

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. 02/19

Date to Members: 11/01/2019

Member's Deadline: 17/01/2019 (5.00pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2018. 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.

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

- a) Be made in writing using the attached form by emailing MemberReferral@southglos.gov.uk identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The request in writing must be made in writing by at least two or more Members, not being Members of the same ward
- d) In addition, the request in writing must have the written support of at least one of the Development Management Committee Chair and Spokes Members
- e) 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
- f) Indicate whether you have discussed the application(s) with the Case Officer and/or Development Manager
- g) Indicate whether you have discussed the application(s) with ward Member(s) if the site is outside of your ward

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

When emailing your circulated referral request, please ensure you attach the written confirmation from the Supporting Member(s) and Supporting Chair or Spokes

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?

a) Referring Member:

b) Details of Supporting Member(s) (cannot be same ward as Referring Member)

c) Details of Supporting Chair or Spokes Member of the Development Management Committee

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

Date:

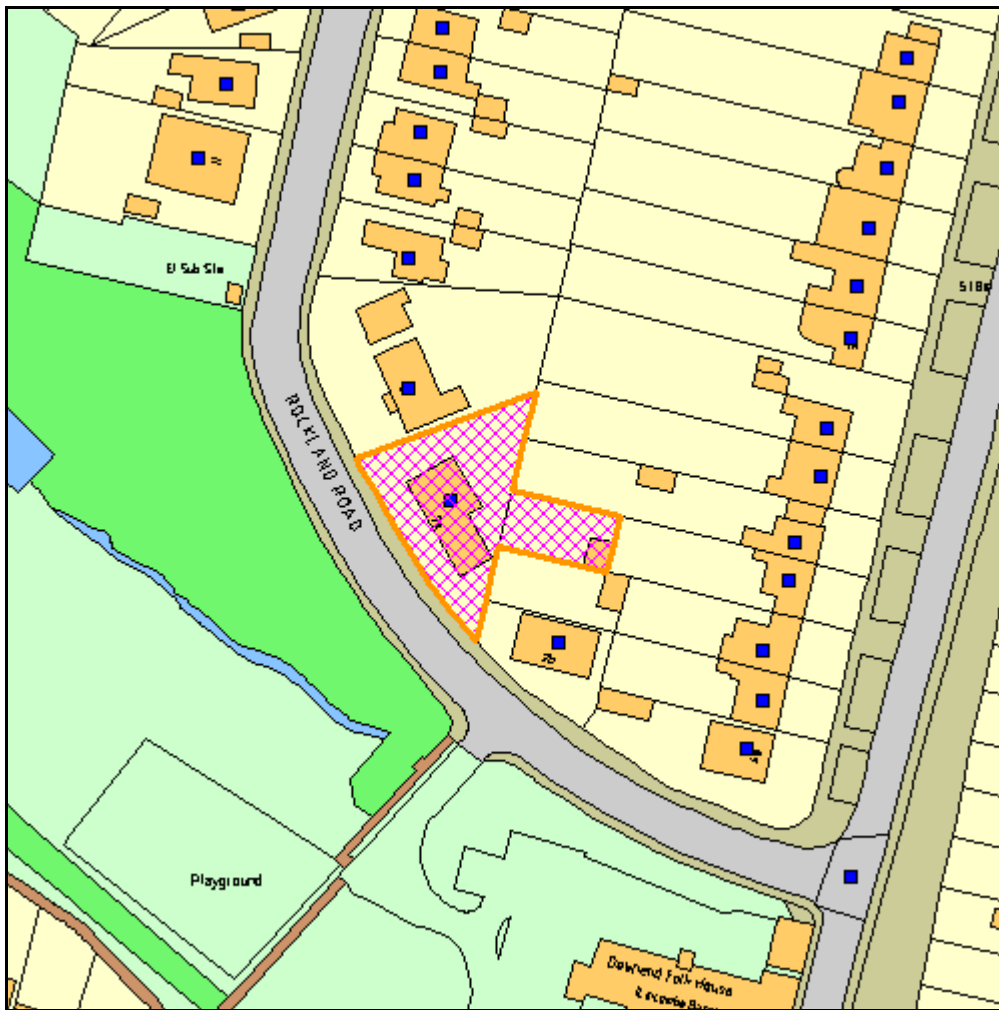
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 11 January 2019

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK18/3601/F	Approve with Conditions	2A Rockland Road Downend South Gloucestershire BS16 2SP	Downend	Downend And Bromley Heath Parish Council
2	PK18/4867/F	Approve with Conditions	Land Known As 72 North Street Downend South Gloucestershire BS16 5SG	Downend	Downend And Bromley Heath Parish Council
3	PK18/5127/O	Approve with Conditions	71 Kingsfield Lane Hanham South Gloucestershire BS15 9NR	Hanham	Hanham Parish Council
4	PK18/5644/F	Approve with Conditions	10 Kestrel Close Chipping Sodbury South Gloucestershire BS37 6XE	Chipping	Dodington Parish Council
5	PT18/4490/F	Approve with Conditions	7 Stanley Crescent Filton South Gloucestershire BS34 7NH	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 02/19 – 11 JANUARY 2019

App No.:	PK18/3601/F	Applicant:	Mr & Mrs Lynton
Site:	2A Rockland Road Downend Bristol South Gloucestershire BS16 2SP	Date Reg:	20th August 2018
Proposal:	Erection of partial second floor and erection of third floor to form additional living accommodation	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364579 177058	Ward:	Downend
Application Category:	Householder	Target Date:	10th October 2018



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule, as a result of consultations responses received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection of a partial second floor and erection of third floor to form additional living accommodation.
- 1.2 The property is a relatively large modern detached dwelling, of original design, with relatively unusual and individual form, scale and roof alignment, located within the residential area Downend. To either side are other relatively large detached dwellings of varying styles.
- 1.3 Following certain initial concerns regarding aspects of the design in terms of the scale and form revised plans have been submitted by the applicants.

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
CS8 Access/Transport

South Gloucestershire Policies Sites and Places Plan (Adopted)
November 2017
PSP8 Residential Amenity
PSP38 Development Within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 K235 – Extension to dwelling to provide first floor lounge, balcony and additional toilet facilities. Approved 30.08.1974

4. CONSULTATION RESPONSES

4.1 Downend Parish Council No objection.

Sustainable Transportation

No change is proposed to the existing vehicular access and parking for this dwelling. The level of parking available complies with the Council's residential parking standards. On that basis there is no transportation objection raised.

