

# 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: 41/23**

**Date to Members: 13/10/2023**

**Member's Deadline: 19/10/2023 (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 listed below a-f where a representation is received within the notification period which is contrary to the officers recommendation from the Parish or Town Council within whose boundary the proposal lies wholly or in part.

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

### **Additional guidance for Members**

Always make your referral request by email to [MemberReferral@southglos.gov.uk](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)

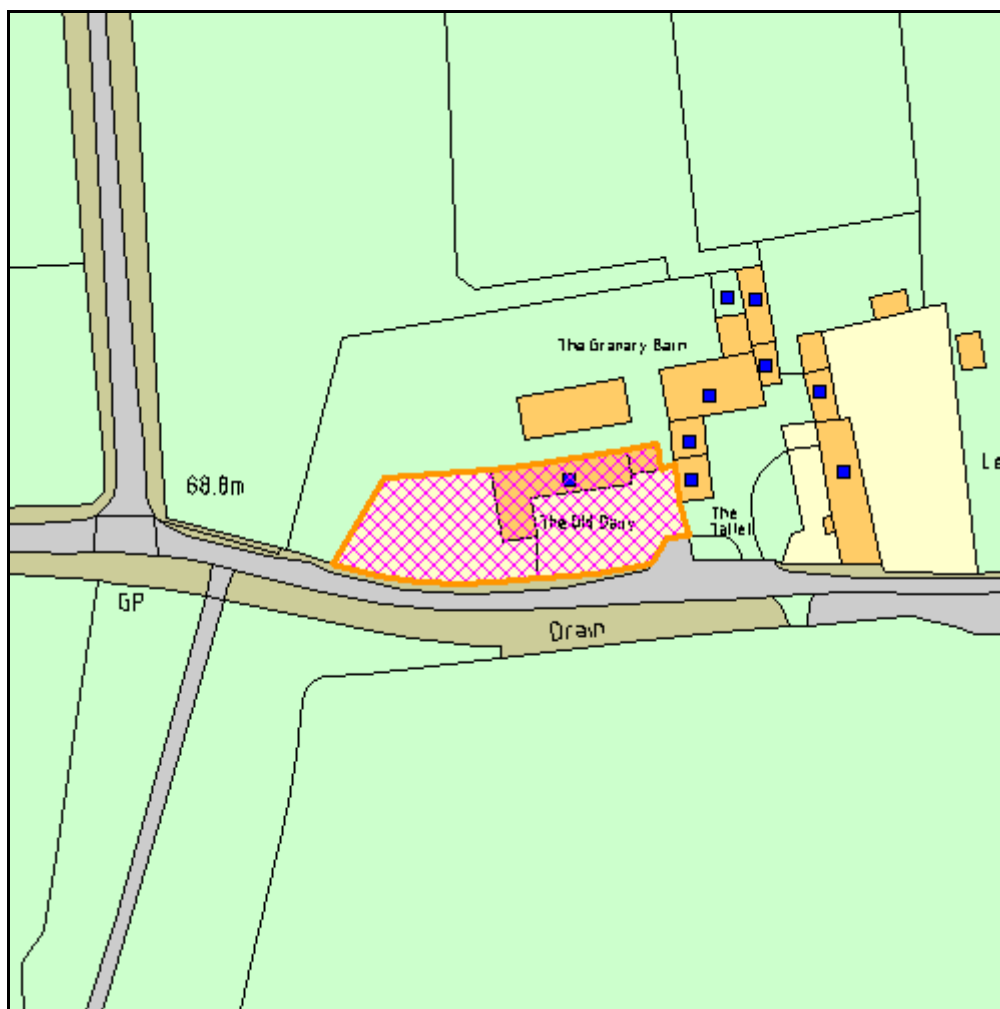
# CIRCULATED SCHEDULE 13 October 2023

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P22/04115/HH	Approve with Conditions	The Old Dairy Tanhouse Lane Yate South Gloucestershire BS37 7QL	Chipping Sodbury And Cotswold Edge	Wickwar Parish Council
2	P22/04117/LB	Approve with Conditions	The Old Dairy Tanhouse Lane Yate South Gloucestershire BS37 7QL	Chipping Sodbury And Cotswold Edge	Wickwar Parish Council
3	P23/01602/F	Approve with Conditions	Land Adjoining 109 Memorial Road Hanham South Gloucestershire BS15 3LA	Hanham	Hanham Abbots Parish Council
4	P23/01653/F	Approve with Conditions	5 Meadow View Shortwood Road Pucklechurch South Gloucestershire BS16 9PQ	Boyd Valley	Pucklechurch Parish Council
5	P23/02550/HH	Approve with Conditions	33 Bude Road Filton Bristol South Gloucestershire BS34 7HW	Filton	Filton Town Council
6	P23/02558/HH	Approve with Conditions	27 Riverside Park Severn Beach Bristol South Gloucestershire BS35 4PN	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
7	P23/02574/HH	Approve with Conditions	11 Clare Walk Thornbury Bristol South Gloucestershire BS35 1EN	Thornbury	Thornbury Town Council

**CIRCULATED SCHEDULE NO. 41/23 -13th October 2023**

<b>App No.:</b>	P22/04115/HH	<b>Applicant:</b>	Mr Hall
<b>Site:</b>	The Old Dairy Tanhouse Lane Yate South Gloucestershire BS37 7QL	<b>Date Reg:</b>	2nd August 2022
<b>Proposal:</b>	Erection of a single storey side extension to form additional living accommodation (re submission of P21/04482/F)	<b>Parish:</b>	Wickwar Parish Council
<b>Map Ref:</b>	370738 185196	<b>Ward:</b>	Chipping Sodbury And Cotswold Edge
<b>Application Category:</b>	Householder	<b>Target Date:</b>	16th October 2023



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N.T.S.

P22/04115/HH

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

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

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council, contrary of the officer recommendation detailed below.

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### **1. THE PROPOSAL**

- 1.1 Planning Permission is sought for the erection of a single storey extension to form additional living accommodation at The Old Dairy, Tanhouse Lane, Yate.
- 1.2 The application relates to a single storey barn conversion situated within the listed building curtilage of Leechpool Farmhouse, which is Grade II listed. The site falls outside of the defined settlement boundaries and within the open countryside.
- 1.3 This application for Planning Permission has been submitted alongside an associated application for listed building consent – ref. P22/04117/LB.
- 1.4 This application forms a resubmission of the previously approved application ref. P21/04482/F, for which the only difference is a material change from timber cladding to render on the rear elevation. Revised plans have been received since the point of submission for which detail the use of rough-cast render.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework  
National Planning Guidance  
Planning (Listed Buildings and Conservation Areas) Act 1990  
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)  
Historic England's Good Practice Advice in Planning Note 2 "Managing Significance in Decision-Taking in the Historic Environment"  
Historic England's Good Practice Advice in Planning Note 3 "The Setting of Heritage Assets (2nd Edition)"

#### **2.2 Development Plans**

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages, including Extensions and New Dwellings
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007  
Residential Parking Standards SPS (Adopted) 2013  
Residential Amenity TAN (Endorsed) 2016  
Householder Design Guide SPD (Adopted) 2021  
Traditional Rural Buildings SPD (Adopted) 2021

**3. RELEVANT PLANNING HISTORY**

- 3.1 P22/04117/LB. Pending determination.  
Proposal: *Erection of a single storey side extension to form additional living accommodation.*
- 3.2 P21/04482/F. Permission Granted, 19/10/2021  
Proposal: *Erection of a single storey extension to form additional living accommodation.*
- 3.3 P21/04487/LB. Permission Granted, 19/10/2021  
Proposal: *Erection of a single storey extension to form additional living accommodation.*
- 3.4 PK14/1263/F. Permission Granted, 7/7/2014  
Proposal: *Erection of attached single storey double garage and installation of rear access door.*
- 3.5 PK14/1264/LB. Permission Granted, 7/7/2014  
Proposal: *Erection of attached single storey double garage and installation of rear access door.*

**4. CONSULTATION RESPONSES**

4.1 Yate Town Council Objection – Objection

*“Whilst we strongly support the addition of extensions to address disability needs or the conversion of space to meet those needs, this represents an addition of 50% to the total size of the dwelling, half of which is not related to the disability need for an adapted bedroom/bathroom/store - by adding an extension that protrudes from the original farmyard building cluster into what*



*has always been farm land and now garden. Whilst as the applicant says it is not visible from the Grade 2 listed Farmhouse, it still has an adverse effect on the historic nature of the site and cluster of farm buildings. The dwelling is already a 3 bed property, and the extension accommodates a new dining room, a utility room, and additional bedroom space as well as an adapted bedroom/bath/wheelchair store. We would not object to an extension limited to the latter, as that adverse impact on the location and setting of the listed building could be justified in terms of disability equality.”*

[Officer Comment]: The extension has already been approved under a previous application and therefore the principle of development exists. No objections have been raised by the councils specialist conservation officer.

- 4.2 Wickwar parish Council – No objection
- 4.3 Conservation Officer – No objection subject to the use of roughcast render.
- 4.4 Sustainable Transport – No objection.
- 4.5 Archaeology – No comment.

#### **Other Representations**

- 4.6 Local Residents – No comments received.

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

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

Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. Policies CS9 and PSP17 seek to preserve and enhance heritage assets. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Further direction relative to the assessment is provided within the Traditional Rural Buildings SPD. As the proposed development has previously been approved by virtue of application ref. P21/04482/F, this is a significant material consideration with significant weight. Whilst the only change for assessment is a material change from timber clad to render, a full assessment has been included for completeness.

- 5.2 The application relates to a single-storey, L-shaped, former shelter shed and barn/dairy, erected in mid-late 19th century and converted first to offices, then to a dwelling, in the early 21st century. A single storey extension approved in 2014 resulted in the single storey southern 'arm' extending towards the road to provide a garage. The building forms part of the historic farmyard associated with Leechpool Farm, a grade II listed, early 18th century farmhouse that sits at right angles to the road to the east of the application site. The barns that are the subject of this application are separated from the farmhouse by a further set of converted barns, 1.5 storey in height, with their own enclosed yard, and with mid-20th century Dutch barn to the NW, this rising up above the single storey 'Old Dairy'. The application site is bounded on the southern and western sides

by extensive, mature hedgerows and views from the field entrance on Limekiln Lane are restricted by another established field hedge. To the east, the application site has an enclosed yard which serves as a separate parking area, and a separate access leads through to a parking area at the rear of the site. The eastern side of the building is intervisible with the farmhouse and it can be seen as forming part of the extended farmstead of Leechpool Farm. As a result of the field hedgerows along the lanes, there are presently no views from the west of the site towards the farmhouse in which the structure can be seen. This may change as the hedgerows are cut or maintained in the future and it may then be possible to see the clay tile roof of the southern arm sitting in the foreground of the farmhouse. The application building is constructed from red brick with a clay double roman tile roof and modern fenestration, including lead-covered doorways that cut through the low eaves of the building. It is a structure that is of low heritage value in its own right, and makes a minor contribution to the significance of the heritage asset by virtue of it being a former agrarian structure that reflects the rural, agricultural origins and function of the farmhouse.

