may be amended upon submission of the additional information (re GCN).

**Following the submission and review of the requested information (GCN) the following comment has been received:**

Subject to conditions the proposed development is acceptable following the receipt of the countersigned Great Crested Newt District Level Licence.

4.6 Local Residents

No comments received

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy CS5 outlines the locations in which development is considered appropriate and states that most new development in South Gloucestershire will take place within the communities of the North and East fringes of the Bristol urban area as well as those locations set within a defined settlement boundary. The proposed development would be located within an area defined as the North fringe of the Bristol urban area and as such, based solely on the location of the site, is considered acceptable in principle. The provision of two residential units carried some positive weight.

5.2 Notwithstanding this, policy PSP38 states that the provision of new dwellings within existing residential curtilages are acceptable subject to an assessment of design, amenity and transport. Due to this, analysis against relevant plan policies will now take place to establish any potential harm as a result of the development proposal.

### 5.3 Design and Visual Amenity

Policies CS1, PSP38 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.

5.4 With regard to the existing street scene along Hambrook Lane, there is a varied style of housing in terms of scale, form, and material which typically dates from the late 1910s onwards. Notwithstanding this, there are some frequent characteristics in the immediate vicinity of the applicant site which are described as follows:

- Gabled front facing projection.
- Parking towards frontage.
- Light coloured render or brick finish.
- Detached or semi.
- Higher percentage of two-storey form.

This therefore indicates the proposal must demonstrate an understanding of the design features listed above in order to satisfy local policy.

5.5 The sitting of the proposed dwellings would effectively replace the existing bungalow to create a pair of semis. Given that the development is on sloping ground (sloping from the street to the rear) the height above ground level will vary, but would be approximately at 8.7m at the mid-point (in its depth). It is considered that the critical consideration is how the building would sit in the street scene ie when viewed from the front, indeed previously this impact formed one of the refusal reasons.

5.6 It is considered that two changes have been made that now make the visual impact of the development acceptable. Firstly the height of the buildings have been reduced through negotiation on this application and such that they would only be very marginally higher than No.22 to the east and thus sit well alongside this and the two storey buildings to the east. Secondly however and perhaps, in the view of the Case Officer, more importantly the building would be seen (if that were to be acceptable also) alongside an identical semi-detached pair on the site of No.18 whereas previously the development would have stood out alongside the bungalow at No.18. The four properties would form their own character and while it is acknowledged that they would be approximately 0.8 to 1m above the height of No.16 that relationship is deemed acceptable given that the latter appears as a two storey dwelling. The street has in any case as set out above a mix of building styles. From the rear the building would appear more imposing given the different ground level and almost three storey in appearance but so do others and this is inevitable given the ground levels in any case the view from the rear is not considered as significant. The building line to the east is maintained.

5.7 The use of brick and render is proposed which is compatible with neighbouring properties. The use of Solar PV taking advantage of the south facing rear

elevation is welcomed although cannot reasonably be secured by condition so is given limited weight. Neat bin storage is shown to the front.

5.8 To conclude, the previous proposal was deemed unacceptable even though there are examples of height variation and general diversity of house type, form and finish within the wider setting of the application plot. However, while appearing different to some properties within the road as part of a group of four and with a reduced height the proposal is now considered acceptable in design/visual terms.

5.9 Residential Amenity

Policy PSP8 explains that development proposal will be permitted provided they do not create unacceptable living conditions for the host dwelling or result in the prejudice of residential amenities for neighbouring properties. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of sunlight; and, noise disturbance.

5.10 Previously when considering the impact of the proposed development on the residential amenity of neighbouring residents, it was necessary to consider the impact upon No.18 Hambrook Lane and indeed that impact was deemed unacceptable and formed the second refusal reason as has been set out above. However with the proposed development of No.18 in the same style as that now proposed it is considered that that refusal reason has been overcome. The relationship with No.22 is also considered acceptable having regards to the sight line requirement of 45 degrees from windows in that property to the nearest part of the new building. No overlooking of neighbouring properties will accrue outside of what might be expected, thus some overlooking of properties on the other side of the street would occur but this is considered a normal relationship in an urban environment. It is understood that residential development is proposed to the rear of the site however given the distance to that development it is not considered any adverse impact would result from overlooking.

5.11 Private Amenity Space

Policy PSP43 states the Council's minimum standards for private amenity space for new residential units and informs new dwellings are expected to have access to private amenity space that is: of a sufficient size and functional shape to meet the needs of the likely number of occupiers; and, designed to take account of the context of the development, including the character of the surrounding area.

5.12 The proposed dwellings would each support capacity for 4no. bedrooms, meaning a requirement of at least 60 square metres of functional private amenity space is needed to satisfy the parameters of PSP43. The submitted evidence indicates this standard can be achieved for each of the proposed properties, and as such, the development complies with PSP43.

5.13 Transport

Policy PSP11 states development proposals that generate a demand for travel will be acceptable provided that access is appropriate, safe, convenient and attractive for all modes of travel arising to and from the site. It also outlines that

access should not: contribute to serve congestion; impact on the amenities of communities surrounding access routes; have an unacceptable effect on highway and road safety; and, should not harm environmentally sensitive areas.

- 5.14 No objection is raised to the access arrangements and the provision of two off-street parking spaces meets the parking standards for what will be four bedroom properties. A condition will be applied to the decision notice in the interests of sustainable development to secure electric vehicle charging points for each unit. Subject to this condition the development is considered acceptable in highways terms.

5.15 Flood Risk

The applicant site is not situated within flood zone 2 or 3 with residential dwellings in this zone generally regard as 'less' vulnerable types of development. Notwithstanding this, the application has been reviewed by the Flood Risk and Water Management Team who raised no objections, subject to a condition to secure a detailed sustainable urban drainage scheme.

5.16 Landscaping/Trees

No objection is raised by the Council Tree Officer to the development. Any vegetation removal would not go beyond what would be expected for a development such as this. It is not considered appropriate to apply a landscape condition in this case as this would be for the future occupiers to determine there being no communal space outside of their control. Details of boundary treatments are a little vague and therefore a condition will be applied to secure those details and their implementation.

5.17 Ecology

Principally given the possibility of the presence of newts but also because the development will involve the removal of a bungalow, a preliminary ecological survey has been requested. The submitted document reveals the following in relation to protected species:

*Bats*

The site has negligible suitability for roosting bats. Sensitive lighting should be implemented to avoid impacts upon commuting and foraging bats. Bat boxes proposed are welcome.

*Great Crested Newts (GCN)*

The site is within an amber risk zone for GCN. There are 8 records of GCN within 2km of the site. There are 3 ponds within 250m of the site and an additional 4 ponds between 250m and 500m from the site. There is no barrier between the site and the ponds and therefore as a result it is considered that GCN could be present on the site. The majority of these ponds are identified as suitable to support or are supporting GCN. Hedgerows and habitat on and around the site is considered suitable as habitat for GCN. The report

recommends that the site joins the GCN District Level Licence scheme and that would be acceptable as a means for the development to proceed legally.

As a result of the above it has been necessary for the applicant to provide a certificate issued by Natural England to show that the site has agreed to join the DDL scheme. This has been viewed by the Council ecologist following its submission and deemed acceptable.

The hedgerow is retained. Any site clearance must take place outside of the nesting season however the site has negligible potential to support nesting birds. The report recommends the provision of nest boxes and this is welcomed.

### *Reptiles*

The site has a low quality habitat for reptiles. The report identifies an appropriate method for proposed works and enhancements of habitat for them.