Other Representations

4.2 Local Residents

Three letters of objection have been received, raising the points summarised as follows (full details of the correspondence is available on the Council's website):

- the rear of my house and garden overlooks Lincombe Barn Park to the south and west with a direct view of the extensive existing tree canopy. This provides significant visual amenity and value to my property.
- The proposed scheme includes adding a whole third floor to the development which will increase the height of the property between 3metres and 4metres. The building measures some 17m in width. The addition of the new third floor results in the new extension part of the additional building measuring c. 60m² in profile which will block in entirety the existing view from my garden and lounge window towards the tree canopy of Lincombe Barn and therefore poses a significant visual impact to the character and amenity, and possibly, value of my property.
- This extension will be very high and wide relatively and will ruin a significant part of our outlook at the rear of our house including the trees that we can see above the house at present.
- The new 3rd floor would be overlooking the rear of our house from a significant height.
- will lead to the proposed extension having viewing lines into my dining area and garden space leading to a loss of privacy.
- I'm concerned that the increased height of the new development will significantly impact on the available daylight that my garden currently receives as the sun currently sets behind the proposed development.
- The proposed extension will impact on the character of the existing building from one which is clearly a family residential home to a building which is more suggestive of a block of flats
- This extension is not in keeping with the surrounding houses both in style and size and is just a massive ugly square block many metres higher than it is now

- The proposed extension changes the character of the existing property from its current detached family home feel to one more akin to a monolithic three story "flat" type development. This is entirely out of keeping with the building character of the surrounding area and potential detracts from the amenity, character and value of the area.
- The proposed development increases the existing family property from four bedrooms to eight bedrooms. This is overly large for a typical family home and I have concerns that this could encourage or facilitate the eventual sale and redevelopment of the property on for multi-occupancy use, or rent out parts in the future, which is entirely out of keeping for the area and again would detract from the amenity, character and value of the area.
- Where will all the cars go for such a large house.
- also concerned that a property which will have approximately eight bedrooms will have a significant need for car transport which will require access to a busy side road which also feeds into the local Lincombe Barn folk club car park.
- A development like this could set a precedent for similar applications which would totally change the nature of the area.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy PSP38 advises that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

5.2 Residential Amenity

The comments and concerns above are noted. The objection comments come from properties to the north, located along Overndale Road, to the east of the site. The nearest point of the application dwelling to the nearest dwelling in this direction is approximately 40 metres, however this gradually increases to the north due to the orientation of the sites. There is a dormer in the rear of the roof of one of the properties, looking back towards the application site and curtilage. Revised proposals have been received which have reduced the total height of the roof ridge by around 1.2 metres from the original submission. The highest point of the existing dwelling is approximately 8.150 metres, the revised proposals would increase this height by just under 2 metres. To the rear elevation two of the windows would effectively be 'catslide' style dormers located within the roofline. In terms of the adjoining properties on either side, these are currently higher than the application site. The property to the north is set higher by being set slightly further up the hill. The property to the south is essentially 3 storeys, inclusive of dormers set in the roof and windows above

the eaves. The application site would not raise above and would be similar in height to either side. No extension to the footprint of the dwelling is proposed.

- 5.3 Given the above, and given the distance, relationship and orientation with surrounding properties, and size and design of the revised proposals, it is considered that the plot and existing dwelling can satisfactorily accommodate the proposals. It is not considered that the extension could be considered an unreasonable addition to the property in this instance that would give rise to unreasonable, significant or material residential amenity impact by way of overlooking or overbearing impact, such as to warrant objection and sustain refusal of the application on this basis. The application is for a residential extension and not multiple occupation or separate units, the application is therefore judged on its own merits on this basis. Any change of use or separate residential units would require further permission and any applications would similarly be required to be judged on their own merits. Property values themselves are not a material planning consideration, notwithstanding this the potential for unreasonable amenity impacts are considered.

5.4 Design / Visual Amenity

The comments above are noted. The existing dwelling is somewhat individual and unusual in its existing design with a comparatively small and shallow roof pitch and an unusual 3rd floor rear roof pitch which stops to create a flat front facing wall with windows. Revised plans have been received which materially reduce the height of the ridge of the proposals from the original submission, to add approximately 2m in height and integrate windows within the roof pitch, under a single height roof pitch. The revised plans are considered to be a material improvement that integrate with the site and surroundings to a better degree and reduce the bulk and scale of the originals. The property appears fairly low set within its plot and properties to either side are raised relatively high. Whilst the proposals would essentially introduce a third level to the property this would now be predominantly in the roofline. The properties to either side also vary in appearance, the property to the south appearing to be a relatively modern and large addition, incorporating 3 floors inclusive of dormers and windows above the eaves. In this respect there would be limited and negligible impact upon any streetscene. Whilst therefore it is acknowledged that the extension and resultant dwelling is relatively large, in this instance it is considered that the site and surroundings would not be unduly impacted. The scale and design of the revised proposals is considered to adequately integrate with the existing dwelling and surrounding area, and is therefore not considered to give rise to material or significant impact upon the area such as to sustain an objection and warrant refusal of the application on this basis. Materials would match the existing dwelling and sufficient private amenity space would remain within the property.

5.5 Transportation

There is sufficient off-street parking provision and existing access, inclusive of external spaces and double garage to serve the property, in accordance with the Council Residential Parking Standards.

5.6 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted, subject to the conditions recommended.

Contact Officer: Simon Ford
Tel. No. 01454 863714

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).