- 5.3 The proposal seeks permission to extend the footprint of the barn westwards, as a single storey extension matching the eastern 'arm' to create a T-plan footprint. The structure to the front would be clad in vertical timber boarding with a brick plinth, with rough-cast render to the rear – this being the only change from the previous approval. Rooflights will provide light to the corridor, and a two sets of doors in raised bays/dormers will be placed on the south elevation, with top hung casements between. Banks of solar panels are proposed to the south and west facing elevations. The proposal will replicate the low, single storey form of the existing dwelling and the use of matching clay tiles on the roof will ensure that, where/when views are possible from the west, it will maintain the simple, rural character of this former outbuilding.
- 5.4 In terms of design, the south elevation does appear quite busy, with the raised bays/dormers and the extensive solar PV cells disrupting what would normally be expected to be an unbroken roof on a traditional outbuilding. Albeit, the personal circumstances of the applicant and their disability form a material consideration, as the PV cells are required to power emergency batteries which support the various and necessary adaptations of the occupant. Furthermore, the number of PV cells have been reduced from 15 to 12, with 1 panel being removed from the west elevation gable end, thus reducing visibility from the lane. The other 2 panels have been removed from the south elevation, reducing the cluttered appearance. With regard to the rough cast render now proposed on the rear elevation, this elevation is very discreet from the the road network and neither would be intervisible with the main farmhouse which lies to the east. It is also acknowledged the permission (approved at appeal) for the conversion of the outbuildings directly attached to the listed farmhouse – these are rendered structures, and there are rendered panels in the main elevation of this building also. Whilst traditional agricultural buildings tend to be natural faced, there are instances of outbuildings being rendered as a means of protecting soft, vulnerable building materials so it's not necessarily out of place. As a traditional roughcast render is proposed rather than a smooth cement finish, the agricultural feel would be retained.

- 5.5 Officers are in agreement that the extension to the existing building in the form proposed would not result in harm to the setting or significance of the listed farmhouse, and thus the proposal would comply with policies CS1, PSP1, PSP17 and PSP38 of the Local Development Plan, and would comply with the provisions of the NPPF.
- 5.6 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.
- 5.7 Residential Amenity  
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed and has found to be in compliance with these policies.
- 5.8 Transport  
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal has been carefully assessed and has found to be in compliance with this policy.
- 5.9 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application it is considered to have a neutral impact on equality.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

7.1 Grant Planning Permission subject to conditions.

### **CONDITIONS**

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

Reason

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

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

Received by the council on 4th April 2023: Proposed Plans Combined (Revised).

Received by the council on 25th July 2022: Block Plan, Existing Block and Floor Plans, Sections and Elevations.

Reason

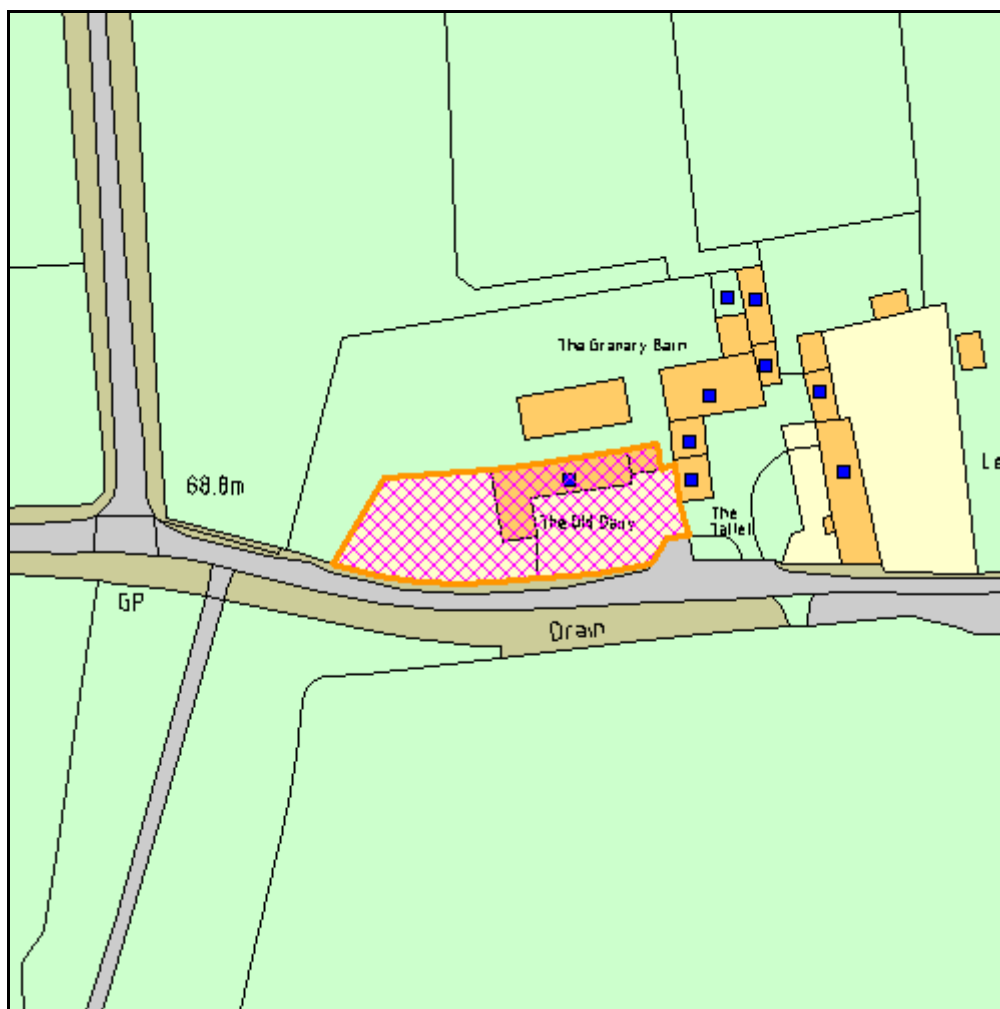
To define the terms and extent of the permission.

**Case Officer: Thomas Smith**

**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 41/23 -13th October 2023**

<b>App No.:</b>	P22/04117/LB	<b>Applicant:</b>	Mr Hall
<b>Site:</b>	The Old Dairy Tanhouse Lane Yate South Gloucestershire BS37 7QL	<b>Date Reg:</b>	2nd August 2022
<b>Proposal:</b>	Erection of a single storey side extension to form additional living accommodation	<b>Parish:</b>	Wickwar Parish Council
<b>Map Ref:</b>	370738 185196	<b>Ward:</b>	Chipping Sodbury And Cotswold Edge
<b>Application Category:</b>	Minor	<b>Target Date:</b>	16th October 2023



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100023410, 2008.

N.T.S.

P22/04117/LB

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

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

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council, contrary of the officer recommendation detailed below.

---

## **1. THE PROPOSAL**

- 1.1 Listed Building Consent is sought for the erection of a single storey extension to form additional living accommodation at The Old Dairy, Tanhouse Lane, Yate.
- 1.2 The application relates to a single storey barn conversion situated within the listed building curtilage of Leechpool Farmhouse, which is Grade II listed. The site falls outside of the defined settlement boundaries and within the open countryside.
- 1.3 This application for Listed Building Consent has been submitted alongside planning permission ref. P22/04115/HH.
- 1.4 This application forms a resubmission of the previously approved application ref. P21/04487/LB, for which the only difference is a material change from timber cladding to render on the rear elevation. Since the point of submission revised plans have been received for which clarify the use of rough-cast render.

## **2. POLICY CONTEXT**

- 2.1 National Guidance
  - National Planning Policy Framework
  - National Planning Guidance
  - Planning (Listed Buildings and Conservation Areas) Act 1990
  - Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
  - Historic England's Good Practice Advice in Planning Note 2 "Managing Significance in Decision-Taking in the Historic Environment"
  - Historic England's Good Practice Advice in Planning Note 3 "The Setting of Heritage Assets (2nd Edition)"

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS9 Managing the Environment and Heritage

- 2.3 Supplementary Planning Guidance  
Traditional Rural Buildings SPD (Adopted) 2021

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

- 3.1 P22/04115/HH. Pending determination.  
Proposal: *Erection of a single storey side extension to form additional living accommodation (re submission of P21/04482/F)*
- 3.2 P21/04482/F. Permission Granted, 19/10/2021  
Proposal: *Erection of a single storey extension to form additional living accommodation.*
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- 4.1 Yate Town Council Objection – Objection

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4.4 Sustainable Transport – No objection.

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### **Other Representations**

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## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

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- 5.3 The proposal seeks permission to extend the footprint of the barn westwards, as a single storey extension matching the eastern 'arm' to create a T-plan footprint. The structure to the front would be clad in vertical timber boarding with a brick plinth, with rough-cast render to the rear – this being the only change from the previous approval. Rooflights will provide light to the corridor, and a two sets of doors in raised bays/dormers will be placed on the south elevation, with top hung casements between. Banks of solar panels are proposed to the south and west facing elevations. The proposal will replicate the low, single storey form of the existing dwelling and the use of matching clay tiles on the roof will ensure that, where/when views are possible from the west, it will maintain the simple, rural character of this former outbuilding.
- 5.4 In terms of design, the south elevation does appear quite busy, with the raised bays/dormers and the extensive solar PV cells disrupting what would normally be expected to be an unbroken roof on a traditional outbuilding. Albeit, the personal circumstances of the applicant and their disability form a material consideration, as the PV cells are required to power emergency batteries which support the various and necessary adaptations of the occupant. Furthermore, the number of PV cells have been reduced from 15 to 12, with 1 panel being removed from the west elevation gable end, thus reducing visibility from the lane. The other 2 panels have been removed from the south elevation, reducing the cluttered appearance. With regard to the rough cast render now proposed on the rear elevation, this elevation is very discreet from the the road network and neither would be intervisible with the main farmhouse which lies to the east. It is also acknowledged the permission (approved at appeal) for the conversion of the outbuildings directly attached to the listed farmhouse – these are rendered structures, and there are rendered panels in the main elevation of this building also. Whilst traditional agricultural buildings tend to be natural faced, there are instances of outbuildings being rendered as a means of protecting soft, vulnerable building materials so it's not necessarily out of place. As a traditional roughcast render is proposed rather than a smooth cement finish, the agricultural feel would be retained.
- 5.5 Officers are in agreement that the extension to the existing building in the form proposed would not result in harm to the setting or significance of the listed farmhouse, and thus the proposal would comply with policies CS1, PSP1, PSP17 and PSP38 of the Local Development Plan, and would comply with the provisions of the NPPF.
- 5.6 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

### 5.7 Consideration of likely impact on Equalities

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

## 6. **CONCLUSION**

6.1 The recommendation to **grant** Listed Building Consent has been taken having regard to the section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained in the National Planning Policy Framework.

## 7. **RECOMMENDATION**

7.1 It is recommended that Listed Building Consent is Granted.

## **CONDITIONS**

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

### Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

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

Received by the council on 4th April 2023: Proposed Plans Combined (Revised).

Received by the council on 25th July 2022: Block Plan, Existing Block and Floor Plans, Sections and Elevations.