### *Badgers*

No evidence

### *Hedgehog*

Enhancements are proposed to include boundary gaps for hedgehog.

In summary the proposal is considered acceptable subject to conditions to secure that works take place in accordance with the mitigation measures set out in the report. It is noted that the ecologist recommends that a detailed lighting design strategy is submitted for external lighting prior to the commencement of works given the potential for bats to be present. The Case Officer has considered this matter and having regard to the scale of the proposal (even accounting for the development next door), believes that such a condition would be disproportionate to the scale of the development. Regard is had to the fact that external lighting in itself is not development for planning purposes. No street lighting is proposed as for example might be expected on a larger residential scheme. It is not considered that such a condition therefore meets the test of being reasonable or necessary. A condition is recommended to ensure that a plan is submitted to secure a plan and specifications of the enhancements set out in the submitted report.

## 5.18 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.

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

## **6. CONCLUSION**

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

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

## **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. Sustainable Urban Drainage

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

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

- A clearly labelled drainage layout plan showing the exact location of both individual dwelling soakaways and pipe connectivity respectively.
- Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal.
- The submitted infiltration rate/s must be expressed in m/s (meters per second).
- Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
- Sp. Note; - Soakaways must be located 5 Metres from any structure including the Public Highway



- Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.

#### Reason

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

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

### 3. Approved Plans

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

Received 10th January 2023

PROPOSED HOUSE 1 PLANS AND ELEVATIONS  
PROPOSED HOUSE 2 PLANS AND ELEVATIONS  
PROPOSED STREET VIEW

Received 18th November 2023

LOCATION PLAN AND COMBINED EXISTING PLANS  
PROPOSED FLOOR PLANS  
PROPOSED LOFT AND ROOF PLANS  
PROPOSED SITE PLAN (1:100) AND BIN STORAGE  
3-D GRAPHICS 1 TO 4 EXISTING  
SITE CONTEXT PLANS  
SURROUNDING PROPOSALS PLAN  
SURROUNDING EXAMPLES PLAN

#### Reason:

For the avoidance of doubt

### 4. Electric Vehicle Charging Points

Prior to the first occupation, each new dwelling is to be provided with an Electric Vehicle Charging Point to be retained on site for the use of future occupiers (each EVCP should be a minimum of a 7.2kw supply)

#### Reason

To encourage means of sustainable transportation, to accord with Policy PSP11 of the South Gloucestershire Policy Sites and Places Plan (Adopted) 2017.

### 5. Construction Hours

The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday and no working shall take place on Sundays or Public Holidays. The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or

other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason:

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

#### 6. Boundaries

Prior to the commencement of that part of the development full details of the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

In the interest of the visual amenity of the site and the wider area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013

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

#### 7. Ecological Mitigation

The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Seasons Ecology, January 2023) and Great Crested Newt Habitat Suitability Index Assessment (Seasons Ecology, January 2023).

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

#### 8. Ecological Enhancements

Prior to the commencement of development a plan detailing the specifications of ecological enhancements detailed within Preliminary Ecological Appraisal (Seasons Ecology, January 2023) is to be submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to bat and bird boxes, reptile/amphibian hibernacula and inclusion of "hedgehog highways".

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

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

#### 9. Great Crested Newt DLL

The development shall proceed in strict accordance with the Great Crested Newt Natural England District Level Licence certificate (Reference: DLL-ENQ-SGNS-00030) and subsequent licence which must be obtained prior to work commencing.

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

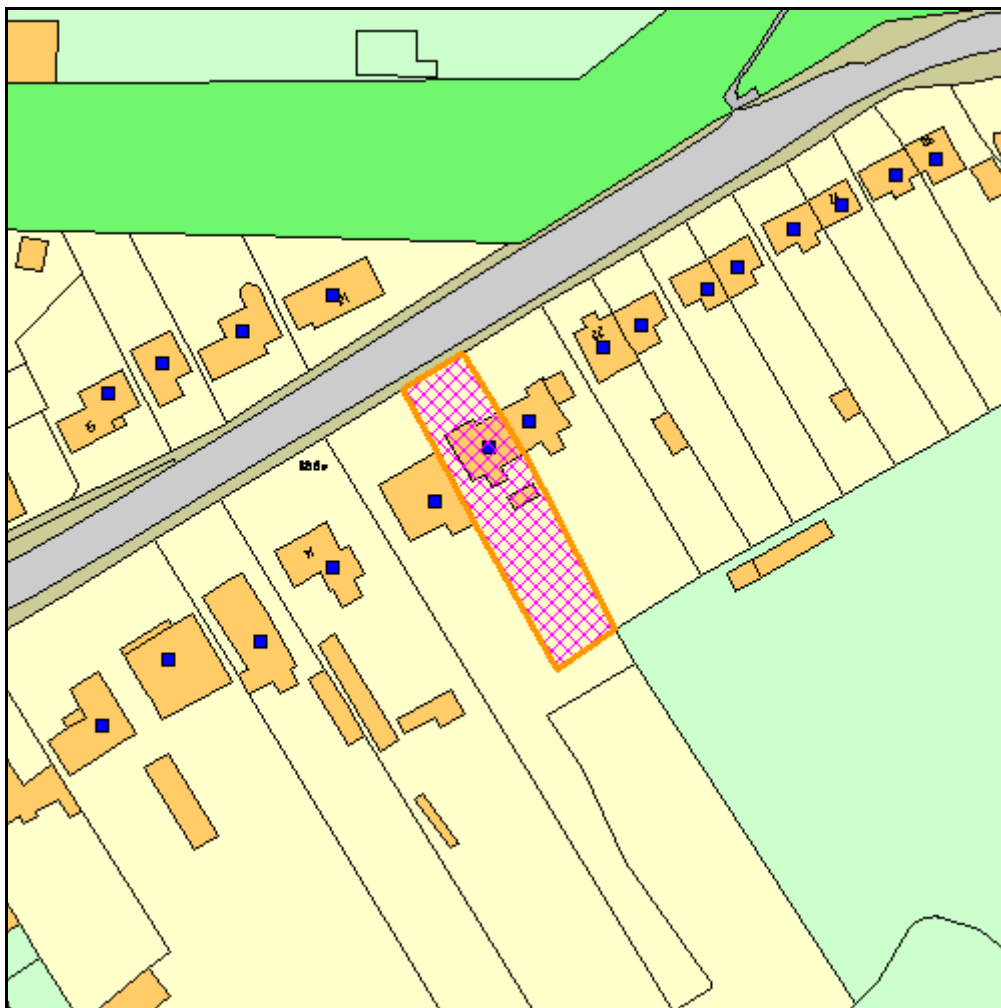
**Case Officer: David Stockdale**

**Authorising Officer: Suzanne D'Arcy**

**CIRCULATED SCHEDULE NO. 13/23 -31st March 2023**

<b>App No.:</b>	P22/06568/F	<b>Applicant:</b>	Mr Mike Simmonds
<b>Site:</b>	18 Hambrook Lane Stoke Gifford South Gloucestershire BS34 8QB	<b>Date Reg:</b>	22nd November 2022
<b>Proposal:</b>	Demolition of existing dwelling. Erection of 2no. semi detached dwelling with associated works.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362760 179452	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Minor	<b>Target Date:</b>	7th April 2023

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P22/06568/F

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

## **INTRODUCTION**

This application is referred to the Circulated Schedule in accordance with procedure as objections have been received that are contrary to the Case Officer's recommendation