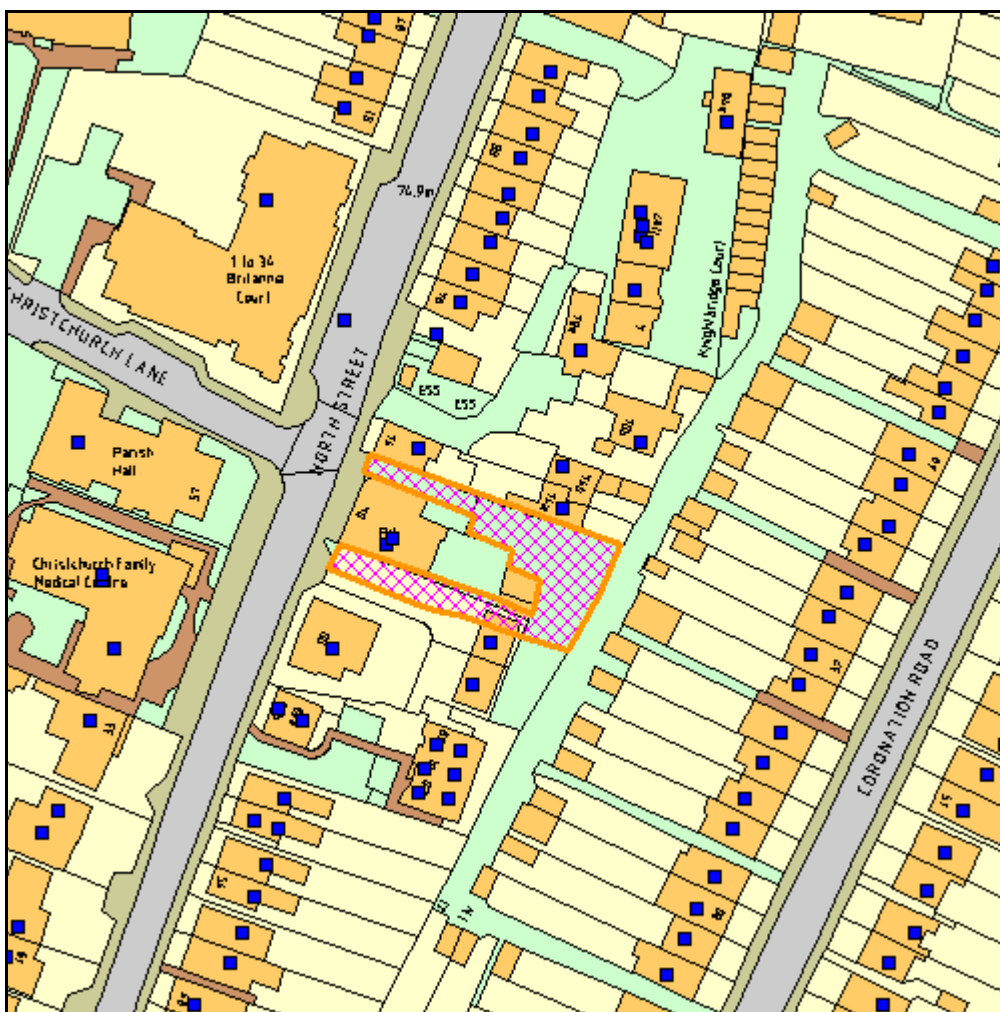
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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.

CIRCULATED SCHEDULE NO. 02/19 – 11 JANUARY 2019

App No.:	PK18/4867/F	Applicant:	Mr Terry Adams NJ Building Ltd
Site:	Land Known As 72 North Street Downend Bristol South Gloucestershire BS16 5SG	Date Reg:	26th October 2018
Proposal:	Erection of 1 No. detached dwelling and associated works.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365044 176379	Ward:	Downend
Application Category:	Minor	Target Date:	18th December 2018



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following a comment from the Parish.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1no. detached dwelling and associated works. The application site relates to land known as no. 72 North Street, Downend.
- 1.2 During the course of the application and following comments from the Parish, a revised Proposed Block Plan was requested and received to indicate the full extent of the red edge of the site and to accord with the other submitted plans. Given that there has been no response from the Parish, this application has to appear on the Circulated Schedule under the new procedures.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2018
National Planning Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS29	Communities of the East Fringe of Bristol

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
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007)
South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
Affordable Housing SPD (Adopted) Sept.2008.
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – (Adopted) March 2015

3. **RELEVANT PLANNING HISTORY**

The adjacent site has been subject to a number of planning applications, the most recent of which are detailed below:

- 3.1 PK18/4442/F Erection of a single storey rear extension to facilitate conversion of property from 2no flats to 1no single dwellinghouse. Enclosure and re roofing of existing car port to form attached garage and the retrospective demolition of two bays of the car port.
Approved 29.11.18
- 3.2 PK07/1186/F Conversion of existing double garage to form 1no. self contained flat with 2no. additional parking spaces and associated works.
Approved 11.5.07
- 3.3 PK06/2553/F Erection of attached car port.
Approved 24.11.06

4. **CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council
Unable to comment due to confusing block plan

Although the site plan clearly shows the red edge of the proposed development for the sake of clarity, revised block plans were requested and received which amended the red edge on this plan.

Internal Consultees

- 4.2 Highway Structures
No objection

Statutory / External Consultees

- 4.3 Transport
Queried access into the site.

Demolition of existing car port was confirmed allowing access into the plot behind. No objection.

- 4.4 Drainage
No objection

Other Representations

4.5 Local Residents

One comment has been received from a local resident. The points raised are as follows:

- Concerned at being overlooked
- Not sure where roofline will come in relation to other buildings – ideally would like a similar roofline to the cottages at 74a & 74b
- On a plus point the owner has made a very good job of enclosing the site in a wall

5. ANALYSIS OF PROPOSAL

5.1 The proposal is for the erection of one new dwelling with associated works.

5.2 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. The site is within the established settlement boundary of Downend and therefore the principle of development is supported. Notwithstanding this the scheme must also accord with other elements of the development plan and not adversely impact on residential amenity of existing or proposed occupants or on the highway. These matters are discussed in more detail below.

5.3 Design and Visual Amenity

The application site sits behind a public house, the White Swan on North Street, Downend. It is accessed via a set of high double gates which currently give access to a two-storey building arranged as a one bed flat above an office, and access to the rear of Nos. 68a and 68b North Street.

5.4 The area comprises a mix of built form including stone faced Victorian/Edwardian terraces, stone cottages and modern brick buildings. Buildings therefore differ in size and massing but given its tucked away position the proposed new house would only be seen in glimpses from the main road.

5.5 The new house would be a two-storey 2 bed property, occupying a footprint of around 6.3 metres square and achieving a maximum height to around 6.7 metres. Openings would be in all four elevations and proposed materials would include the use of rendered masonry, timber cladding and profiled concrete tiles to match adjacent buildings. The result would be a modest new dwelling. In terms of the design, scale and massing the dwelling is acceptable in this location.