### Reason

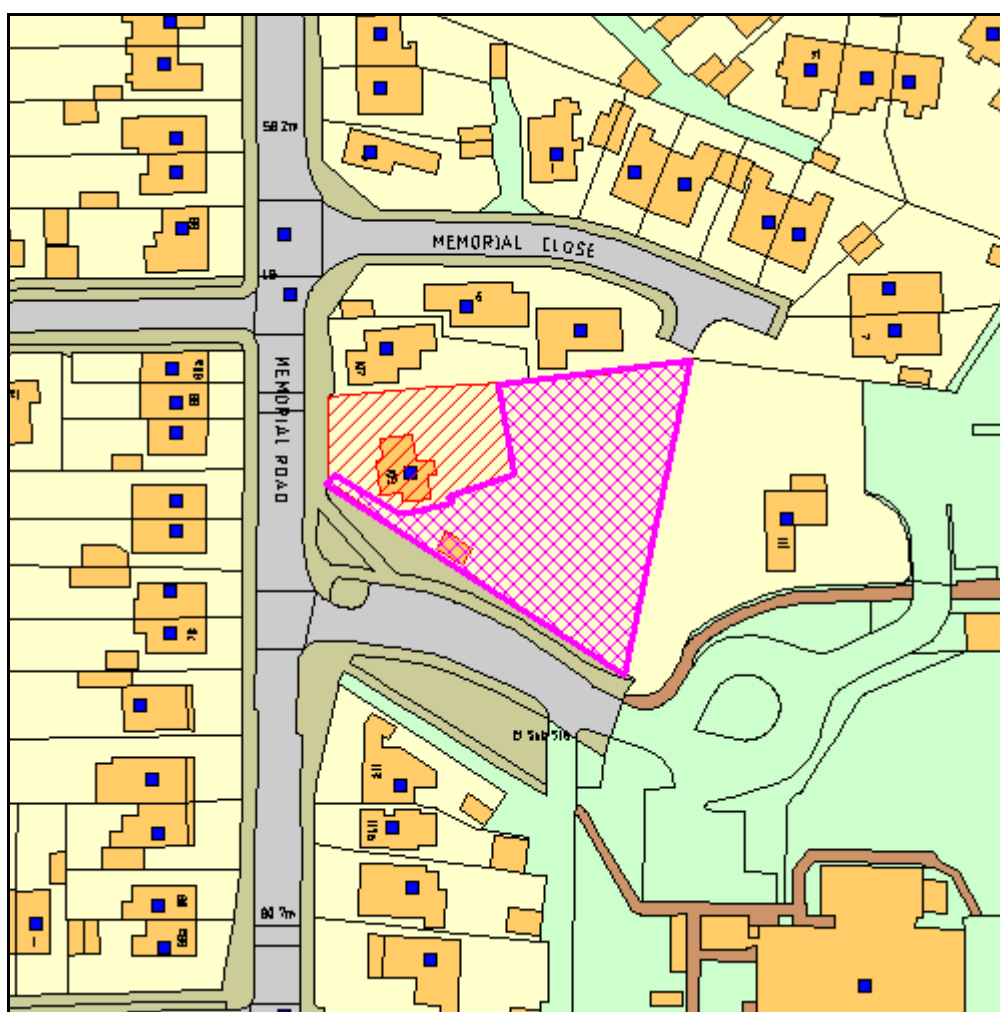
To define the terms and extent of the permission.

**Case Officer: Thomas Smith**

**Authorising Officer: Marie Bath**

## CIRCULATED SCHEDULE NO. 41/23 -13th October 2023

<b>App No.:</b>	P23/01602/F	<b>Applicant:</b>	Grandie Developments Ltd
<b>Site:</b>	Land Adjoining 109 Memorial Road Hanham South Gloucestershire BS15 3LA	<b>Date Reg:</b>	19th May 2023
<b>Proposal:</b>	Erection of 3 no. dwellings and associated works.	<b>Parish:</b>	Hanham Abbots Parish Council
<b>Map Ref:</b>	363857 171745	<b>Ward:</b>	Hanham
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th July 2023



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N.T.S.

P23/01602/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.

## **CIRCULATED SCHEDULE**

This application is referred to the Council's Circulated Schedule in accordance with the Constitution following the receipt of an objection from Hanham Abbots Parish Council contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This application is for the demolition of an existing garage and the erection of three terraced dwellings with associated works at Land at 109 Memorial Road Hanham.
- 1.2 Access to the properties will be from an existing access way from Memorial Road. The contemporary styled properties are two storey, with a height of approximately 8.8m in order to accommodate room within the roof space. Each dwelling contains 4no. bedrooms.
- 1.3 The application site is situated within the urban area of Hanham. The site is covered by a "blanket" TPO. No.109 itself is a locally listed property. The site rises very gently from the road to the rear boundary by approximately two metres and from the rear of No.109 to the site of the proposed dwellings by about 1 metre. Within context to the north of the site lie large detached residential properties and to the west Memorial Road with large 1930's style semi-detached properties. To the south lies the access road to Christ Church Hanham Primary school and Hanham Woods Academy which lie to the south and east.
- 1.4 During the course of the application amended plans have been received to secure further landscaping in the parking area and for the re-instatement of a stone boundary wall. The amendments are minimal, and did not require re-consultation.

### **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
CS9	Managing the Environment and Heritage
CS29	Communities of the East Fringe of the Bristol Area

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

PSP1	Local Distinctiveness
PSP3	Trees
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP17	Managing the Environment and Heritage
PSP18	Ecology
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 Amenity TAN (Endorsed) 2016

Householder Design Guide SPD (Adopted) 2021

**3. RELEVANT PLANNING HISTORY**

- 3.1 P21/08145/F - Demolition of garage. Erection of 2 no. detached dwellings with associated works – Approved

**4. CONSULTATION RESPONSES**

- 4.1 Hanham Abbots Parish Council – “*Objections - due to over development, parking issues, access & egress near school.*”

- 4.2 Conservation – “*I note the approval under P21/08145/F for 2no. units. on this site for which no detailed heritage comments were provided. I note also you have received some further information relating to the historic interest of Memorial Cottage, 109 Memorial Road from my colleague Mr Gething.*

*Mindful of the extant scheme noted above, I would agree in principle while some informal and limited back-land development could be considered, its needs to be of a scale and massing that considered to be compatible with its host. To put another way, what this means is that the objective (to be policy compliant) should be a development that has a positive and complementary relationship with its host, which importantly should ensure that back-land scheme does not start to dominate or compete with the host building.*

*While the historic interest of Memorial Cottage may elevate the sensitivity of this issue, the need for any back-land development to appear subservient and complementary in tandem views with its host, is (in my view) a basic sound design principle that should be applied when considering and back-land development regardless of the historic interest present.*

*This photo of Memorial Cottage helps make this point, as it shows the potential impact of any new back-land development to make a prominent new built-form*

*backdrop that would not only be harmful to the character and how this locally listed building is experience, but it would also overtly announce the subdivision of this historic property. In contrast any development to the rear should ensure it does not complete or detract from the appreciation of this Victorian stone build cottage that was built in 1877 and as noted below, is of notable local historic interest.*

*In looking at the scheme approved under P21/080145/F, I would suggest the previous case officer failed to fully appreciate the above point – i.e., the need to ensure the architectural and visual prominence of the host building was not undermined, as while the 2no. units approved possess an interesting character and appearance, they would appear incongruous in this context and they do appear to be greater in scale than its host. However, the setting back position of the 2no. buildings and their detached character does however provide for some mitigation but in considering the photograph approved, they will result in a significant and harmful intrusion to the backdrop and setting of the locally listed building.*

*Unfortunately, we are not in a position to redetermine that application, but the relevance of making this point is that what has been approved, is in my view, a development of a scale and massing that is poorly related to its host and immediate surroundings. It will consequently result in a negative impact on the setting of the locally listed building. Furthermore, as per the information received by Mr Gething, it is due to the construction of “Memorial Cottage” that “Memorial Road” was named, having previously been “Pit Lane”. The significance of Memorial Cottage therefore can be considered to be derived in part from its setting and relationship with the road and wider street scene to ensure that connection survives as part of preserve the historic interest and sense of local distinctiveness. Therefore, in approaching any further development proposals on this site, there is a clear policy requirement to ensure any development that exacerbates the potential negative impact that has already been approved should be resisted.*

*This brings us onto the latest proposals now submitted.*

*While the design of the now short terrace of 3no. units is not as interesting as the previous scheme, the 3no. unit terrace will result in a greater sense of built form positioned directly to the rear of the host building, where previously at least the step-in building line and gap between the 2no. units would provide for a visual break and resultant mitigation. I haven’t been able to scale the respective building heights, but this would also not help matters if the buildings are higher than previously proposed.*

*What should really have been considered under P21/08145/F was a couple of “mews” style buildings that were visually recessive to the Memorial Cottage and so leaving the Memorial Cottage visually and architecturally the dominant building. However, for the latest proposals we seem here to be going in the opposite direction with a rather suburban style terrace of 3no. units proposed that would appear relatively discordant with its setting, or critically more jarring and visually intrusive than the previous scheme with clear visual competition with the host building also resulting.*

*What could save the situation would be a convincing “mews-style” development, no more than 1 and a half storeys in height which could take more interesting form (i.e. a “L-shaped” footprint) could be considered which could accommodate 3 units and resolve a number of other issues, but what is proposed is just a scheme that is looking to maximise the developable area rather than make a positive contribution to the character of the area and help reinforce the sense of local distinctiveness.*

*The previously proposed on-plot parking would also be replaced by a formal parking court, which would also be visually harmful to the character and appearance of the site and the wider setting in which it will be appreciated.*

*Overall, what is proposed would be, by reason of its scale, design, form and massing, harmful to the setting of the locally listed building and ultimately its significance as a non-designated heritage asset. Consequently, as result it is considered that the development proposals would detract from the character and appearance of the locally which would in turn be harmful to the sense of local distinctiveness.*

*I would also advise that the harm would be materially greater than the consented scheme and so while I have own reservations over the impact of the approved scheme, we are not at risk of appearing inconsistent, although no detailed heritage comments were previously provided.*

*As the development proposals would therefore neither sustain nor enhance the significance of Memorial Cottage as a non-designated heritage asset, they are considered contrary to local plan policies CS9 and PSP17. I would also advise that wider design/ local distinctiveness refusal reasons area also considered, PSP1 in particular.”*

- 4.3 Coal Authority - In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority’s Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.
- 4.4 Highway Structures - Structure Number 67W130 is close to the application site. No excavation within 5 metres of the existing structure is to be undertaken without providing details of the proposed excavation to the Highway Structures team at least 10 working days prior to the excavation.
- 4.5 Drainage – No objection subject to condition relating to surface water details.
- 4.6 Transport – No objection subject to conditions relating to the provision of a consolidated surface, car and cycle parking and EVCP.
- 4.7 Ecology - The ecology report therefore remains the same as before, and LPA ecology officer comments provided by Michelle Newman on the 14 Jan 2022 under P21/08145/F remain valid. No objection.

- 4.8 Tree Officer - The Tree Officer is satisfied that the information provided in the Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan, Revision A prepared by Hillside Trees Ltd and dated February 2023, is sufficient to ensure adequate protection to the retained trees on site during construction of the proposal.

### **Other Representations**

4.9 Local Residents

One objection comment has been received by a local resident, summarised as:

- Hanham is mentioned in the Domesday book and heritage should be preserved
- Memorial Cottage should remain as it is
- Other historic buildings already demolished
- Houses in the garden of this property would detract from cottage
- Access adjacent to school
- Zebra crossing within 100 yards
- Garages were built with the purpose of gaining permission for residential properties

## **5. ANALYSIS OF PROPOSAL**

### **Principle of Development**

- 5.1 The site is located wholly within the Settlement Boundary. Following the appeal decisions for PT18/6450/O and P21/03344/F, it can be demonstrated that the Council does have a 5YLS, however the Settlement Boundaries are out of date and the Council does not have a plan led approach to housing development that accounts for the wider housing market area. Policies CS5 and CS34 are therefore out of date.
- 5.2 Although Policies CS5 and CS34 are out of date, it is acknowledged that the site is within one of the sustainable areas identified as where development should be directed towards. Although para 11 is not engaged in this instance, the provision of 3no. dwellings towards the 5YLS, given that the locational policies CS5 and CS34 are out of date, must be given significant weight.
- 5.3 On this basis, there is a presumption in favour of approving this application. However, it is necessary to consider the benefit of this proposal against any adverse impact and weigh these factors in the balance with the benefits.