### **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the demolition of existing dwelling and erection of 2no. dwellings with associated works at 18 Hambrook Lane, Stoke Gifford.
- 1.2 The applicant site comprises a long sloping plot with the host property itself forming a semi-detached bungalow that benefits from a large rear garden and parking towards the frontage. The application is within the urban boundary. To the rear beyond the sloping rear boundary lies the Harry Stoke site allocation. Likewise, it is recognised the development site is not restricted by any local plan policies.
- 1.3 *Procedural Matters* – amended plans.  
During the course of dealing with the planning application, the Case Officer requested a reduction in the height of the proposal, in the interests of visual amenity and additional ecological information to support the proposal. No further public consultation has been conducted. The case officer is satisfied this does not disadvantage the public interest.
- 1.4 An identical proposal for 2 new dwellings with demolition of the existing dwelling also a bungalow is proposed at the neighbouring property known as 20 Hambrook Lane. This application (P22/06557/F) is pending.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

Residential Parking Standards SPS (Adopted 2013)

SGC Householder Design Guide (Adopted 2021)

**3. RELEVANT PLANNING HISTORY**

There is no relevant planning history relating to the application site however the following decision was recently made for No.20 Hambrook Lane:

- 3.1 P22/01607/F Demolition of existing dwelling. Erection of 2 no. dwellings with associated works. Refused 6<sup>th</sup> July 2022. The application was refused for the following reasons:

*The proposed development, due to its form and massing (as informed by the width-to-height ratio and overall length), would result in pair of semi-detached properties with a 'bulky' appearance that does not demonstrate appropriate design proportions in this context. In addition, this concern is compounded by the height difference between the proposed pair and neighbouring bungalow as to create a juxtaposition that does not respond nor integrate with the existing street scene, thus giving rise to an incongruous structure. Due to this, the development is contrary to policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and, the South Gloucestershire Householder Design Guide (Adopted March 2021).*

*The proposed development, due to scale and sitting, would have an adverse effect on the residential amenity of potential occupiers for No.18 Hambrook Lane by means of an overbearing impact. Due to this, the development is contrary to policies PSP8 & PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and, the South Gloucestershire Householder Design Guide (Adopted March 2021).*

**4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council

## *Objection*

*These houses (4 in total across the 2 applications) would be an overly intensive-development of the site (which has limited width for 4 dwellings) and be out of keeping with the current surroundings, by placing tall 2.5/3 storey dwellings directly opposite to the bungalows (on the western side of the road) and being overly dominant in relation to these bungalows and to the existing dwellings immediately to the south. In particular, it would be overbearing to the neighbouring property number 16 Hambrook Lane. This would be contrary to policies CS1, PSP8 and PSP38.*

*Should planning permission be granted, SGPC would request the inclusion of a condition restricting the hours of working (and movement or delivery of machinery or building materials), during the period of construction, to 07:30 18:00 Monday to Friday, 08:00 13:00 Saturdays and with no working permitted on Sundays or Public Holidays*

### 4.2 Flood and Water Management Officer

#### Initial Comment

Additional information is required to provide clarity on whether it is proposed to utilise Rainwater Harvesting and Soakaways for surface water disposal

Clarity has now been provided on this matter and subject to the attachment of a condition to secure a detailed Sustainable Urban Drainage Scheme there is no objection to the proposal.

### 4.3 Tree Officer

There are no Arboricultural objections to this proposal

### 4.4 Sustainable Transport Officer (Summary)

No objection is raised.

Sufficient parking is provided of sufficient size

No space is available for turning on site however this is not considered a significant issue in this residential area/road

Modification to the existing access appear necessary, all works on or immediately adjoining the highway requires a S38 Licence

Electric Vehicle Charging points should be provided

### 4.5 Ecologist

#### **Initial Comments (summary)**

A Preliminary Ecological Appraisal (PEA) is to be submitted prior to determination. This is to detail any impacts to protected species (bats, badgers, birds, great crested newt, reptiles, hedgehog) supported by appropriate mitigation where impacts cannot be avoided.

The PEA is to include a Preliminary Bat Roost Assessment (PRA) of the impacted building. If potential of bats is recorded, emergence/re-entry surveys are to be completed in line with the Bat Conservation Trust (BCT) guidelines. If a bat roost is recorded it is expected that a total minimum of three emergence/re-entry surveys are undertaken to characterise the roost and inform mitigation for a Natural England European Protected Species (EPS) license.

The site falls within an amber zone for great crested newts therefore the presents for great crested newts will need to be considered. Habitat suitability index (HSI) assessments are to be completed on waterbodies within 500m of the site where they are not separated by a significant dispersal barrier.

The PEA is to be supported by a desk study and all further surveys (where required) are to be completed and submitted for review prior to determination The PEA should aim to achieve biodiversity net gain.

**Following the submission of the requested information the following comment has been received (summary):**

The information now submitted is acceptable however in order to proceed, the development is required to join the district level licensing scheme to mitigate the effects of the development on Great Crested Newts. A copy of the certificate issued by Natural England needs to be sent to the LPA to show that the site has agreed to join the DDL scheme. The LPA need to review the certificate and any associated mitigation and proposed conditions prior to determination.

Preliminary conditions are recommended but may be amended upon submission of the additional information (re GCN).

**Following the submission and review of the requested information (GCN) the following comment has been received:**

Subject to conditions the proposed development is acceptable following the receipt of the countersigned Great Crested Newt District Level Licence.

4.6 Local Residents

No comments received

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy CS5 outlines the locations in which development is considered appropriate and states that most new development in South Gloucestershire will take place within the communities of the North and East fringes of the Bristol urban area as well as those locations set within a defined settlement boundary. The proposed development would be located within an area defined



as the North fringe of the Bristol urban area and as such, based solely on the location of the site, is considered acceptable in principle.

5.2 The proposal is considered to make more effective use of the land than previously with the change from a single bungalow to two family dwellings and thus accords with the objectives within the NPPF. The provision of two residential units carried some positive weight.

5.3 Notwithstanding this, policy PSP38 states that the provision of new dwellings within existing residential curtilages are acceptable subject to an assessment of design, amenity and transport. Due to this, analysis against relevant plan policies will now take place to establish any potential harm as a result of the development proposal.

5.3 Design and Visual Amenity

Policies CS1, PSP38 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.

5.4 With regard to the existing street scene along Hambrook Lane, there is a varied style of housing in terms of scale, form, and material which typically dates from the late 1910s onwards. Notwithstanding this, there are some frequent characteristics in the immediate vicinity of the applicant site which are described as follows:

- Gabled front facing projection.
- Parking towards frontage.
- Light coloured render or brick finish.
- Detached or semi.
- Higher percentage of two-storey form.

This therefore indicates the proposal must demonstrate an understanding of the design features listed above in order to satisfy local policy.

5.5 The siting of the proposed dwellings would effectively replace the existing bungalow to create a pair of semis. Given that the development is on sloping ground (sloping from the street to the rear) the height above ground level will vary, but would be approximately at 8.58 m at the mid-point (in its depth). It is considered that the critical consideration is how the building would sit in the street scene ie when viewed from the front, indeed previously this impact formed one of the refusal reasons for the development at No.20.

5.6 The building is considered to relate appropriately to the proposed development at No.20 with a marginal step down in height from that development and would be just 0.15m above the height of neighbouring property No.16. when viewed from the front. It is considered that the development at No.18 along with that at No.20 relate well in terms of height to the two storey properties to the east ie No.22 onwards. It is acknowledged that beyond No16 to the west properties are

more likely to be single storey but within the street scene as a whole the development is considered appropriate in form and scale.