5.6 Residential Amenity

Adopted policy under PSP43 sets out the amenity space required for new development. A 2 bed house must as a minimum have 50 square metres of private, functional amenity space. Plans indicate that this can be achieved for this new property.

- 5.7 With regards to impact on closest neighbours, those to the rear (east) of the site are separated by a high boundary wall and the access lane serving properties off Coronation Road. To the north a high stone boundary wall screens the closest cottages and to the south the new house would be about 17 metres from a proposed single storey addition to No. 68a North Street which is being considered under PK18/4442/F.
- 5.8 It is noted that the front elevation of the new house would be around 18 metres from the rear of The White Swan. It is assumed this has residential accommodation on its first floor. However, the two properties are off set and on this basis there would be no direct inter-visibility. In built up areas such distances between properties would not be unacceptable and it is considered the scheme would not have such an adverse impact on the amenity of residents sufficient to warrant the refusal of the application.
- 5.9 The proposal is considered to accord with adopted policy and in these terms can be supported.
- 5.10 Sustainable Transport
Two parking spaces are proposed for this 2 bed property. Adopted policy requires only 1, but it is considered sensible that additional provision be made on site due to the limited parking on the street outside and in nearby roads.
- 5.11 Parking for other properties using this same access will not be affected by this development. The proposal is considered to accord with policy and no objections are raised.
- 5.12 Impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.13 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.14 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that the application be **APPROVED** subject to the conditions written on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

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 off-street parking facilities (for all vehicles, including cycles) shown on the plan Block/Roof Plan As Proposed rev A received on 10.12.18 hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

CIRCULATED SCHEDULE NO. 02/19 – 11 JANUARY 2019

App No.:	PK18/5127/O	Applicant:	Mr Leppier
Site:	71 Kingsfield Lane Hanham Bristol South Gloucestershire BS15 9NR	Date Reg:	19th November 2018
Proposal:	Demolition of existing glass houses and erection of 2no semi-detached dwellings (Outline) with access to be determined. All other matters reserved. (re-submission of PK18/0611/O).	Parish:	Hanham Parish Council
Map Ref:	365288 172219	Ward:	Hanham
Application Category:	Minor	Target Date:	9th January 2019



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule as comments of objection have been received; these are contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks outline planning permission for the demolition of the existing glasshouses and the erection of two houses on the site. This application is a resubmission of PK18/0611/O which was refused due to the harm to the character and appearance of the area, future occupier amenity, highway safety and an existing hedgerow along the northeast boundary. A subsequent appeal was lodged and dismissed in October.
- 1.2 Four matters are reserved and therefore this application seeks only to establish whether the access to the site is acceptable. Outstanding detail will therefore be submitted at reserved matters stage. The plans submitted with the application are indicative only.
- 1.3 The site is a former nursery along Kingsfield Lane which is within the east fringe of Bristol. It also falls within a coal mining development referral area.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF) July 2018

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-safeguarded Economic Development Sites
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management

PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Parking Standards SPD (Adopted) 2013

CIL and S106 SPD (Adopted) 2015

Waste Collection SPD (Adopted) updated 2017

3. **RELEVANT PLANNING HISTORY**

3.1 PK18/0611/O

Demolition of existing glass houses. Erection of 2 no semi detached dwellings and 1 no. bungalow (Outline) with access to be determined. All other matters reserved. Refusal - 14.05.2018

Reasons:

1. The proposed development has failed to demonstrate that it has been informed by, respects, or enhances the character, distinctiveness, and amenity of the site and its context within Kingsfield Lane. If permitted, the proposal would result in a cramped, overly intensive form of development which is out of character with the existing built form in the locality. The proposal does not therefore represent the highest possible standards of site planning and design and would be harmful to visual amenity. The level of harm is considered to outweigh the benefit of development. The proposal is contrary to Policy CS1, CS16 and CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.
2. The proposed development would fail to provide a good standard of residential amenity to future occupiers of House C. This is due to the cramped nature of the development which would result in occupants of a nearby house overlooking the site and poor occupier outlook onto fencing. The impact on residential amenity is therefore considered to be harmful and significant enough to outweigh the moderate benefit of the proposal. The proposal fails to accord with policies PSP8 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.
3. The proposed development fails to provide sufficient parking to meet the needs arising from the development which in turn would result in unacceptable effect on highway safety. The level of harm is considered to outweigh the benefit of development. The proposal is therefore contrary to policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; the Residential Parking Standards SPD (Adopted) December 2013; and the provisions of the National Planning Policy Framework.

4. Insufficient information has been submitted with the application to satisfy the local planning authority that the proposed development can be undertaken without an adverse impact on existing hedgerow. In the absence of this information the local planning authority considers the development to have the potential to result in a harm to the visual amenity of the locality and that this harm outweighs the benefit. The proposal would therefore be contrary to policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

Appeal: APP/P0119/W/18/3205133
Dismissed
07.11.2018

- 3.2 PRE17/0449
Erection on 3No. new dwellings
11.07.2017

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No objection

- 4.2 Oldland Parish Council
Objection
- overdevelopment

- 4.3 Other Consultees

Lead Local Flood Authority
No comment

Sustainable Transport
No objection

Environmental Protection
No objection

- standard informative and investigative/remedial land contamination pre-commencement condition recommended

Tree Officer
No objection

Ecology Officer
No objection

- compliance with habitat survey and bird box conditions recommended

Coal Authority
No objection

- attach a condition requiring prior to development taking place further investigations are undertaken on the site, and if mine workings are present appropriate mitigation works undertaken

Other Representations

4.4 Local Residents

2 local residents have objected. Their comments are summarised below:

- overdevelopment
- overlooking
- potential blocked access
- hedgerow reduction
- what will happen to area of land behind 79 Kingsfield Lane?

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development was established under application PK18/0611/O and will not be reviewed again. Therefore, the main consideration is whether the proposed development overcomes the previous issues. It is worth noting though that the site has been the subject of a favourable pre-application regarding a pair of semis.

5.2 Access

Access is a reserved matter and therefore the details of this can be determined at this stage. The previous application was refused on highway grounds but this was not upheld at appeal. Bearing this in mind, no transportation objection can be raised to the current application.