### **Heritage and visual impact**

- 5.4 No.109 is a locally listed property. The property was built for the surviving family of John Chiddy from public subscription following his death when he averted a potential disaster in 1876 by removing a boulder from the railway line losing his life in the process when being struck by the express train. The property is therefore a non-designated heritage asset.
- 5.5 Paragraph 203 of the NPPF states:



*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of the harm or loss and the significance of the heritage asset.*

- 5.6 PSP17 states that “*Development proposals affecting locally important heritage assets should ensure that they are preserved or enhanced having regard to their significance*”.
- 5.7 The proposed development will not directly impact upon the structure of No.109 but given the location does have the potential to impact upon its setting.
- 5.8 The Senior Conservation Officer has responded to the scheme, stating that the proposals would be harmful to the setting of the locally listed building by reason of its scale, design, form and massing.
- 5.9 The proposals are for a terrace of 3no. dwellings with a contemporary appearance. The surrounding streetscene has properties of varying forms, heights, appearance and additions.
- 5.10 The three proposed properties are replacing an existing garage block sited behind Memorial Cottage. When standing in front of Memorial Cottage, views of the new properties will be blocked by the existing property, and there is little opportunity within the streetscene to view the full span of the front elevations.
- 5.11 CGI images have not been submitted with this application, but did form part of the previous submission. These showed that the revised plans did not overly dominate Memorial Cottage, particularly when viewed in context with 107, a large two storey property next door which sits forward of the building line of 109.
- 5.12 The proposals are slightly taller than in P21/08145/F (8.8m as opposed to 8.6m) however this is a negligible increase. The proposals are also set back further into the site by around 20cm. Whilst the proposals do not have the gap between properties, they are overall 10cm less in width.
- 5.13 A similar sized area has been proposed as P21/08145/F for parking in front of the properties, which will be visible from the public highway. Revised plans have been received increasing the amount of soft landscaping in this area. The stone wall to the front of the property which has recently been removed is also to be reinstated.
- 5.14 Overall, there is considered to be a degree of harm caused by the proposals being within the setting of the locally listed building.
- 5.15 Policy CS1 of the Core Strategy and policy PSP1 and PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be

informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.16 The form and design is considered to enhance the character of the area however it is acknowledged that the buildings are of a different form to the building to the front. However within context there is no uniform character with properties of varying heights, form, appearance and additions. The variety is considered to allow for the contemporary modern design and within this context the buildings are not considered inappropriate. It is essential that the exact materials are agreed and a condition to secure this is recommended. The condition will include the need to agree the boundary treatments. Subject to this condition the proposal is considered acceptable in design terms.

#### Residential amenity

- 5.17 Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration
- 5.18 The Householder Design Guide sets out a back to back distance from window to window of 21m for two storey properties. The scheme has an appropriate relationship with 109 with a separation distance of 20.2m at an angle. The next nearest property is No.107, again the height difference is noted however the nearest new property is angled towards the side of that property and the distance is approximately 31 metres. This relationship is considered acceptable.
- 5.19 With respect to the other properties including 111 to the rear and those on the opposite side of Memorial Road, the angle and distances (45 to 46m) and 28.5m - 111) are considered to be acceptable. Although the dormer roof extensions are to be added to the rear of the properties the distance of 28.5m to No.111 is considered acceptable in particular given that any view would not be direct given the angle such as the relationship is not “back to back”. The relationship with other properties is considered acceptable by reason of distance and angle.
- 5.20 Given the degree of separation between the proposed dwellings and the neighbouring residential properties, the proposal would not unreasonably affect amenity by overbearing or overshadowing impacts. Whilst there would be a degree of overlooking the rear garden of No.109, the effect would not be unreasonable.
- 5.21 In terms of the amenity of future residents, sufficient internal space would be provided to avoid cramped living conditions. In addition, the units would have adequate access to natural light and outlook. Concerning the provision of private amenity space, each unit would be afforded sufficient levels of space

that exceed the minimum standards as recommended under policy PSP43. The rear amenity space would also be sufficiently private.

### Ecology

- 5.22 PSP19 seeks to ensure that where appropriate biodiversity gain will be secured from development proposals and where significant harm results development should be refused. A preliminary Ecological Appraisal has been submitted with the application.
- 5.23 The application site is not covered by any designation and is approximately 130m from an Site of Nature Conservation interest at Hencliff Wood. It comprises scrub, scattered trees (inc fruit trees as formerly an orchard) and hedgerow. The submission shows the removal of two trees and their replacement.
- 5.24 With respect to protected species the findings are as follows:
- Bats: Negligible potential for roosting and while some foraging potential
- Great Crested Newts: Waterbodies at too great a distance and too much hardstanding and buildings in between.
- Birds: Negligible potential for nesting birds but report recommends enhancements (boxes)
- Reptiles: Some habitat potential but again urban setting reduces likelihood. Mitigation provided
- Badgers – paths recorded on site but no setts. A condition required to check for sett pre-commencement
- Hedgehogs – not recorded however enhancements in the form of holes recommended in the report
- Invertebrates – Habitat largely retained which will be suitable for them.
- 5.25 The proposed development is considered acceptable in ecological terms subject to conditions to ensure that the development takes place in accordance with the recommendations of the ecological report including sensitive timing of vegetation and supervision of site clearance. An additional condition would prior to the commencement of development secure a habitat enhancement scheme and one to secure a pre-commencement check to establish the status of a potential sett. A condition is indicated by the ecologist for a lighting design strategy however given the scale of the proposal it is not considered that this would meet the test of a condition.

### Trees/Landscape

- 5.26 The application site is covered by a tree preservation order. A tree report has been submitted with the application. Two trees (a Mulberry and a Plum) are indicated for removal and replanting is recommended to replace these trees in the report. The report contains an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan. Subject to a condition to ensure that all works take place in accordance with the report the proposal is acceptable in these terms.

- 5.27 The proposal will involve boundary treatments for the proposed development. It is considered appropriate to attach a condition to ensure that these are appropriate to the setting.

#### Ground stability

- 5.28 The Coal Authority have confirmed that the site lies in a defined low risk area. A standard advice will be attached to the decision notice.

#### Drainage

- 5.29 The site lies in Flood Zone 1, the lowest area for Flood Risk and is in proximity to the sewerage system, as such there is no objection to the proposal from the Lead Local Flood Authority subject to a condition relating to surface water drainage.

#### Transport

- 5.30 The proposed development has been considered by the Council Highway Engineers. An existing access is to be used which is considered acceptable in terms of visibility in to and out of the entrance onto Memorial Road. It is considered that the access is appropriate in terms of an intensification of its use and the layout will allow sufficient off-street parking (6no. spaces for the new dwellings in total both for the proposed dwellings and the existing property which retains 2no. spaces.
- 5.31 Subject to a condition to ensure that all parking provision shown on the approved plans is provided both for the existing and proposed dwellings prior to first occupation the proposed development is considered acceptable in highway safety terms.

#### Consideration of likely impact on Equalities

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

#### Planning Balance

- 5.33 As stated in paras 5.7 – 5.14, the proposal would cause a degree of harm to the setting of a non-designated heritage asset.
- 5.34 Paragraph 203 of the NPPF states:

*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing*

*applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of the harm or loss and the significance of the heritage asset.*

- 5.35 The significance of the heritage asset is considered to be low, as is the level of harm. The extant permission must be given significant weight, as must the contribution of 3no. dwellings to the housing supply. The proposal is considered to constitute good design that is appropriate within the streetscene, and an element of conservation gain from the re-instatement of the stone boundary wall.
- 5.36 On balance, the benefits identified are considered to outweigh the harm to the setting of the non-designated heritage asset.

## **6. CONCLUSION**

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

## **7. RECOMMENDATION**

- 7.1 It is recommended that planning permission is GRANTED subject to conditions set out below.

## **CONDITIONS**

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

Reason

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

2. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Appraisal (Herdwick Ecology, December 2021), this includes sensitive timing of vegetation clearing and supervision of site clearance

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

3. Prior to commencement of works a habitat enhancement scheme is to be submitted for review, this is to include the management of the orchard area, details of tree species to be planted and other enhancements proposed. The scheme is to include a plan detailing the location and specifications of ecological enhancements detailed within (Herdwick Ecology, December 2021) is to be submitted to the local authority for review. This includes, but not limited to bee boxes, habitat boxes/piles, hedgehog holes, bat and bird boxes.

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

4. A pre-commencement check for badgers is to be undertaken to establish status of potential sett. A letter is to be sent to the local authority to confirm results, if activity is recorded, appropriate surveys are to be undertaken to establish use supported by appropriate avoidance measures and mitigation.

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

5. The development shall at all times be carried out strictly in conjunction with the submitted Arboricultural Report that includes the Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan (Hillside Trees Ltd dated December 2021).

Reason

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

6. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the buildings are first occupied, and thereafter retained for that purpose. Any access shall be formed of a consolidated material within 5m of the public highway.

Reason

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

7. Prior to the commencement of development above ground level details of the roofing and external facing materials proposed to be used as well as the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning

Authority. Development shall be carried out in accordance with the approved details. The proposed stone boundary wall shall be completed prior to the first occupation of the buildings.

Reason

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

8. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. A detailed development layout showing the location of surface water proposals is required along with results of percolation tests and infiltration calculations to demonstrate that the proposal is suitable for this site.

The following will be required:

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

Please note that if on-site infiltration testing reveals that infiltration is unsuccessful on-site, then any alternative surface water disposal strategies must be in accordance and follow the SUDS hierarchy. Each option within the hierarchy must be fully explored and exhausted in order, before considering the next available option.

Reason:

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2012. This is a condition precedent to ensure remedial works are not required.

9. The development shall be carried out in accordance with the plans/drawings hereby approved as follows:

13 May 2023		EXISTING GARAGE BLOCK
13 May 2023		EXISTING SITE PLAN
13 May 2023		LOCATION PLAN AND SITE BLOCK PLAN
13 May 2023		PROPOSED PLANS AND ELEVATION
03 Aug 2023	100 A	PROPOSED SITE PLAN

Reason:  
For the avoidance of doubt

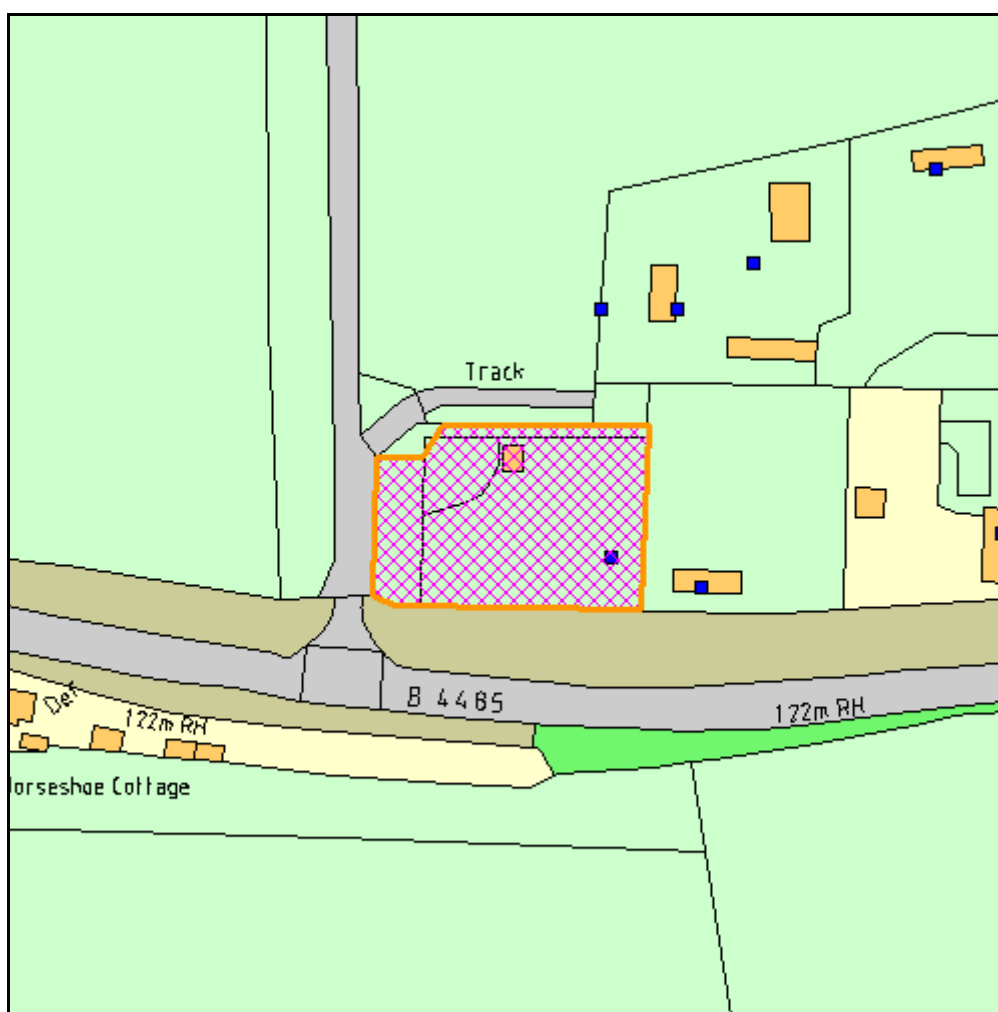
**Case Officer: Rae Mephram**  
**Authorising Officer: David Stockdale**