- 5.7 It is acknowledged that when viewed from the rear, the building would appear more imposing given the different ground levels being almost three storey in appearance but so do others and this is inevitable given this topography. It is acknowledged that No.18 would sit marginally forward of both No.16 and No.20 but it is not considered that this deviation in the building line would be significant in the street view as a whole.
- 5.8 The use of brick and render is proposed which is compatible with neighbouring properties. The use of Solar PV taking advantage of the south-facing rear elevation is welcomed although cannot reasonably be secured by condition so is given limited weight. Neat bin storage is shown to the front.
- 5.9 To conclude, the development of No.18 as part of a group of four new properties is now considered acceptable in design/visual terms.
- 5.10 Residential Amenity  
Policy PSP8 explains that development proposal will be permitted provided they do not create unacceptable living conditions for the host dwelling or result in the prejudice of residential amenities for neighbouring properties. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of sunlight; and, noise disturbance.
- 5.11 Given the location of the development it is considered necessary to consider the impact upon the two adjoining properties, No.20 and No.16. In passing it is worth noting that the development will be at a higher level than the proposed development to the rear (Harry Stoke), it is considered that the distances to the nearest properties would be such that no significant impact would result.

#### No.20

The proposed development would extend marginally beyond the front of No.20 but it is not considered that the distance is significant. It is not considered that the development would appear oppressive/overbearing to that property nor would loss of privacy to future occupiers accrue.

#### No.16

The proposed development would project by approximately 2.6 metres beyond the front of No.16 and there would be the potential for the building to appear oppressive however the nearest part of the No.16 is a garage rather than habitable rooms. This relationship is considered acceptable given the angle and distance to the nearest windows to the front of that property. There is only one window in the side of No.16 facing the development and that is a garage window. To the rear the property would not extend beyond the rear of No.16. Any overlooking from rear windows of the property would not be different to what might be considered a normal urban relationship.

- 5.12 It is not considered that the development would result in loss of residential amenity to neighbouring occupiers.
- 5.13 Private Amenity Space  
Policy PSP43 states the Council's minimum standards for private amenity space for new residential units and informs new dwellings are expected to have access to private amenity space that is: of a sufficient size and functional shape to meet the needs of the likely number of occupiers; and, designed to take account of the context of the development, including the character of the surrounding area.
- 5.14 The proposed dwellings would each support capacity for 4no. bedrooms, meaning a requirement of at least 70 square metres of functional private amenity space is needed to satisfy the parameters of PSP43. The submitted evidence indicates this standard can be achieved for each of the proposed properties, and as such, the development complies with PSP43.
- 5.15 Transport  
Policy PSP11 states development proposals that generate a demand for travel will be acceptable provided that access is appropriate, safe, convenient and attractive for all modes of travel arising to and from the site. It also outlines that access should not: contribute to serve congestion; impact on the amenities of communities surrounding access routes; have an unacceptable effect on highway and road safety; and, should not harm environmentally sensitive areas.
- 5.16 No objection is raised to the access arrangements and the provision of two off-street parking spaces meets the parking standards for what will be four bedroom properties. A condition will be applied to the decision notice in the interests of sustainable development to secure electric vehicle charging points for each unit. Subject to this condition the development is considered acceptable in highways terms.
- 5.17 Flood Risk  
The applicant site is not situated within flood zone 2 or 3 with residential dwellings in this zone generally regard as 'less' vulnerable types of development. Notwithstanding this, the application has been reviewed by the Flood Risk and Water Management Team who raised no objections, subject to a condition to secure a detailed sustainable urban drainage scheme.
- 5.18 Landscaping/Trees  
No objection is raised by the Council Tree Officer to the development. Any vegetation removal would not go beyond what would be expected for a development such as this. It is not considered appropriate to apply a landscape condition in this case as this would be for the future occupiers to determine there being no communal space outside of their control. Details of boundary treatments are a little vague and therefore a condition will be applied to secure those details and their implementation.

## 5.19 Ecology

Principally given the possibility of the presence of newts but also because the development will involve the removal of a bungalow, a preliminary ecological survey has been requested. The submitted document reveals the following in relation to protected species:

### *Bats*

The site has negligible suitability for roosting bats. Sensitive lighting should be implemented to avoid impacts upon commuting and foraging bats. Bat boxes proposed are welcome.

### *Great Crested Newts (GCN)*

The site is within an amber risk zone for GCN. There are 8 records of GCN within 2km of the site. There are 3 ponds within 250m of the site and an additional 4 ponds between 250m and 500m from the site. There is no barrier between the site and the ponds and therefore as a result it is considered that GCN could be present on the site. The majority of these ponds are identified as suitable to support or are supporting GCN. Hedgerows and habitat on and around the site is considered suitable as habitat for GCN. The report recommends that the site joins the GCN District Level Licence scheme and that would be acceptable as a means for the development to proceed legally.

As a result of the above it has been necessary for the applicant to provide a certificate issued by Natural England to show that the site has agreed to join the DDL scheme. This has been viewed by the Council ecologist following its submission and deemed acceptable.

The hedgerow is retained. Any site clearance must take place outside of the nesting season however the site has negligible potential to support nesting birds. The report recommends the provision of nest boxes and this is welcomed.

### *Reptiles*

The site has a low quality habitat for reptiles. The report identifies an appropriate method for proposed works and enhancements of habitat for them.

### *Badgers*

No evidence

### *Hedgehog*

Enhancements are proposed to include boundary gaps for hedgehog.

In summary the proposal is considered acceptable subject to conditions to secure that works take place in accordance with the mitigation measures set out in the report. It is noted that the ecologist recommends that a detailed

lighting design strategy is submitted for external lighting prior to the commencement of works given the potential for bats to be present. The Case Officer has considered this matter and having regard to the scale of the proposal (even accounting for the development next door), believes that such a condition would be disproportionate to the scale of the development. Regard is had to the fact that external lighting in itself is not development for planning purposes. No street lighting is proposed as for example might be expected on a larger residential scheme. It is not considered that such a condition therefore meets the test of being reasonable or necessary. A condition is recommended to ensure that a plan is submitted to secure a plan and specifications of the enhancements set out in the submitted report.

#### 5.20 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.

5.21 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.

## 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.

Full planning application - A detailed development layout showing surface water and SUDS proposals is required as part of this submission.

No public surface water sewer is available.

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

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

Reason

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

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

### 3. Approved Plans

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

Received 10th January 2023

PROPOSED HOUSE 1 PLANS AND ELEVATIONS  
PROPOSED HOUSE 2 PLANS AND ELEVATIONS  
PROPOSED STREET VIEW

Received 18th November 2023

LOCATION PLAN AND COMBINED EXISTING PLANS  
PROPOSED FLOOR PLANS  
PROPOSED LOFT AND ROOF PLANS  
PROPOSED SITE PLAN (1:100) AND BIN STORAGE  
3-D GRAPHICS 1 TO 4 EXISTING  
SITE CONTEXT PLANS  
SURROUNDING PROPOSALS PLAN  
SURROUNDING EXAMPLES PLAN

Reason:  
For the avoidance of doubt

4. Electric Vehicle Charging Points

Prior to the first occupation, each new dwelling is to be provided with an Electric Vehicle Charging Point to be retained on site for the use of future occupiers (each EVCP should be a minimum of a 7.2kw supply)

Reason

To encourage means of sustainable transportation, to accord with Policy PSP11 of the South Gloucestershire Policy Sites and Places Plan (Adopted) 2017.