5.3 Design

As layout is a reserved matter, the only assessment to be made is whether the site could accommodate the number of dwellings proposed.

5.4 It was upheld by the Inspector that three units would result in cramped overdevelopment of the site. However, bungalow C has been removed from the scheme and only a pair of semi-detached houses are proposed. They would infill a gap between 71 and 77 Kingsfield Lane.

5.5 Although the Parish Council and residents are concerned this scheme will have a similar impact, Officers consider a pair of semi-detached dwellings would sit comfortably within the site and reflect the built form along the lane.

5.6 Details relating the pair's appearance will come forward at the reserved matters stage and will be given full consideration then.

5.7 Amenity

Given the removal of bungalow C, the issues surrounding this element are no longer relevant. However, the revised proposal should not have a prejudicial impact on levels of residential amenity in the locality or provide less than satisfactory living conditions for future occupants.

- 5.8 Concerns have been raised regarding the potential for overlooking neighbouring properties. As mentioned above, appearance is a reserved matter and at that stage, it is not considered inserting habitable room windows at first floor in the northwest elevation of House A would compromise the living conditions of the existing occupiers of no 71. A different conclusion applies to those of no 77 though who would either have to introduce a tall, dense screen to their side boundary or tolerate overlooking and a perception of overlooking at the expense of the living conditions they currently enjoy. This is a matter which needs to be address and one which Officers are satisfied could be overcome by way of condition.
- 5.9 The proposed dwellings would benefit from reasonable sized rear gardens. It is considered that the future occupiers would benefit from a good living standard.

5.10 Ecology

An Extended Phase One Habitat Survey by Phil Quinn (January 2018) was submitted with the application. Its findings are summarised below:

Designated sites for Nature Conservation (European Sites SSSI's and local sites (Sites of Nature Conservation Interest or Regionally Important Geological Sites):

No statutory or non-statutory sites for nature conservation will be affected by this proposal.

Habitats (including habitats of principle importance (Priority Habitats) Section 41 Natural Environment and Rural Communities (NERC) Act 2006:

Buildings – green houses, a small garage and two wooden sheds

Dense and scattered scrub

Tall ruderal

Hedgerow – defunct and species poor

Semi improved grassland

Bare ground

Species protected under the Conservation Regulations 2017 ('European Protected Species) as well as the Wildlife & Countryside Act 1981 (as amended):

- Bats – no evidence of bats was found in the buildings on site, all structures were assessed as unsuitable for roosting bats. There were no trees on or adjacent to the site suitable for roosting bats. No further survey work is required.

- Great crested newt (GCN) – there are no suitable waterbodies in the area and the site is isolated by urban development.

Species protected under the Wildlife and Countryside Act 1981 (as amended):

- Nesting birds – the site has potential for nesting birds.

- Reptiles – the site offers moderate potential for a small slow worm population. However, no evidence of reptiles was recorded during the survey despite a search of suitable refugia /hibernacula.

Badger Act 1992:

- there was no evidence of badgers on site.

- 5.11 Taking into account the above, Phil Quinn has recommended various mitigation measures, which will be secured by condition to ensure no biodiversity is lost. Furthermore, a condition requiring the submission of enhancement proposals would be necessary in the interests of biodiversity gain. Overall, subject to the attachment of these, the Council's Ecology Officer does not object to the scheme.
- 5.12 Coal Mining
The coal mining report accompanying application PK18/0611/O has been re-submitted with application and as such the Coal Authority is of the opinion that the comments and recommendation contained in their response letter of 29 March 2018 remain valid and applicable to this revised proposal.
- 5.13 Therefore, under the Town & Country Planning (Pre-commencement conditions) Regulations 2018, notice was served on the applicant that on the grant of planning permission, pre-commencement conditions relating to site investigations and potential remedial work would be imposed. Written agreement was provided on 9 January 2019 and as a result these conditions will be attached as per the served notice.
- 5.14 Contamination
The historic use of the site as a commercial plant nursery and land adjacent to the site as a landfill may have caused contamination which could give rise to unacceptable risks to the proposed development. As part of the pre-commencement condition notice, referred to at 5.13, written agreement was also sought and provided for a pre-commencement condition securing investigations and, if necessary, remediation to be undertaken to deal with any contamination risks on site.
- 5.15 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.
- 5.16 With regards to the above this planning application is considered to have a neutral impact on equality.

5.17 Other Matters

H2 hedgerow reduction: the previous application was refused due to concerns the proposal would compromise the quality of the H2 hedgerow but this was not upheld at appeal and as such an objection cannot be raised on this basis.

Land behind 79 Kingsfield Lane: the applicant intends to change the use of this land to residential curtilage.

5.18 Overall Planning Balance

Having regard to all matters raised, Officers consider that the revised proposal has overcome the previous issues and conclude that the application should be approved.

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 to GRANT planning permission subject to the conditions listed below.

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

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

Reason

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

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, scale and appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

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

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

Reason

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

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

Reason

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

5. Prior to the commencement of development, intrusive site investigation works to establish the coal mining legacy on the site shall be carried out. A scheme of intrusive site investigations shall be prepared, submitted and approved in writing by the local planning authority. The approved scheme of investigation shall then be carried out in full.

Reason

To ensure that the risk posed by the past coal mining activity in the area is adequately identified and where necessary mitigated and to accord with Policy PSP22 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and the revised National Planning Policy Framework. This is required prior to commencement to fully engage with the coal mining legacy.

6. Following the site investigations required by the condition above, and prior to the commencement of development, a report of the findings of the investigations including the results of any gas monitoring shall be prepared, submitted and approved in writing by the local planning authority. Should the report identify that remedial works are required, details of the proposed remediation shall be included within the submission to the local planning authority for approval in writing. The approved remedial works shall be carried out in full.

Reason

To ensure that the risk posed by the past coal mining activity in the area is adequately identified and where necessary mitigated and to accord with Policy PSP22 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and the revised National Planning Policy Framework. This is required prior to commencement to fully engage with the coal mining legacy.

7. A) Desk Study - Previous historic uses(s) of the site/land adjacent to the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably competent person into the previous uses and

contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.