## CIRCULATED SCHEDULE NO. 41/23 -13th October 2023

<b>App No.:</b>	P23/01653/F	<b>Applicant:</b>	Mr Jason McDonagh
<b>Site:</b>	5 Meadow View Shortwood Road Pucklechurch South Gloucestershire BS16 9PQ	<b>Date Reg:</b>	23rd May 2023
<b>Proposal:</b>	Demolition of existing building. Erection of family day room.	<b>Parish:</b>	Pucklechurch Parish Council
<b>Map Ref:</b>	369046 175799	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	20th October 2023

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N.T.S.

P23/01653/F

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

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

The application appears on the Circulated Schedule because a response has been received from the Parish Council that is contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the demolition of existing building and erection of a family day room.
- 1.2 The application site, 5 Meadow View, is an authorised Gypsy and Traveller Site situated to the North of the Shortwood Road within the Bristol/Bath Green Belt and the open countryside.
- 1.3 During the applications consideration, amended plans have been received to reduce the size of the building.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework 2023  
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
CS21	Gypsy and Traveller Accommodation
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management

- 2.3 Supplementary Planning Guidance

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

- 3.1 P22/01635/CLE (approved certificate of lawfulness 10/06/2022):  
Retention of 2no. outbuildings for storage and a dayroom.
- 3.2 P22/02501/F (approved 12/08/2022):  
Creation of new vehicular access on to Shortwood Road.
- 3.3 PK17/4232/RVC (approved 04/12/2017):  
Variation of condition 1 and 2 attached to PK14/2889/F allowed on appeal APP/P0119/W/15/3065767 condition no. 1 to now read The use hereby permitted shall be carried on only by the following and their resident dependants: James McDonagh and Helen Monagan (Plot 1) and Jason McDonagh and Theresa McDonagh (Plot 2). Condition no. 2 to now read, When the land ceases to be occupied by those named in Condition 1) above, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought onto the land, or works undertaken to it in connection with the use shall be removed and the land restored within a further three months to its condition before the development took place.
- 3.4 PK14/2889/F (refused 19/02/2015):  
Change of use of land to gypsy/travellers site including 2 no. mobile homes and 2 no. touring caravans with the formation of additional hard standing and 2 no. ancillary utility/day rooms.
- Appeal allowed 10/02/2016
- 3.5 Other history is available that is neither recent nor relevant.

### 4. **CONSULTATION RESPONSES**

- 4.1 Pucklechurch Parish Council  
Objection. Site is in the Green Belt. Dayroom has appearance of a bungalow and would be in a prominent position within the site and local rural landscape to such an extent that would harm the visual amenity and openness of the Green Belt. No special circumstances exist that would override the permanent harm.
- 4.2 Siston Parish Council  
No comments have been received.
- 4.3 Transport  
No objection subject to suitable condition restricting use in relation to the travellers site.
- 4.4 Highway Structures  
No comment.

4.5 Drainage (LLFA)

Initial comments: information is required. Unacceptable in current form.

Updated comments: no objection. Condition required.

4.6 Landscape Officer

No comments have been received.

4.7 Local Residents

No comments have been received.

**5. ANALYSIS OF PROPOSAL**

- 5.1 Planning permission is sought for the demolition of existing building and erection of a family day room.

Principle of Development

- 5.2 The application site is a lawfully established Gypsy and Traveller site, approved on appeal in 2016 and subsequently amended by PK17/4232/RVC to remove the time limit for the use. The site is however still subject to conditions restricting the use to named persons and their resident dependents. A further condition requires the use to cease and all caravans, structures, and buildings etc. to be removed when the use ceases by those named on the permission. Certificate of lawfulness for existing use/development P22/01635/CLE deemed the retention of existing dayroom and storage building as lawful. This application would have the effect of replacing those buildings with one building.

- 5.3 The application does not propose to change the status quo in terms of the overall use of the land, which is governed by the main consent for the site. Instead, this application seeks merely to provide enhanced/enlarged ancillary facilities.

5.4 Green Belt

The site is within the Green Belt, which is an area within the district where development is strictly controlled in order to preserve the fundamental aims of the Green Belt, to prevent urban sprawl by keeping land permanently open. As per the NPPF, inappropriate development is by definition harmful to the Green Belt and should not be approved except for in very special circumstances. As set out in para. 148:

*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

- 5.5 Para.149 goes to explain that new buildings should be regarded as inappropriate, unless one of the limited exceptions listed are met. The proposals would see the replacement of two existing buildings, which have been established as lawful previously. It could therefore be considered that the proposal amounts to the replacement of existing buildings, which is appropriate under the terms of (d) of 149, provided the new building is in the same use and is not materially larger than that one it replaces.
- 5.6 The existing buildings comprise a storage building, which is c.6.8 metres long, 3.7 metres deep and 4.2 metres to the ridge. The dayroom is c.7.1 metres long, 5 metres deep and 3.4 metres to the ridge. The combined volume of the existing buildings to be removed is c.200 cubic metres. The proposed building would be c.230 cubic metres. The proposed building would therefore be larger than the existing buildings combined in terms of volume. The proposed building would also have a greater massing than the existing separate buildings and would appear visually as a larger building than the existing. As such, the development would not accord with this exception within para.149.
- 5.7 Exception (g) within para.149 allows the partial or complete redevelopment of previously developed land, provided there is no greater impact on the openness than the existing development. The site having a lawful use as a gypsy and traveller site and being hard surfaced means that the land does constitute previously developed land. However, the new building by reason of its increased scale, massing and bulk, would clearly result in a reduction in openness beyond the existing development, and so this exception would not apply either.
- 5.8 The development would accordingly be inappropriate in the Green Belt. A spatial and visual harm would result as the development would see a larger building erected which would be partially visible from the elevated position of the site from Shortwood Road. In spatial terms, the increased scale of the building would result in a material reduction in openness in this location. Whilst the reduction in openness would be localised, it would nonetheless be harmful when considering the fundamental aim of the Green Belt, which is to keep land permanently open.
- 5.9 Very Special Circumstances  
The starting point is that the site is an authorised Gypsy and Traveller site, which was established when appeal APP/P0119/W/15/3065767 was allowed. This found very special circumstances that would clearly outweigh the harm to the Green Belt. Albeit this was based on the consent being temporary as there was uncertainty around the personal circumstances of the applicants at the time. However, later s.73 application PK17/4232/RVC removed the time limit and so the consent relating to the site is now a permanent one, subject to a personal restriction. In this context, it has to be acknowledged that the site has an existing lawful use as a gypsy and traveller site, and it follows that with such uses of land, ancillary structures such as amenity blocks and day rooms are to be expected.
- 5.10 Whilst harm has been found by reason of the development being inappropriate, it should also be acknowledged that the level of harm to the Green Belt would

be somewhat limited by the fact that the development would take place within a central position within the site. The new building would be viewed against the backdrop of the lawful Gypsy and Traveller use and would not result in further encroachment outwards into the countryside. In this respect, the overall character of the site as a whole would not notably change. It is therefore the view of the officer that the harm caused to the openness in both a spatial and visual sense would be towards the lower end of the scale. In that respect, less harm needs to be outweighed.

- 5.11 The proposed dayroom would provide ancillary facilities that are to be reasonably expected on a lawful Gypsy and traveller site. To put it another way, the lawful use comes with additional ancillary development, of which this application is. A strong material consideration in this instance also is that the LPA has accepted a day room of broadly the same size on another site, which is understood to be within control of the applicant's extended family.<sup>1</sup> The site already exists in effect under very special circumstances, and so the circumstances in this instance are self-perpetuating. That is, the development represents ancillary development to be expected on a Gypsy and Traveller site. Moreover, the harm would be to the lower end of the scale, particularly following the reduction in the scale of the building from what was originally submitted.
- 5.12 Design and Visual Amenity  
The site sits in something of an elevated position to the North of Shortwood Road and is within a well-established cluster of Gypsy and Traveller development. The surrounding locality is distinctly rural, with agricultural fields surrounding the development, with a scattering of rural dwellings nearby.
- 5.13 The new day room would have a length of 12 metres and width of 7.5 metres. The building would be 4 metres to the ridge, and 2.7 metres to the eaves. The front (South) and side (East and West) elevations would have openings with gable details above, and to the front would be an open porch.
- 5.14 The proposed building does not have a distinctly rural character. However, the proposed design is commensurate with the context in which it is to be built, and indeed the backdrop in front of which it will be observed. The building is located in a reasonably central position within the site and so public views will be screened to a degree. Overall, the development does not represent any material design, visual or landscape issues when considered in its context within an authorised Gypsy and Traveller site.
- 5.15 Transportation  
The development would not result in any changes to the access or parking arrangements, nor would it result in any increase in travel demand associated with the site. Having said that, a suitably worded condition should be applied to tie the use to the traveller site, as recommended by the highways officer. This would be in the interest of highways safety and that any other use would require further consideration against relevant planning policy.

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<sup>1</sup> P22/06963/F – Land Next to Northwick Road.

5.16 Residential Amenity

The scale, siting and nature of the development is such that there would not be any impacts on the amenity of neighbouring residential occupiers, which are a good distance from the application site. Moreover, the development would not result in any impacts on amenity with regards to the neighbouring Gypsy and Traveller pitches.

5.17 Drainage

Some uncertainty has persisted in the application as to the method of foul water disposal. What is known however is that this could not be via foul sewer, as there isn't one readily available. It has been suggested that a septic tank will be used, but the hierarchy is such that this should be a package treatment plant. The LLFA note this in their latest comments, but also note that a condition could be used to capture such details. Subject to this, there is no drainage objection to the development.

**Impact on Equalities**

5.18 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.

**Planning Balance**

5.20 The development has been found to be inappropriate in the Green Belt, which is harmful, and so the usual presumption in favour of refusal is engaged. The consideration above has however found that the harm would be towards the lower end of the scale, taking account of the context and location of the development. No other harms have been identified, having regard to the above assessment.

5.21 As discussed, the site exists off the back of very special circumstances as an authorised Gypsy and Traveller site. In that context, such ancillary development is to be expected as part of the overall use. In that respect, the very special circumstances discussed above are self-perpetuating. For that reason, the officer considers it the case that very special circumstances do exist such that the usual presumption in favour of refusal is clearly outweighed by other considerations, being in summary the lawful use of the land as a Gypsy and Traveller site. Substantial weight is nevertheless given to the harm caused to the Green Belt. Should the personal use of the site cease, the building would

need to be removed in accordance with condition 2 attached to PK17/4232/RVC.