5. Construction Hours

The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday and no working shall take place on Sundays or Public Holidays. The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason:

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

6. Boundaries

Prior to the commencement of that part of the development full details of the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

Reason:

In the interest of the visual amenity of the site and the wider area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013

7. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Seasons Ecology, January 2023) and Great Crested Newt Habitat Suitability Index Assessment (Seasons Ecology, January 2023).

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

8. Prior to the commencement of development a plan detailing the specifications of ecological enhancements detailed within Preliminary Ecological Appraisal (Seasons Ecology, January 2023) is to be submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to bat and bird boxes, reptile/amphibian hibernacula and inclusion of "hedgehog highways".

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

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

9. Great Crested Newt DLL

The development shall proceed in strict accordance with the Great Crested Newt Natural England District Level Licence certificate (Reference: DLL-ENQ-SGNS-00030) and subsequent licence which must be obtained prior to work commencing.

Reason:

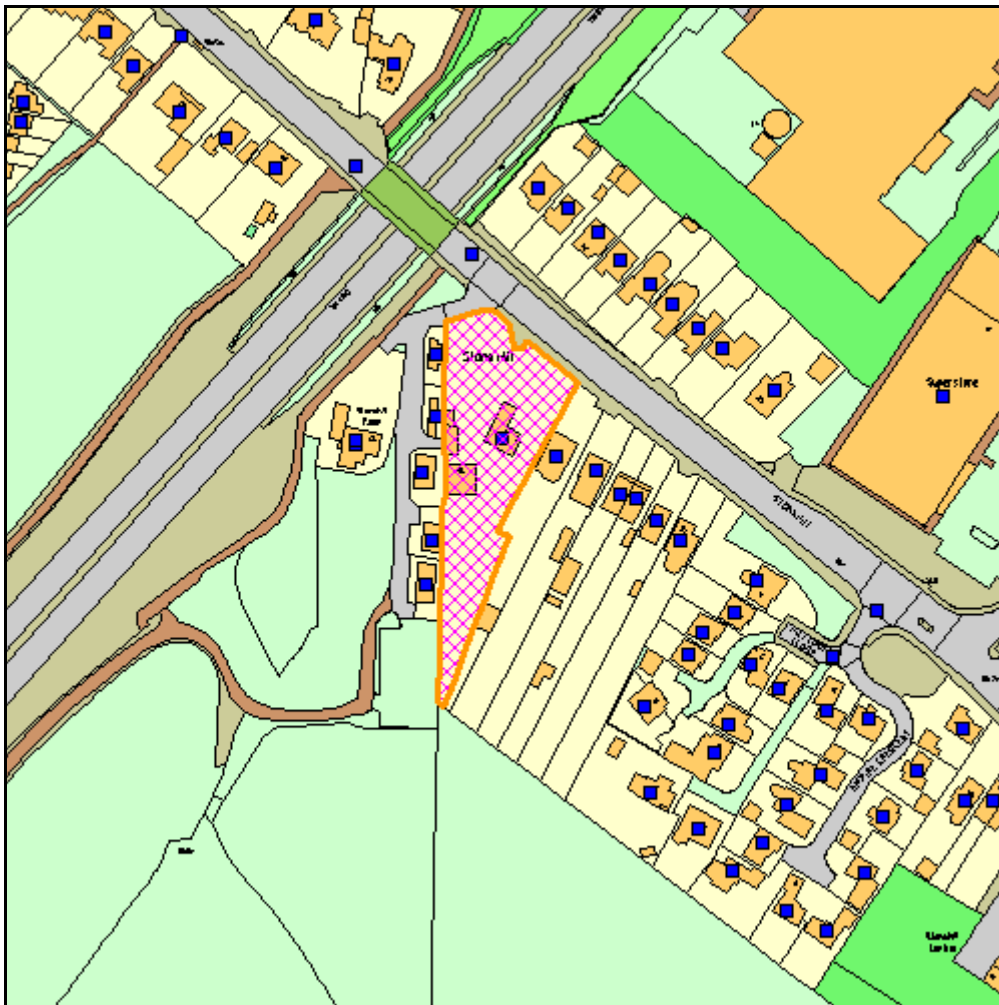
To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and PSP 19 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan 2017.

**Case Officer: David Stockdale**  
**Authorising Officer: Suzanne D'Arcy**



**CIRCULATED SCHEDULE NO. 13/23 -31st March 2023**

<b>App No.:</b>	P22/06837/O	<b>Applicant:</b>	Mr Chris Rawlings
<b>Site:</b>	Land At 36 Stonehill Longwell Green South Gloucestershire BS15 3HW	<b>Date Reg:</b>	6th December 2022
<b>Proposal:</b>	Erection of 2no. dwellings (Outline) with all matters reserved.	<b>Parish:</b>	Hanham Abbots Parish Council
<b>Map Ref:</b>	365086 171717	<b>Ward:</b>	Longwell Green
<b>Application Category:</b>	Minor	<b>Target Date:</b>	10th April 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.

## **REASON FOR APPEARING ON CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule procedure following the receipt of an objection comment from Hanham Abbots Parish Council contrary to the Officer recommendation below.

### **1. THE PROPOSAL**

- 1.1 Outline planning permission with all matters reserved is sought for the erection of 2no. dwellings on land at 36 Stonehill.
- 1.2 The proposal is situated with development either side, and open countryside to the rear. The site is located within the Settlement Boundary, with the open countryside to the rear being within the Green Belt. The site is also within a High Risk Coal Referral Area.
- 1.3 An amended indicative site plan has been received since originally submitted, to demonstrate that the site could be developed in a way that would not significantly impact on residential amenity. Re-consultation was not considered necessary.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS5	Location of Development (inc. Green Belt)
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage

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

PSP1	Local Distinctiveness
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007  
Residential Parking Standards SPD (Adopted) 2013  
Residential Amenity TAN (Endorsed) 2016  
Householder Design Guide SPD (Adopted) 2021  
Joint Waste Core Strategy  
Trees and Development Sites SPD (Adopted) 2021

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

- 3.1 P99/4103 - Erection of 1 No. detached dwelling with residential annexe (renewal of K7356/2). – Approved 26.05.1999
- 3.2 K7356/2 - ERECTION OF DETACHED DWELLING AND RESIDENTIAL ANNEXE (Previous ID: K7356/2) – Approved 30.09.1994
- 3.3 K7356/1 - ERECTION OF DETACHED DWELLING AND GRANNY ANNEX (Previous ID: K7356/1) – Withdrawn 30.11.1993
- 3.4 K7356 - ERECTION OF REPLACEMENT DWELLINGHOUSE AND GARAGE. [OUTLINE] (Previous ID: K7356) – Approved 08.02.1993

#### Adjacent site:

- 3.5 P21/00995/F - Demolition of existing dwelling. Erection of 2 no. detached and 6 no semi-detached dwellings, creation of new access and associated works. – Approved 04.03.2022

### 4. **CONSULTATION RESPONSES**

- 4.1 Hanham Abbots Parish Council – *“Objection -the buildings are planned on the site of old mine workings (see coal report). We are advised to oppose developments in back gardens, however, the application is next door to P21/00995/F a decided development of 8 houses with access and associated works in rear gardens. Although we opposed this, I believe that it represents a better use of land.”*
- 4.2 Transport – No objection subject to conditions relating to access details, electric vehicle charging points and cycle spaces.
- 4.3 Coal Authority – No objection subject to conditions relating to a scheme of intrusive investigation, remediation/and or mitigation measures, and signed statement or declaration.
- 4.4 Conservation - The development in principle is not considered to have any adverse impact on the setting or significance of the heritage assets identified. It is important that the detailed design is carefully controlled, using high quality materials.
- 4.5 Drainage – Further drainage details required.