- B) Intrusive Investigation - Where potential contaminants are identified under (A), prior to the commencement of development (excepting necessary demolition works), an investigation shall be carried out by a suitably competent person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks (Remediation Strategy). The resulting Remediation Strategy shall include a schedule of how the works will be verified (Verification Strategy). Thereafter the development shall proceed in accordance with any agreed mitigation measures. (Note (A) and (B) may be combined if appropriate).
- C) Verification Strategy - Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing with the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- i) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- ii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.
- iii) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.
- iv) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the revised National Planning Policy Framework. This is required prior to commencement of development as there is the potential for contamination from the historic use of the site as a commercial plant nursery and land adjacent which was used as a landfill.

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

Reason

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

9. All works must proceed in strict accordance with the recommendations made in Section 8 of the Extended Phase One Habitat Survey (Phil Quinn, January 2018). This includes avoidance of harm/disturbance to reptiles and breeding birds.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of local biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the revised National Planning Policy Framework.

10. Prior to occupation of the dwellings, enhancement proposals, including the location and type of two sparrow terrace nest boxes, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of local biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the revised National Planning Policy Framework.

11. House B hereby permitted shall not have windows at first-floor level or above in its side (southeast) elevation.

Reason

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

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

Received 13.11.2018:

The Location Plan

Proposed Site Plan

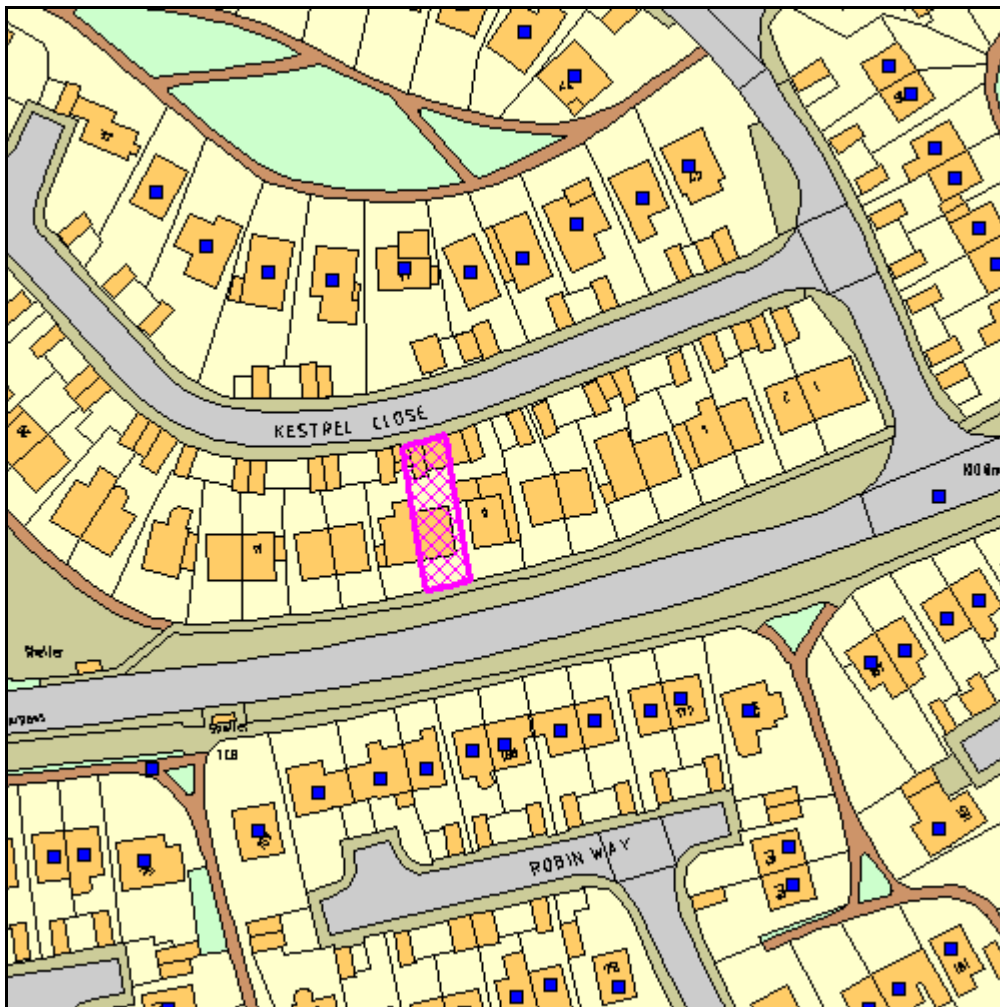
Topographical Survey (A10/69/1)

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 02/19 – 11 JANUARY 2019

App No.:	PK18/5644/F	Applicant:	Mr A Windram
Site:	10 Kestrel Close Chipping Sodbury Bristol South Gloucestershire BS37 6XE	Date Reg:	30th November 2018
Proposal:	Erection of two storey side and single storey rear extension to form additional living accommodation.	Parish:	Dodington Parish Council
Map Ref:	371950 181421	Ward:	Chipping Sodbury
Application Category:	Householder	Target Date:	25th January 2019



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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 SUBMISSION TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's circulated schedule procedure as comments received from the Local Parish Council have been contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two storey side and single storey rear extension to form additional living accommodation at 10 Kestrel Close, Chipping Sodbury.
- 1.2 The application site relates to a two storey, semi-detached property located in a residential area of Chipping Sodbury.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2018
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP34	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted) 2013

3. RELEVANT PLANNING HISTORY

3.1 PK16/3583/PDR

Erection of a single storey side extension to form additional living accommodation.
Approved with conditions: 11/07/2016

- 3.2 PK16/4080/F
Erection of a two storey side extension to provide additional living accommodation at 9 Kestrel Close, Chipping Sodbury.
Approved with conditions 30/08/2016
Although this application does not directly relate to 10 Kestrel Close, it is relevant to the current application, when considering the cumulative impact of the proposal on the visual amenity of the street scene.

4. CONSULTATION RESPONSES

- 4.1 Dodington Parish Council
The Parish Council have objected to the application and have the following concerns;

- The proximity of the extension to the wall of No.9 in terms of maintenance
- Water ingress
- The effect on the visual amenity of the street scene as a result of the frontage onto Heron Way

- 4.2 Archaeology Officer
No comment.