5.22 The development has been found to be acceptable in terms of design, having regards to the context of the site. The development is also satisfactory in terms of amenity, drainage, and transport, subject to conditions discussed above. All of which are neutral, to be expected of any development.

5.23 Accordingly, permission should be granted, subject to conditions as set out.

## 6. **CONCLUSION**

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

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

## 7. **RECOMMENDATION**

7.1 It is recommended that permission is **GRANTED** subject to the following conditions:

### **CONDITIONS**

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

Reason

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

2. The building shall not be brought into use until full details of the proposed foul drainage methods have been provided for approval in writing. For the avoidance of doubt, this shall be a package treatment plant where no foul sewer is readily available, unless it can be conclusively demonstrated that this is not possible on the site. The details provided shall include a percolation test to a drainage field. The applicant may need to consult the Environment Agency for the need to obtain an 'Environmental Permit' and produce a copy if required. Foul drainage disposal shall be installed as approved before the building is brought into use.

Reason

To ensure a satisfactory means of drainage and pollution control in order to comply with South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted)



November 2017 Policy PSP21; and South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS9.

3. The building hereby permitted shall be used at all times for purposes ancillary to the Gypsy and Traveller use permitted by PK17/4232/RVC (or any subsequent variation thereto).

Reason

Development has been found acceptable on this basis and any other use would require further consideration against relevant planning policy

4. Development shall be implemented in accordance with the following plans:

PL02 - existing block plan

PL04 - site location plan

As received 19th May 2023

PL01 A - proposed plans and elevations

As received 13th July 2023

PL03 E - proposed block plan

As received 3rd October 2023

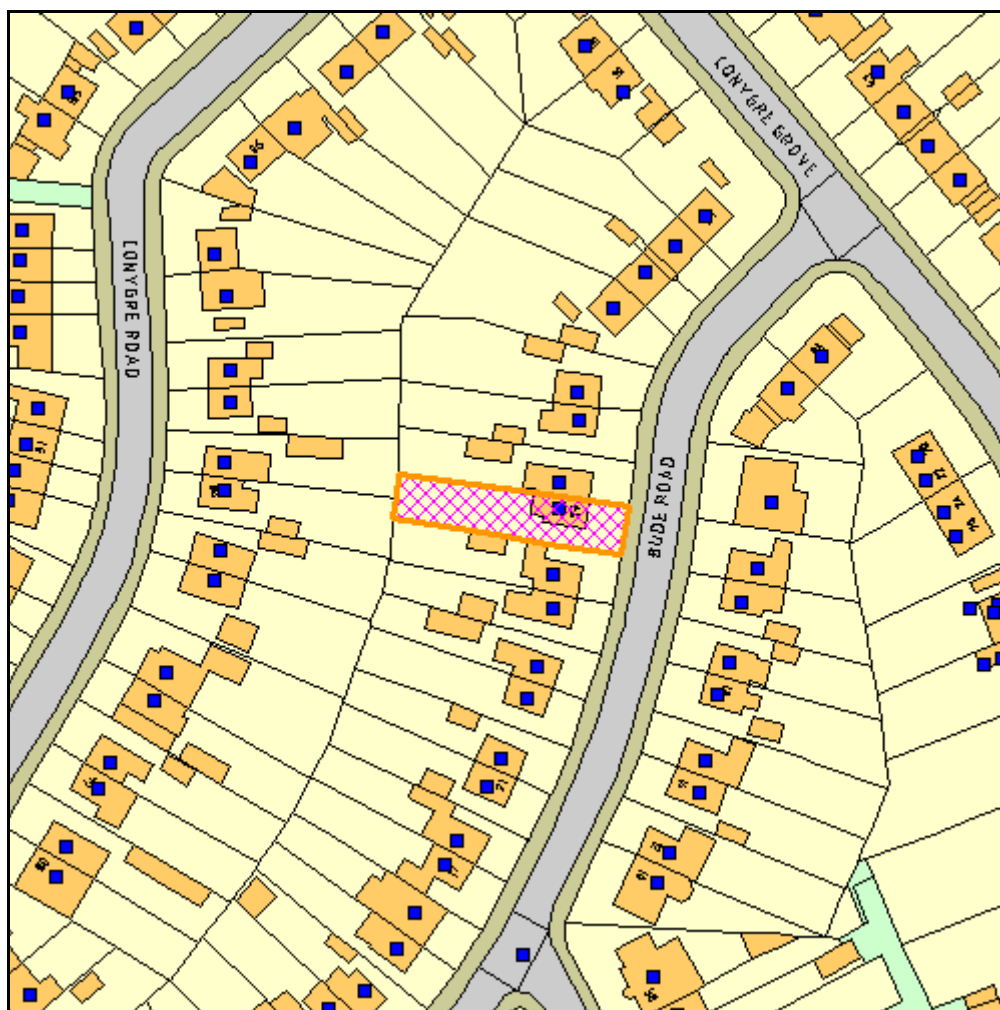
Reason

To define the exact terms of the permission.

**Case Officer: Alex Hemming**  
**Authorising Officer: Marie Bath**

## CIRCULATED SCHEDULE NO. 41/23 -13th October 2023

<b>App No.:</b>	P23/02550/HH	<b>Applicant:</b>	Zhu Yun Lin
<b>Site:</b>	33 Bude Road Filton Bristol South Gloucestershire BS34 7HW	<b>Date Reg:</b>	6th September 2023
<b>Proposal:</b>	Erection of rear outbuilding ancillary to the main dwelling (Part retrospective and Resubmission of P23/02122/HH)	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	360912 179554	<b>Ward:</b>	Filton
<b>Application Category:</b>	Householder	<b>Target Date:</b>	31st October 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 Referral to Circulated Schedule**

**This planning application appears on the Circulated Schedule due to the receipt of 1No Objection from Filton Town Council and 4No objections from Neighbouring Consultees contrary to the officer's recommendation.**

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a rear outbuilding ancillary to the main dwellinghouse. This is a part retrospective application and in part, is a resubmission of the previously submitted application P23/02122/HH.
- 1.2 The application site can be found at 33 Bude Road, which is a good sized plot, and is an existing semi-detached property within the well-established and built up residential area of Filton.
- 1.3 This proposed outbuilding differs from the previously refused application, as follows:
  - *The outbuilding has been reduced in overall maximum height to 2.550 meters; and*
  - *The outbuilding now proposes an alternative style of roof, and is proposed with a single ply membrane flat roof.*

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework July 2021  
National Planning Policy Guidance

### **2.2 Development Plans**

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Import 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

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

- 3.1 P23/02122/HH. Erection of single storey side extension to form porch. Erection of rear Summer House ancillary to the main dwellinghouse (Summer House is Part-Retrospective). Split Decision. 10.08.2023
- *Single storey side extension to form porch Approved.*
  - *Erection of Summer House ancillary to the main dwellinghouse (retrospective) Refused.*
- Refusal Reasons:*
- *The proposed summerhouse, by reason of its overall form, scale, proportion and character, would result in an ungainly appearance. It would, due to the visual incompatibility, result in a discordant and oversized structure to the rear amenity space of the host dwellinghouse and to its neighbouring dwellinghouses, particularly to Nos 84 and 86 Conygre Road, and Nos 31 and 35 Bude Road. The proposal is therefore not considered to exhibit the highest standards of design and is contrary to Policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and; PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017; and the provisions of the South Gloucestershire Household Design Guide SPD (Adopted) 2021 and the Annexe and Outbuildings SPD (Adopted) SPD; and*
  - *By reason of its scale and massing and location, the summerhouse proposal, sited on the boundary in close proximity to the surrounding private amenity spaces of neighbouring properties, would give rise to an unacceptable level of overbearing and dominant impacts to the surrounding neighbouring dwellings of Nos 84 and 86 Conygre Road and Nos 31 and 35 Bude Road. This proposed development would therefore have an unacceptable impact on the residential amenities of these surrounding occupiers and fails to accord with PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted November 2017), the Householder Design Guide SPD (Adopted March 2021) and the Annexe and Outbuildings SPD (Adopted) SPD.*
- 3.2 P22/03684/HH. Erection of single storey side and rear extension to form additional living accommodation. Approved. 06.08.2022.
- 3.3 P22/03661/PNH. Erection of a single storey rear extension that will extend beyond the rear wall of the original house by 6m, for which the maximum height will be 3m and for which the height of the eaves will be 3m. Prior Approval Not Required. 26.07.2022. **Not Implemented.**

## 4. CONSULTATION RESPONSES

### 4.1 Filton Town Council

1No letter of Objection comments received –

- *South Gloucestershire Council planning officers to reinforce previous decisions on previous applications;*
- *If to be permitted, a green roof is requested by Filton Town Council.*

### 4.2 Other Consultees

Planning Enforcement

No Comments received.

## Other Representations

### 4.3 Local Residents

4No letters of Objection comments received –

- *Concerns raised that construction procedures have been undertaken at the application site without proper authorisation and that these have caused significant distress and damage to adjacent neighbouring properties and the surrounding neighbourhood;*
- *Concerns raised that following the recent refusal of the previous outbuilding application, that enforcement measures have not been carried out;*
- *Concerns raised that a temporary storage structure has been in situ since works began at the application site, that have now materialised into a formal structure;*
- *Concerns that this temporary structure causes impacts on outlook, loss of natural light to surrounding private residential amenity space and overbearing impacts;*
- *Concern that this temporary structure is having an impact on the value of surrounding neighbouring properties;*
- *Concerns raised of damage to neighbouring boundary treatments that have not/are not being rectified; and*
- *Concerns of damage to Root Protection Area of adjacent existing Silver Birch tree within a neighbouring rear amenity space.*

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

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

- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.
- 5.3 Ancillary Test  
By definition an outbuilding must be ancillary to the main dwellinghouse and should have some form of physical and functional reliance upon it. Ultimately, the resultant development should be one planning unit i.e. one household rather than two separate dwellings.
- 5.4 In this instance, the outbuilding does not have any elements of principal living accommodation that could enable it to be used as an independent unit of residential accommodation. The submitted application states that the intended use of the outbuilding will be for a gym and storage, and occasionally a home office.
- 5.5 As the proposed outbuilding would need to share the existing kitchen/dining, living, bedroom(s), a functional bathroom, garden, parking and main access with the main dwellinghouse, it does show a physical reliance. In terms of its physical relationship to the host dwellinghouse, no separate access is possible.
- 5.6 As such, the outbuilding can be classed as an ancillary building to the main dwellinghouse. Should consent be granted, a condition will be attached to the decision notice to ensure that the summerhouse can never be used as a unit separate to the main dwellinghouse and that it will remain ancillary.
- 5.7 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.
- 5.8 This resubmission of the previously submitted application P23/02122/HH, is now for a part retrospective application for the erection of a rear outbuilding ancillary to the main dwellinghouse. The outbuilding is already in situ and partly constructed, with the walls and a pitched roof structure already in place. It is sited, a minimum of 0.58 meters from the rear boundary with Nos 82 and 84 Conygre Road to the west and is sited 0.75 meters from the adjacent shared boundary with No 31 Bude Road to the south.
- 5.9 The outbuilding is within the private amenity space to the rear of the host dwellinghouse and its residential curtilage. The outbuilding footprint remains at a depth of 4.2 meters and will extend to a width of almost 6.0 meters. However, the main differences between this proposal and the previously refused application, firstly relate to a proposed single ply membrane flat roof style and secondly, the overall height of the building being proposed to extend only to a maximum height of 2.550 meters from ground level.
- 5.10 As the current proposal has now been designed with a flat roof, this creates a significant reduction in the overall height, and together with the introduction of a flat roof, this is now a more typical design for a summerhouse, and its proposed

scale and mass now reflects more appropriately the adopted guidance for outbuildings.