## **Other Representations**

4.6 Local Residents – No comments received.

## **5. ANALYSIS OF PROPOSAL**

### Principle of Development

5.1 This application seeks outline planning permission for the erection of two dwellings (all matters reserved), for which would be located within an established settlement boundary. Policy CS5 seeks to locate most new development within the north and east Fringes of the Bristol urban area, with lesser scale of development at Yate/Chipping Sodbury and Thornbury. The proposed development is therefore acceptable in principle as set out in policy CS5.

### Design

5.2 At this stage as all matters except parking and access are reserved, officers have little commentary to make. The indicative layout shows dwelling 1 following the building line of Stonehill, with dwelling 2 sited to the rear – this arrangement is acceptable in principle. The architectural design should be similar to those seen within the area, a one or two storey property incorporating a pitched or hipped roof and finished in either render or brick.

5.3 The site is proposed to be constructed within the curtilage of 36, resulting in the reduction of garden area available to the existing property. Whilst the impact on amenity will be explored later in the report, the reduced curtilage in itself is not considered to be visually harmful.

5.4 The density of the proposal is higher than the existing property, however is similar to other nearby developments. Backland developments are a common feature of the area.

5.5 Any proposal will require a detailed landscaping proposal at reserved matters stage. Any trees lost by the development will require replacement planting, as well as new planting to respect the existing mature planting in the area. An Arboricultural Report, Impact Assessment and Method Statement will be required at Reserved Matters stage. The removal of high quality trees should be avoided

### Transport

5.6 Transport have raised no objection to the proposal. Conditions have been requested relating to the parking, access, turning and cycle storage arrangements; these details should be submitted at reserved matters stage.

5.7 EVCP have also been requested. As this will be covered by Building Regulations, the condition is not considered necessary.

### Ecology

- 5.8 A Preliminary Ecological Appraisal will be required. Further surveys may be required following the results of the Appraisal. Ecological enhancements should be included.

### Residential amenity

- 5.9 Although the proposal is outline only, the original indicative layout raised concerns that the proposal would significantly impact upon the amenity of the dwellings granted consent on the adjoining site under ref: P21/00995/F.
- 5.10 A revised indicative layout has been submitted, showing a distance of between 15m and 20m, at an oblique angle from dwelling 2. The indicative layout also shows that the plot is capable of accommodating two further dwellings, without causing significant harm by overlooking or an overbearing impact, and can provide sufficient amenity areas. The final layout will be determined at Reserved Matters stage.

### Drainage

- 5.11 Details of the soakaway and foul drainage are required – given the specifications of the site, officers see no reason why sufficient means of drainage could not be achieved. This detail can again be submitted as part of the Reserved Matters stage.

### Heritage Assets

- 5.12 Stonehill Farmhouse is a grade II listed building. It dates from c. 1800 and is clearly shown on the mid nineteenth century tithe map. At this date the farm was an isolated collection of buildings to the southern side of Stone Hill, open fields beyond to the south. The farm access and its associated range of outbuildings were located to the north west. These have subsequently been lost through the development of the A4174. Houses to the east were developed in the early twentieth century. A line of further modern twentieth century structures are now located to east of farmhouse, between the application site and the listed building. The farmhouse is now divorced from its historic setting.
- 5.13 There is restricted intervisibility between the site and the listed farmhouse to the west due to planting and structures. Due to the significant level of twentieth century development that has occurred on the original farmland around Stonehill Farm, it is considered that the significance of the listed building does not relate to its setting, and that the change caused by the development proposed will have no impact on its setting.
- 5.14 Number 36 (a locally listed building) is a two storey rubble Pennant stone detached villa with buff brick window and door surrounds and a clay double roman tile roof. Stone quarried locally in Conham. Built c1910, it is first seen on the 3rd Edition OS. Original plate glass sashes largely survive. Northern side of the building has been altered and extended mid 20th century and new entrance porch. Walls rendered and painted pink. Roof has uPVC soffits and

fascias. It is set back along a tree-lined drive and hidden from the road behind a modern, tall stone wall. The entrance wall may incorporate some historic stone, however appear largely recent construction. A good deal of information about the locally listed building is contained within the supporting heritage statement. The interest of the building lies in its unaltered architecture, one of the first early 20th century buildings in the locality. This will not be altered by the development. The design of the new housing should however respect the distinctive design. The stone wall is not historic. The increased width of the access is not excessive and maintains the wall as a street feature.

- 5.15 The development in principle is not considered to have any adverse impact on the setting or significance of the heritage assets identified.

#### Coal mining

- 5.16 The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.
- 5.17 The Coal Authority records indicate that the site has been subject to historic recorded underground coal mining at shallow depth and is likely to have been subject to historic unrecorded underground coal mining at shallow depth. Records also indicate the presence of two recorded mine entries (shafts) within 20m of the planning boundary. However, the shafts are sufficiently far enough away not to pose any significant undue risk to the stability of any of the locations where the buildings could only feasibly be and considered acceptable in planning terms. This is confirmed within the applicant's submitted Coal Mining Risk Assessment (October 2022, prepared by Earth Environmental & Geotechnical Ltd).
- 5.18 Notwithstanding the above, the report goes on to confirm that potential shallow coal seams where insufficient rock overburden to alleviate the risk of potential subsidence do require investigation.
- 5.19 The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any remedial works and/or mitigation measures that may be necessary.
- 5.20 The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.
- 5.21 It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present.

- 5.22 It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

#### Conditions

- 5.23 It is necessary to attach conditions limiting the life of the planning permission and setting out the requirements for the submission of reserved matters in accordance with the Act. The reserved matters conditions are pre-commencement conditions as it is fundamentally necessary to understand the proposed developments nature

#### Consideration of likely impact on Equalities

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

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 That permission is approved.

## **CONDITIONS**

1. Details of the access, landscaping, layout, scale and appearance of the building(s) (hereinafter called "the reserved matters") shall be submitted to and approved by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason:

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

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

Reason:

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

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

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

4. Details of the vehicular access, car parking and turning areas, and cycle storage, shall be submitted as part of the Reserved Matters. The proposal shall be carried out strictly in accordance with the approved details.

Reason:

In the interest of highway safety, to promote sustainable transport choices and to accord with policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places (Adopted) November 2017.

5. A Preliminary Ecological Appraisal and details of Ecological Enhancements, shall be submitted as part of the Reserved Matters. The proposal shall be carried out strictly in accordance with the approved details.

Reason:

To protect against harm to protected species and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

6. An Arboricultural Report, Impact Assessment and Method Statement shall be submitted as part of the Reserved Matters. The proposal shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that trees and vegetation to be retained are not adversely affected by the development proposals in accordance with PSP3 and PSP19.

7. Prior to the commencement of development full details of the method for both foul sewage and surface water disposal shall be submitted as part of the Reserved Matters. The proposal shall be carried out strictly in accordance with the approved details. Development shall be carried out in accordance with the approved details. For



the avoidance of doubt the preferred method for foul sewage disposal is to connect to a public foul sewer. If this is not economically viable by gravity or pumping, a Package Sewage Treatment Plant is required.

Reason:

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2019.