Other Representations

- 4.3 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

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

- 5.2 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 and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.3 *Single Storey Rear Extension*
The proposed single storey rear extension will extend approximately 2.5 metres from the existing rear elevation, have a width of 3.1 metres and maximum height of 3.6 metres. It will feature a lean-to roof with 2no roof lights and a window to the rear elevation. The side elevation will feature a double door. The proposed materials are set to match the existing and there is therefore no objection to the rear extension in terms of design and visual amenity.

5.4 *Two storey side extension*

The Parish Council have raised concerns regarding the effect of the two storey side extension on the street scene of Heron Way. The case officer has noted that planning permission remains extant for a two storey side extension at no.9 Kestrel Close. It is therefore necessary to consider the cumulative impact on the visual amenity of the street scene.

5.5 Original plans submitted with this application were deemed to be unacceptable by the case officer because the design of the extension was not subservient to the existing dwelling. Due to its proximity with the extension of no.9, it was considered that it should match the massing and form of no.9's proposed extension. The applicant submitted revised plans which show this to be the case. The height of the proposal will be set down and back from the existing dwelling in order to appear subservient and will complement the form of that at no.9. As such, the case officer does not think the proposal will have a harmful impact on the character of the existing dwelling, nor the visual amenity of the street scene and has no objection.

5.6 Overall, it is considered that the design, scale and finish of the proposed extensions results in additions that sufficiently respects the character and distinctiveness of the host dwelling and immediate context.

5.7 Residential Amenity

Policy PSP8 of the PSP Plan (Adopted November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

5.8 The impact of the proposal on the residential amenity of the neighbouring occupiers has been considered. The single storey rear extension may have some impact on the residential amenity of no.8 Kestrel Close, in terms of loss of light. The proposal would border the built form the conservatory at no.8 and may have some impact on its amenity. However, the proposal is a single storey and has a sloping roof, which will help to limit this impact. It is therefore not considered to be harmful to the extent that would warrant a refusal.

5.9 The two storey side extension would have some impact on the occupiers of no.9 Kestrel Close, if their proposed two storey side extension was not constructed. The proposal would result in some loss of light to the existing side windows of no.9; however, one of these is a bathroom window which limits this effect. In addition, the extant planning permission for a two storey side extension at no.9 would see the removal of these windows. In addition, there are no proposed side windows in the proposal at no.10 which means that privacy is not compromised. However, in order to protect future residents of both of these properties, a condition will be added to the decision notice to ensure that no windows are inserted at any time into this elevation. It is not considered that the proposal at no.10 would harm the occupiers of no.9 to an extent that would warrant a refusal reason. Due to the location and scale of the development, it is not thought it will materially harm the residential amenity of any of the other surrounding occupiers.

- 5.10 The proposal will occupy additional floor space. The private amenity space at no.10 is already limited; however, the additional extensions are thought to be relatively modest additions to the existing dwellinghouse. It is considered that enough private amenity space would remain following the development. The case officer therefore has no objections in regard to this.
- 5.11 Given the scale and location of the proposed development, the proposal will not result in unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP8 of the Policies, Sites and Places Plan (Adopted November 2017).
- 5.12 Transport
The proposal will no increase the number of bedrooms at the property, no alter the existing parking provision. There is sufficient parking available at the property.
- 5.13 Other Matters
The Parish Council have raised concerns regarding the proximity of the proposed extension to the wall of the proposed extension at no.9, in terms of any maintenance requirements that may arise. Although the case officer acknowledges that the gap between the walls will be small, wall maintenance is a civil, rather than a planning, matter. This comment has therefore been given limited weight during the consideration of the application.
- 5.14 Concerns about water ingress have also been raised by the Parish Council. This would be a matter for building control and is therefore not considered a planning matter.
- 5.15 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.
- 5.16 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Isabel Daone
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

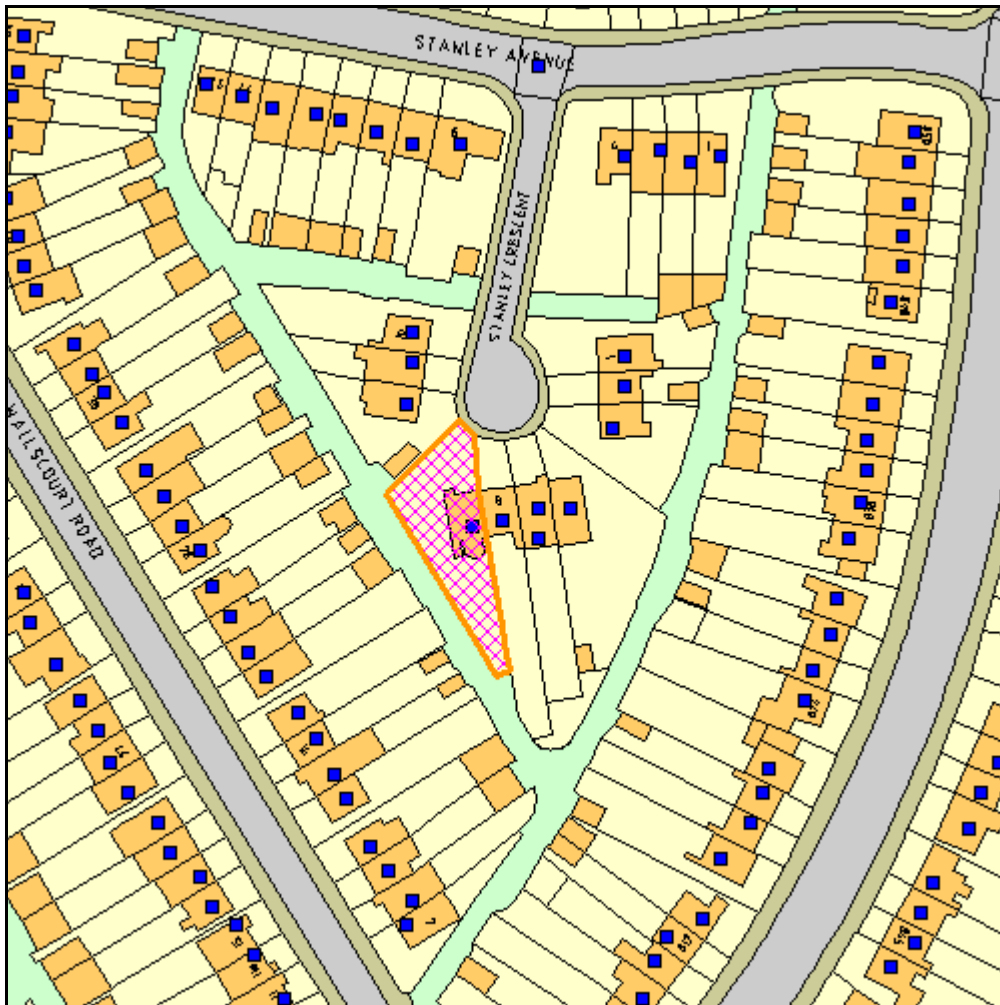
2. No window(s) shall be inserted at any time into the side elevation of the two storey side extension hereby approved.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 02/19 – 11 JANUARY 2019