- 5.11 Finally, Filton Town Council have raised an objection to this application, and it has been stated that if the outbuilding is to be recommended for approval, that a green roof is proposed as part of the flat roof structure. As such, negotiations have been undertaken with the applicant, and it is understood that in order to create a living green roof, the overall maximum height of the outbuilding would need to extend to 3.0 meters, which would be an increase of 0.45 meters to the current proposed overall height.
- 5.12 The case officer is concerned with such an implication, and has requested that the maximum overall height does not extend beyond 2.6 meters, and that a green roof is accommodated within this maximum overall height, which undoubtedly would require a reduction in the existing wall height of this already partly constructed outbuilding structure. However, and following negotiations with the applicant, a green roof is not a financial consideration for them and such a proposed cost increase in this style of roof, is not an option.
- 5.13 Therefore, and overall, and with the above reduction in height and improved roof style form, and as this outbuilding will be finished in rendered blockwork, which will be painted white to integrate it more appropriately to the host dwellinghouse, this proposal is now considered to an acceptable standard and meets the requirements of policy PSP38, CS1 and the adopted Householder Design Guide SPD in achieving the highest possible design.
- 5.14 Residential Amenity  
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance.
- 5.15 The Householder Design Guide SPD provides guidance on some potential overbearing effects that may apply to this application. The impact on residential amenity has been assessed in terms of the adjacent neighbouring properties.
- 5.16 The impact on residential amenity has again been assessed in terms of the adjacent neighbouring properties, particularly to the surrounding properties of Nos 84 & 86 Conygre Road and Nos 31 & 35 Bude Road. In terms of any overlooking, it is noted that the proposed openings would only overlook into the private amenity space of the host dwellinghouse and therefore there will be very little loss of privacy to any neighbouring properties given its siting towards the rear of the garden.
- 5.18 The scale of the outbuilding is now at a maximum overall height of 2.550 metres, which would extend to an approximate height of 0.6 meters above any standard 1.8 meter high fence boundary.

- 5.19 In terms of its overbearing nature, and given this revised projection above the existing boundary, the flat roofed outbuilding will no longer have such a dominant impact, given this overall reduction in height with the now proposed flat roof, to the adjacent neighbours of Nos 84 & 86 Conygre Road, which are sited approximately 21.0 meters away from the rear boundary with the application site.
- 5.20 Similarly, the flat roofed outbuilding will no longer have such a dominant impact to the adjacent properties of Nos 31 and 35 Bude Road, where the outbuilding would be sited approximately 17.0 meters away from their respective rear elevations, and a minimum of 0.75 meters from No 31's boundary and a minimum of 0.85 meters from No 35's boundary.
- 5.21 Therefore, this outbuilding would not result in any unacceptable overlooking, overbearing and dominant impacts upon the residential amenity of neighbouring occupiers, particularly to the properties of Nos 84 & 86 Conygre Road and Nos 31 & 35 Bude Road, and the proposal is therefore deemed in compliance with policies PSP8, PSP38 and the Householder Design Guide SPD.
- 5.22 Transport  
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The application is acceptable in transportation terms.
- 5.23 Private Amenity Space  
The existing dwelling benefits from existing private amenity space to the property and 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 retained.
- 5.24 Other Matters  
Comments have been made in respect of the state and quality of the existing boundary treatments adjacent to the application site; an adjacent silver birch tree in an adjacent neighbouring garden; the proposed use and the construction practices that have been ongoing at the application site. Although these comments are noted, they do not have a material consideration on this planning application.
- 5.25 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.



5.26 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 construction of the rear outbuilding shall not be occupied at any other time other than for ancillary purposes as part of the main residential use of the main dwellinghouse known as 33 Bude Road, Filton, BS34 7HW.

### Reason

To protect the residential amenity of the host dwelling to accord with policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

### Reason

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

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

003630-500 Proposed Ground Floor and Roof Plans (Date received 05/09/23)

003630-501 Site Location Plan; Proposed Block Plan and Proposed Elevations (Date received 05/09/23)

003630-502 Existing Block Plan (Date received 05/09/23)

Planning Statement (Date received 05/09/23)

Reason

To define the terms and extent of the permission.

**Case Officer: Helen Turner**

**Authorising Officer: Marie Bath**

## CIRCULATED SCHEDULE NO. 41/23 -13th October 2023

<b>App No.:</b>	P23/02558/HH	<b>Applicant:</b>	John Beach
<b>Site:</b>	27 Riverside Park Severn Beach Bristol South Gloucestershire BS35 4PN	<b>Date Reg:</b>	13th September 2023
<b>Proposal:</b>	Conversion of existing garage to form office/storage.	<b>Parish:</b>	Pilning And Severn Beach Parish Council
<b>Map Ref:</b>	353977 184585	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th November 2023



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P23/02558/HH

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

## **INTRODUCTION**

The proposed development has been referred to the Circulated Schedule in accordance with procedure given that an objection has been received from the Parish Council that is contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for the conversion of an existing garage into an office and storage space.
- 1.2 The application site is a detached dwelling within the Severn Beach designated settlement boundary.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework July 2021  
National Planning Policy Guidance

#### **2.2 Development Plans**

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

#### **2.3 Supplementary Planning Guidance**

Design Checklist SPD (Adopted) August 2007  
Householder Design Guide SPD (Adopted) March 2021  
Residential Parking Standard SPD (Adopted) December 2013

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

- 3.1 P97/2246 - Erection of 31 dwellings. Approved. 11.12.1997.

- 3.2 P93/2517 - Erection of 37 no. Houses and garages and 2 no. Self-Contained flats and associated works (in accordance with amended plans received by the council on 13 June 1994). Approval. 22.06.1994
- 3.3 P88/3484 - Residential development on approximately 1.9 hectares (4.7 acres) of land. Alterations to existing vehicular and pedestrian access (outline) (in accordance with the amended plans received by the council on 15TH February 1989). Approval. 06.05.1991
- 3.4 P88/2463 - Residential development on approximately 1.6 hectares (4 acres) of land. Alterations to existing vehicular and pedestrian access (outline) (in accordance with the amended plans received by the council on 22ND august 1988). Withdrawn. 22.09.1988.

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

4.1 Pilning and Severn Beach Parish Council

The comments are summarised below:

- Objection
- Loss of car parking space - parking on Riverside Park is already at a premium particularly in the summer months. The applicant needs to be able to show where the parking allocation for the property will be.
- Highway safety - a development should not rely on being able to park residents' cars on the highway.

4.2 Sustainable Transport - Transportation DC

Comments were received from Transportation DC and are summarised below:

- The existing access to the garage does on the face of it appear constrained
- The size of the existing garage (2.5 x 4.8m), is below what we now considered to be suitable for a motor vehicle
- No transportation objection to this proposal

#### **Other Representations**

- 4.3 No other representations have been received

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

5.1 Principle of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site

and its context. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

5.2 Design and Visual Amenity

The proposal includes the replacement of the garage door with a window, which would be white UPVC to match existing. Within the side elevation a door is proposed. It is noted that the works would often fall within permitted development rights, however permitted development rights for the dwelling were removed as part of P97/2246.

5.3 The proposal to convert the garage is the first within the immediate neighbours. The dwelling is a corner plot. Due to its siting the garage is not visually prominent, from outside of the neighbourhood, as cars parked on the driveways screen direct views.

5.4 The internal dimensions of the existing garage do not meet the dimensions contained within PSP16 for a single garage. Given this, the principal of converting the garage receives no objection. The design and visual impact of the proposal is considered acceptable and would meet the standards laid out within policy CS1.

5.5 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.

5.6 The proposed garage conversion includes a window within the principal elevation which would serve the study. The views from this window would overlook the neighbours parking area (No26). The proposed window would be situated circa 8.5m away from the side elevation of No26. This distance and the nature of the space which the window would provide views of, is seen sufficient to combat any overlooking concerns.

5.7 As the alterations are contained within the existing dwelling, there are no overbearing or overshadowing concerns. Following the above assessment, officers consider the proposed development to be acceptable in terms of residential amenity and in accordance with PSP8, relevant part of PSP38 and the relevant guidance within the Household Design Guide.

5.8 Private Amenity Space

The proposed development would not prejudice or trigger any change in the provision of private amenity space, as such no objections are raised.

5.9 Parking Standards

PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals

should demonstrate that adequate off street parking can be provided to accommodate increase in demand.

- 5.10 As mentioned previously, the garage does not meet the internal dimensions to be classed as a garage for the purposes of parking a car, the development would therefore not trigger a change in provision or demand for parking. Therefore no objections are raised.
- 5.11 Regarding the comments received from the parish council, they have been noted and considered as part of the application. As mentioned above, the garage does not meet the dimensions to contribute towards the parking provision, as such, the application wouldn't result in the loss of parking. Additionally, the application wouldn't result in an increased need to park on the highway.
- 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 is considered to have a neutral impact on equality

## 6. CONCLUSION

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

## 7. RECOMMENDATION

- 7.1 It is recommended that permission is **GRANTED**

## CONDITIONS

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

Reason

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

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

Site Location Plan - Received 06.09.2023 (Drawing No. 2310 90-100)

Site Plan Proposed - Received 06.09.2023 (Drawing No. 2310 90-201)

Floorplans & Elevations Proposed - Received 13.09.2023 (Drawing No. 2310 20-200)

Reason:

To define the terms and extent of the permission.