8. No development shall commence until;
  - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

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

Reason:

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

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

Reason:

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

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

02 Dec 2022

LOCATION & EXISTING BLOCK PLAN

03 Mar 2023

71375/02/002

A

PROPOSED SITE LAYOUT

Reason:

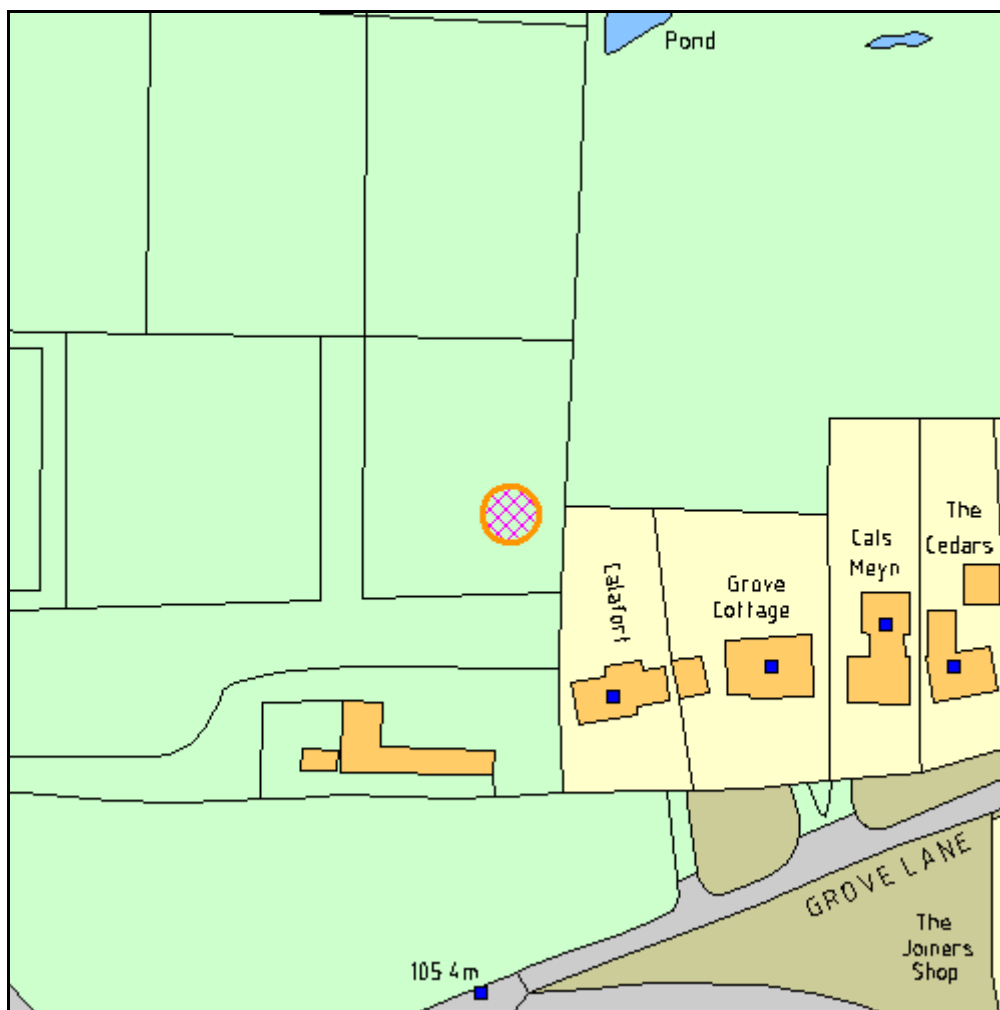
To define the terms and extent of the permission.

**Case Officer: Rae Mepham**

**Authorising Officer: Suzanne D'Arcy**

**CIRCULATED SCHEDULE NO. 13/23 -31st March 2023**

<b>App No.:</b>	P23/00706/F	<b>Applicant:</b>	Mr Ben Stokes
<b>Site:</b>	Land At Grove Lane Hinton South Gloucestershire SN14 8HF	<b>Date Reg:</b>	3rd March 2023
<b>Proposal:</b>	Erection of 1 no. horsewalker machine with associated works (retrospective).	<b>Parish:</b>	Dyrham And Hinton Parish Council
<b>Map Ref:</b>	373227 176904	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th April 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.

### **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been referred to the circulated schedule in accordance with the constitution as the applicant is a District Councillor for South Gloucestershire.

## **1. THE PROPOSAL**

- 1.1 The applicant is seeking full planning permission (retrospectively) for the erection of a 1no. horsewalker machine and associated works at land on Grove Lane Hinton.
- 1.2 The development takes place in an area that is a grass paddock in close proximity to stables. The circular structure is relatively modest in size, with a diameter of approximately 11.5 metres and height of 3.25m (area of 122sq.m). The structure is made of metal sheeting (dull zinc colouring) with a polycarbonate roof.
- 1.2 The site lies in open countryside and within the Bristol/Bath Green Belt. The applicant has indicated that the proposal will reduce the need to exercise horses on the public highway.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework July 2021

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development

CS9 Environmental Resources and Built Heritage

CS34 Rural Areas

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP7 Green Belt

PSP29 Agricultural Development

- 2.3 Supplementary Planning Guidance  
Development in the Green Belt (SPD) Adopted June 2007  
The South Gloucestershire Design Checklist (SPD) Adopted August 2007

## **3. RELEVANT PLANNING HISTORY**

- 3.1 There is no planning history that is relevant to this proposal

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

4.1 Dyrham and Hinton Parish Council  
No response received

4.2 Landscape Officer  
No objection

4.3 Lead Local Flood Authority  
  
No objection

4.4 Sustainable Transport Team

We note that this planning application seeks install a horse walking machine on land at Grove Lane, Hinton. As we understand that this machine will be used in conjunction with the existing equestrian activities already taking place on this land, we believe that it is unlikely to generate any additional vehicular trips to this site.

Likewise, we understand that it will not have direct access to the public highway but will use the sites access without modification. Consequently, we do not consider that this facility will create any severe or unacceptable highways or transportation impacts, so we do not wish to make any comments about this application

#### **Other Representations**

4.4 Local Residents  
No responses received

#### **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The National Planning Policy Framework (NPPF) attaches a great importance to Green Belts and highlights their fundamental purpose of keeping land permanently open. The NPPF outlines a limited number of forms of development that are considered appropriate in the Green Belt, included in this list is buildings for the provision of appropriate facilities for outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Policy CS1 of the Core Strategy seeks to ensure proposals are of a high standard in design. Policies CS9 and CS34 seek to protect, conserve and enhance the natural environment, in particular, the designated Green Belt.

*Green Belt*

The NPPF allows for the provision of appropriate facilities for outdoor sport and recreation in the Green Belt.

Paragraph 149 B of the National Planning Policy Framework states

*The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it*

In addition the South Gloucestershire Development in the Green Belt SPD states that the erection of horse related structures can fall within the definition of appropriate Green Belt development provided that they are small in scale.

The proposed horse walker is basic in design and relatively small in scale given the size of the field. The horse walker has a height of 3.5 metres and has a diameter of 11 metres. It is accepted that the structure is relatively small in scale and is genuinely used in relation to equine use of the land, notwithstanding that it is not essential for that use (although allowing off-road exercise of horses has merit). Overall however the structure is considered to fall within appropriate development in the Green Belt.

### 5.3 Impact on the Visual Amenity of the Landscape in General

While these structures could not be described as of outstanding design they after all are very functional they are not unusual within a rural landscape and the location is close to the buildings associated with the use. Given the scale and location of the development it is not considered that it would have a significant impact upon the landscape character of the area.

### 5.4 Environmental/Residential Impacts

Given the location of the proposed structure away from any residential properties, there are no concerns regarding noise, dust and disturbance. The submitted details indicate that very little noise would be generated from the working parts.