App No.:	PT18/4490/F	Applicant:	Mr Ben Keizner
Site:	7 Stanley Crescent Filton Bristol South Gloucestershire BS34 7NH	Date Reg:	8th October 2018
Proposal:	Erection of 1 no. dwelling with associated works.	Parish:	Filton Town Council
Map Ref:	360710 178576	Ward:	Filton
Application Category:	Minor	Target Date:	27th November 2018



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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 SUBMISSION TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's circulated schedule procedure as comments received have been contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection of 1 no. end terraced dwelling located within the curtilage of 7 Stanley Crescent, Filton.
- 1.2 The application is a resubmission of a previously approved scheme (PT15/2852/F); this application mirrors the previously approved scheme.
- 1.3 The site is situated within an established residential area in Filton, which is part of the Bristol North Fringe urban area.

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 Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS25 Communities of the North Fringe of Bristol

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP8 Residential Amenity
- PSP16 Parking Standards
- PSP38 Development within Existing Residential Curtilages
- PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist (Adopted) August 2007
- Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/6157/F – Refused - 22.12.2016
Erection of two storey side extension to include rear dormer window and rear balcony area to form 2 no flats with associated works.
- 3.2 PT15/2852/F – Approved - 04.12.2015
Erection of 1 no. new dwelling and associated works.

4. CONSULTATION RESPONSES

- 4.1 Filton Parish Council
Object. The application is over intensive and parking needs to be carefully considered

Archaeology
No Comment

Highway Structures
No Comment

Lead Local Flood Authority
No Objection – Informative on decision

Sustainable Transportation
Planning permission is sought to erect a new two-bed dwelling on land adjacent to No 7 Stanley Crescent. The development proposes to use the existing vehicular access to provide parking for both dwellings. Vehicular parking for a dwelling is assessed on the number of bedrooms available within a dwelling.

The plans submitted fail to show the layout of the existing dwelling so I am unable to assess what vehicular parking is required for this dwelling. A revised plan which clearly shows the layout of the whole building needs to be submitted before I can fully respond to this planning application.

Other Representations

- 4.2 Local Residents
This application received a total of 3.no objections. These are summarised below.
- The proposal will increase parking pressures
 - Visually the proposal is not in keeping with the existing dwellings along the crescent.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is located within the established urban area and is within the defined settlement boundary. This application stands to be assessed against the policies listed in paragraph 2 above, and in the light of all material considerations. In principle, the proposed development is considered to be acceptable as the site lies within the defined urban area. All issues relating to the design, impact on residential amenity, highway safety, and other matters will be assessed below.

5.2 Design and Visual Amenity

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development.

5.3 The application site relates to the side garden of a two storey end terraced dwellinghouse situated within an established residential area of Filton. The application site is a three-bedroom, end terrace property with generous front and rear gardens. There is an access track running along the south-western boundary of the site, causing the site to taper in from front to back, providing access to the rear garages of properties along Stanley Avenue and Wallscourt Road.

5.4 The existing dwelling is of a simple design with modest proportions, featuring a hipped roof with two storey bay windows; this is a common feature in the locality. The design of the new dwelling largely mimics the design of the existing dwelling, with the arched entrance way to the front, a hipped roof to the side. It is noted that the proposed dwelling is not strictly in keeping with the existing streetscene. However, the submitted proposal mirrors that of a previously approved scheme (PT15/2852/F). Given this previous approval, it is not considered that the newly proposed design would cause harm of such severity as to substantiate a reason for refusing the application.

5.5 Overall, it is considered that the proposal would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord with policies CS1 and PSP38 and conforms to the criteria in the adopted Local Plan.

5.6 Residential Amenity

Policy PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.7 The proposed dwelling is situated within a corner plot, and brings the terrace closer to the properties on Wallscourt Road, the gardens of which back onto the adjacent access drive. Due to the distance between these properties and the development site, the proposal is not considered to be overbearing and submitted plans show no west facing windows. The proposed first floor windows may have an indirect view into the rear garden of no. 8, Stanley Crescent, however this is not uncommon in high density residential areas. The proposed rear facing windows of the new dwelling will provide a similar indirect outlook currently present on the existing dwellinghouse. The case officer does not consider the proposal will harm the residential amenities of neighbouring properties on Stanley Crescent or properties on Wallscourt Road.
- 5.8 The parish council raised concerns that the submitted proposal is over intensive. PSP43 states that new residential development will be expected to have functional and safe outdoor amenity space; a two bedroom house should have 50m² of outdoor amenity space. The available amenity space provided at the proposed site would exceed this requirement and would offer sufficient space for future occupiers of the properties and is deemed to comply with policy PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017).
- 5.9 The proposal would not appear overbearing or such that it would prejudice existing levels of outlook or light afforded to neighbouring occupiers. Additionally, privacy would not be affected. Therefore, the proposed development is not considered to be detrimental to residential amenity; and is deemed to comply with policy PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017).
- 5.10 Transport
Three off-street parking spaces have been shown to serve both the existing three-bedroom property and the proposed two-bedroom property. This allocation meets the required standards as detailed within policy PSP16. Proposed plans show that Cycle parking and refuse areas have also been provided which are easily accessible and, with the exception of the bin store for no. 7, they are predominantly out of site from the public realm. The development is acceptable in transportation terms, subject to conditions to ensure that the proposed parking is implemented as per the received plans.
- 5.11 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission is **GRANTED** subject to the Condition(s) on the decision notice.

Contact Officer: Westley Little
Tel. No. 01454 862217

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 off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

3. The hours of working on site during the period of construction shall be restricted to:

Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays

The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017; and the provisions of the National Planning Policy Framework.