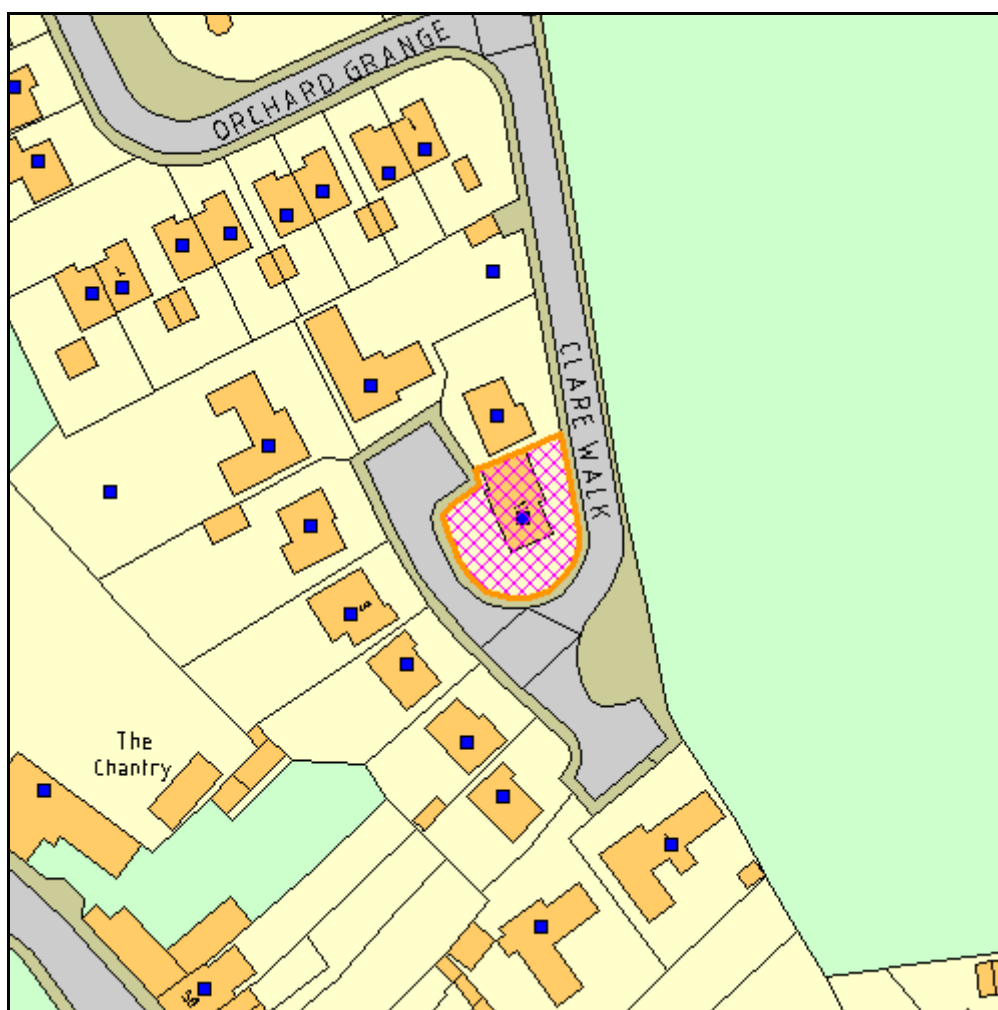
**Case Officer: Thomas Servini**

**Authorising Officer: David Stockdale**



## CIRCULATED SCHEDULE NO. 41/23 -13th October 2023

<b>App No.:</b>	P23/02574/HH	<b>Applicant:</b>	Mr And Mrs R Sherred
<b>Site:</b>	11 Clare Walk Thornbury Bristol South Gloucestershire BS35 1EN	<b>Date Reg:</b>	11th September 2023
<b>Proposal:</b>	Demolition of existing outbuilding. Erection of single storey side and first floor extension over existing garage to form additional living accommodation.	<b>Parish:</b>	Thornbury Town Council
<b>Map Ref:</b>	363629 190469	<b>Ward:</b>	Thornbury
<b>Application Category:</b>	Householder	<b>Target Date:</b>	6th November 2023



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P23/02574/HH

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

### **CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule following five objections to the proposal by neighbours, which is contrary to the officer's recommendation for approval.

## **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for the demolition of an existing outbuilding. Erection of single storey side and first floor extension over existing garage to form additional living accommodation.
- 1.2 The application site is a detached dwelling within the Thornbury designated settlement boundary. There are no restrictive planning constraints applicable to the site. The dwelling looks across Chantry Field.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework July 2021  
National Planning Policy Guidance

### **2.2 Development Plans**

#### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

CS1 High Quality Design  
CS4A Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
CS32 Thornbury

#### **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**

Design Checklist SPD (Adopted) August 2007  
Householder Design Guide SPD (Adopted) March 2021  
Residential Parking Standard SPD (Adopted) December 2013

## **3. RELEVANT PLANNING HISTORY**

- 3.1 There is no relevant planning history

## **4. CONSULTATION RESPONSES**

### **4.1 Sustainable Transport - Transportation DC**

The comments are summarised below:

- There is no transportation objection to this proposal in that the proposals comply with current parking standards and do not generate any additional highway safety issue.

### **4.2 The Archaeology Officer Natural & Built Environment Team**

The comments are summarised below:

- No comment

## **Other Representations**

### **4.3 Five representations have been received, all are objecting to the proposal, their objections are summarised below:**

- This proposed development will now add a story to the existing extension which will now completely block my only view of Chantry playing fields permanently
- This blocking of the view will not only be a loss of aesthetics but will also affect the resale value of my property
- The proposed plans will also add additional overlooking windows into the front of my home which will compromise the privacy of my home
- The proposed extension will also have a negative visual impact as it will be out-of-scale and out of character in terms of appearance with the existing surrounding homes.
- The proposed extension to 11 Clare Walk which includes the addition of a first floor will reduce the view from the front of my house, whilst it may not reduce daylight to my property it will make my property feel more 'closed in' by blocking out the only direct view through towards Chantry Field.
- I feel that they should have consulted their neighbours before they went ahead with an application for this work.
- My concern is that the applicants do not maintain their property fence, suggesting a disregard for the neighbourhood that is likely to extend to the way the building work is carried out
- Objection on grounds of partial loss of view due to added height of proposed first floor addition
- Further objection on grounds of erosion of existing appearance of street
- Over development of the existing footprint
- Historically this property has increased its footprint through extension. These additions I believe are over development of Original foot print on a small narrow corner plot
- The addition of a first floor extension with additional windows facing the cul-de-sac of Clare walk are an intrusion of privacy
- Out of keeping with Clare walks properties effecting roof lines
- The side extension /sunroom glass roof height is above boundary fence height, visible to all who use Chantry playing fields and Nos 1-6 Clare walk

- Totally out of character being on a corner property that's boundary already impacts on the only pavement around Clare walk
- Not in keeping with the character of the area

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 **Principle of Development**

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

### 5.2 **Design and Visual Amenity**

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

5.3 The proposed side extension would measure approximately 4m deep, 4m wide with a flat roof height of 2.9m and a maximum height 3.45m (Including roof lantern). The proposed first floor extension over the garage would measure 3.55m deep, 8m wide, with an eaves to match the existing dwelling (2.65m) with a maximum height of 6.75m which is 40cm below the ridge of the existing. The proposal includes the addition of a dormer within the rear elevation of the first floor extension. The proposed materials include brick and light colour render to match existing, along with fenestrations and windows to match existing.

5.4 The proposal also includes the conversion of the existing garage, the design of the infilled garage door would mimic the design of the living room window. Given the cohesive design and limited scale of the works, there is no objection to the garage conversion.

5.5 The detached dwelling is situated on a corner plot with the proposed single storey side extension situated within proximity to the boundary. Given the dwellings location, the extension would be within a prominent location, however a boundary fence and hedgerow would partially screen views from the wider area. The extension is an appropriate depth to appear in proportion to the host property. The overall scale of the extension would result in a subservient

addition, which would not detract from the character of the area. Having regard to the above, the proposal is not considered to be contrary to adopted policies CS1 or PSP38, or the guidance contained in the Household Design SPD.

- 5.6 The proposed first floor extension would be situated approximately 0.43m below the ridge of the main dwellinghouse. Contained within the Householder Design Guide SPD is guidance on how to aid in subservience and overall design, the proposal includes a pitched roof form which mimics the existing dwellings pitched roof. The guidance also discusses a setback of 300mm from the principal elevation for first floor side extensions, although the proposal does not include a setback at first floor, given the architectural design and style of the dwelling, in this case, a setback would create an unbalanced design which would complicate the façade and would be to the detriment to the principal elevations cohesion. The SPD also discusses potential terracing effects, given the dwellings set back from the adjacent detached property, there are no terracing concerns. The extension would represent an addition of less than 50% of the width of the dwelling. With the above noted, the overall size and design of the extension means that the proposal is seen to be in accordance with policy PSP38.

5.7 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan relates specifically to residential amenity in which it states development proposals are acceptable, provided that they do not create unacceptable living conditions or result in unacceptable impacts on the residential amenities of occupiers of the development or of neighbouring properties. These are outlined as follows (but not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.

- 5.8 The proposed first floor side extension would be situated approximately 25m away from the principal elevation of No6. Within the rear elevation the proposal includes a dormer window, matching the existing dwellings. The Householder Design Guide SPD outlines that a proposal should achieve a separation distance of 20m, the separation distance and level of existing views sufficiently mitigates any concerns surrounding the loss of neighbouring amenity. Additionally, the distance to No6 is sufficient to alleviate any overbearing concerns. Comments received raise objections to the extension based on the loss of views towards Chantry Park, although it is acknowledged the proposal would reduce views of the park from neighbouring dwellings, the impact on these views is not a material planning consideration, equally the impact upon the value of any properties is also not a material planning consideration.
- 5.9 The proposed first floor extension would include a dormer window within the front and rear elevations. In terms of views from the proposed principal elevation windows, no concern is raised as the windows shall look across Chantry playing field. In terms of views towards No10, the applicants dwelling is set back approximately 2.6m from No10, this set back as well as any potential views largely overlooking the neighbouring driveway, the case officer is satisfied that No10 neighbouring amenity is not unacceptably impacted. The window to the rear would provide views outwards into the vehicle turning area as well as some views into the amenity space to the rear of No10, this space is

a relatively thin strip of garden which links the larger amenity space to the side of No10 to the rear of No10. Given the limited scale and nature of the use of the space. The increased views are not seen to be unacceptable.

- 5.10 In terms of overbearing impact upon No10, it is noted the side elevation of No10 facing the applicants dwelling has two windows, one at ground floor and one at first floor, it is noted the window at first floor is obscurely glazed. The proposed first floor extension would be situated adjacent to the boundary with No10. The proposal would introduce built form at first floor within close proximity to No10. It is noted that the dwelling does not have any permitted development right restrictions, as such, the applicant would be able to construct a first floor extension within PD rights. Considering this potential fall-back position, as well as the obscured window already restricting views, the proposal is not considered to result in an oppressive or overbearing feeling.
- 5.11 Regarding the impact of the first floor extension on the neighbouring dwellings within the cul-de-sac, the impact is not seen to be unacceptable. Neighbours No. 9, 8, 7 and 6 are situated to the North and West of the proposal. The nearest of these dwellings is approximately 18m at an angle, away from the proposal. This distance is sufficient to combat any overbearing or enclosing feeling, as mentioned above, the first floor extension would reduce views for these dwellings towards Chantry Field, however the reduction in views would not result in an enclosed feeling for the dwellings within the cul-de-sac.
- 5.12 The proposed single storey side extension would include a window or door on every elevation, providing views outwards. The nearest dwelling is situated circa 21m away from the proposed single storey side extension, this offset is sufficient to combat any potential overlooking concerns. Likewise, in terms of potential overbearing or overshadowing impacts, the separation distances are sufficient to combat any potential concerns.
- 5.13 The proposed garage conversion includes a window within the principal elevation adjacent to the boundary with No10. This window would be situated within very close proximity to No10. The conversion of the garage and addition of a window within the principal elevation would not require planning permission, as such refusing the application based on the insertion of a window within the principal elevation of the garage would be considered unreasonable.
- 5.14 Private Amenity Space  
The proposed development would not prejudice the provision of adequate private amenity space in accordance with PSP43 (70sqm for a 4-bed dwelling).
- 5.15 Parking Standards  
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off street parking can be provided to accommodate increase in demand.
- 5.16 The proposal includes the conversion of an existing garage as well as an increase in the number of bedrooms from three to four. The alterations would

not prejudice the provision of 2 parking spaces, which meets the standards outlined within PSP16.

5.17 Other matters

The design and overall impact of the proposal is deemed to be acceptable, with adequate provision of private amenity space, these factors mean that the case officer is satisfied the proposal does not represent an over development of the site. Although the LPA encourages the communication between neighbours, it is not mandatory to notify neighbours before submitting a planning application

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.”

## 7. RECOMMENDATION

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

### CONDITIONS

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

#### Reason

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

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

Block Plans - received on 08.09.2023 (Drawing No. 23-28302 Rev1a)

Proposed Ground Floor Plan - received on 08.09.2023 (Drawing No. 23-28305 Rev1a)

Proposed First Floor Plan - received on 08.09.2023 (Drawing No. 23-28306 Rev1a)

Proposed Elevations - received on 08.09.2023 (Drawing No. 23-28308 Rev1a)

Site Location Plan - received on 11.09.2023 (Drawing No. 23-28301B Rev1a)

Reason:

To define the terms and extent of the permission.

**Case Officer: Thomas Servini**

**Authorising Officer: Marie Bath**