### 5.5 Parking and Highway Safety

No alterations are being made to existing access or parking arrangements within the site. The development will not result in any additional vehicle movements, in fact a case has been put forward that the development results in less horse related activity on the public highway. The development is considered acceptable in these terms

## 6. CONCLUSION

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

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

## 7. **RECOMMENDATION**

7.1 That the application be approved subject to the conditions outlined below.

### **CONDITIONS**

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

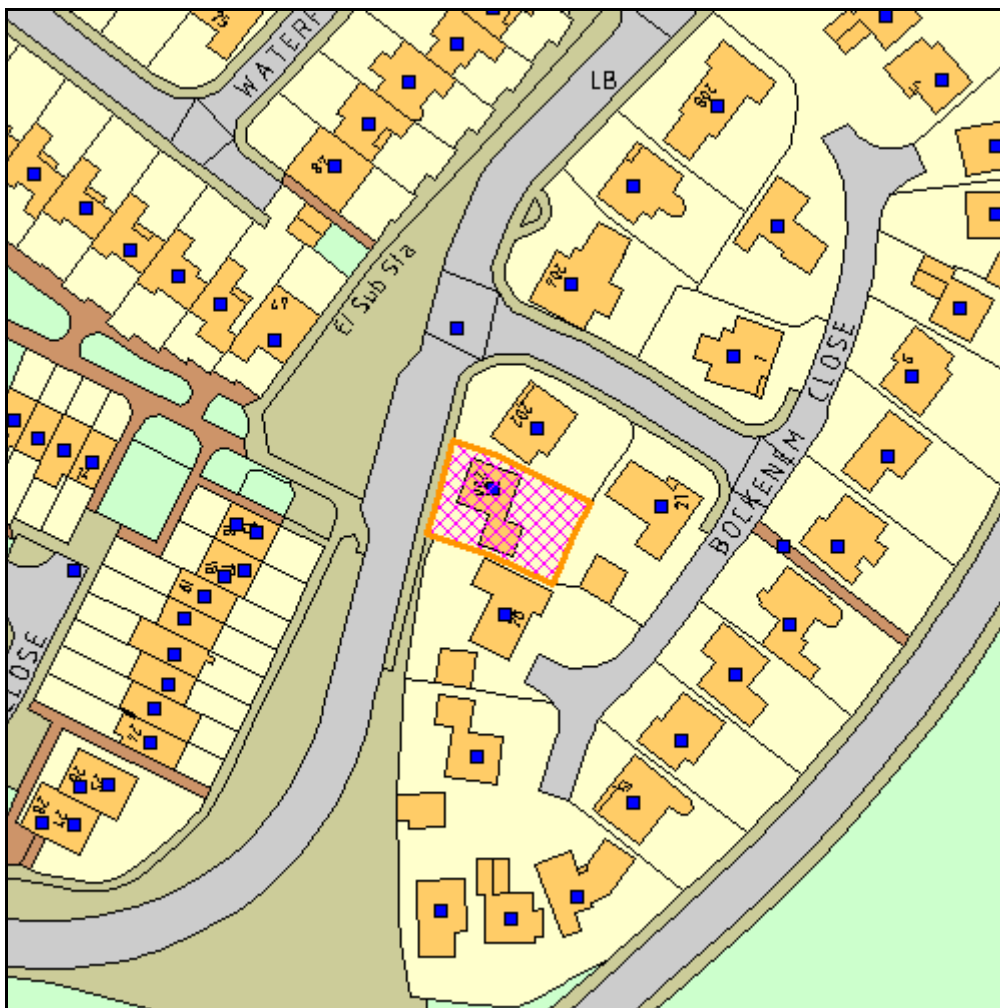
Reason

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

**Case Officer: David Stockdale**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 13/23 -31st March 2023**

<b>App No.:</b>	P23/00730/HH	<b>Applicant:</b>	Mr Amd Mrs Harper
<b>Site:</b>	200 Avon Way Thornbury South Gloucestershire BS35 2DP	<b>Date Reg:</b>	24th February 2023
<b>Proposal:</b>	Alterations to existing front bay window. Erection of car port.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	364922 189416	<b>Ward:</b>	Thornbury
<b>Application Category:</b>	Householder	<b>Target Date:</b>	18th April 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.

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

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for alterations to the existing front bay window and for the erection of car port, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 200 Avon Way, is set within a good sized plot, and is an existing detached property. It is located within the residential area of Thornbury and is within the settlement boundary.
- 1.3 Following the receipt of design comments made by officers, revised plans have now been submitted which now propose the car port back in line with the principal façade/elevation of the host dwellinghouse.

## **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

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

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

### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted) 2007  
Residential Parking Standard SPD (Adopted) 2013  
Householder Design Guide SPD (Adopted 2021)

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

3.1 None relevant.

### **4. CONSULTATION RESPONSES**

#### **4.1 Thornbury Town Council**

1No letter of Objection comments received –

- *Concern that this proposal will impact upon the existing design of this dwellinghouse, and its surrounding neighbouring properties in the immediate area; and*
- *Concern that the proposal would change the appearance and break the regularity of design.*

#### **Other Representations**

#### **4.2 Local Residents**

No Comments received.

### **5. ANALYSIS OF PROPOSAL**

#### **5.1 Principle of Development**

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space.

5.2 PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context.

#### **5.3 Design and Visual Amenity**

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design.

5.4 The application proposes to replace the existing splayed bay window with a box/square bay window to the principal elevation. The proposal will maintain the existing protrusion of the bay window and in general, maintain the existing character of the principal frontage.

5.5 The application also includes the erection of car port and it is proposed to extend from the existing façade of the integral double garage. It will now only protrude to a depth of approximately 3.3 meters and will now not breach the existing principal façade/elevation. Its width is determined by the existing double garage.

- 5.6 Objection comments have been received from Thornbury Town Council in respect of the proposal, stating that the proposed design would be to the host dwellinghouse's detriment and that it would break the regularity of the existing character design of this area. However, officers note that other the alternative designs do feature within this particular street, for example to the adjacent bungalow and the properties immediately across the road on Avon Way.
- 5.7 Furthermore, it is noted that these properties do not front onto Avon Way (they are rear facing onto Avon Way with their amenity space nearest to Avon Way), and they are also of a different design and character altogether. Therefore, and by virtue of the above, officers conclude that this proposal will retain the existing character of the dwellinghouse, and that the development meets the requirements of policy PSP38, CS1 and the Household Design Guide SPD.
- 5.8 Residential Amenity  
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.9 Given the proposed size, scale and siting of both the square bay window and car port, the impact on the neighbouring residential amenity is limited and therefore should not result in any unacceptable impacts. Therefore, it is considered that the amenity of neighbouring residents would be adequately preserved and the proposed development would comply with policies PSP8, PSP38 and Household Design Guide SPD.
- 5.10 Transport  
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. Sufficient space remains on the driveway to meet the needs of the dwelling. The application is therefore acceptable in transportation terms.
- 5.11 Private Amenity Space  
The dwelling benefits from a good amount of existing private amenity space to the property. PSP43 sets out standards which are based on the number of bedrooms at a property. No concern is raised on the level of amenity space being proposed.
- 5.12 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general

equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

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

### **CONDITIONS**

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

Reason

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

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

1300 P01 Site Location Plan (Date received 21/02/23)

1301 P01 Existing and Proposed Block Plans (Date received 21/02/23)

1302 P01 Existing Plans and Elevations (Date received 21/02/23)

1303 P02 Proposed Plans and Elevations (Date received 24/03/23)

Reason

To define the terms and extent of the permission.

**Case Officer: Helen Turner**

**Authorising Officer: David Stockdale**