

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. 03/19

Date to Members: 18/01/2019

Member's Deadline: 24/01/2019 (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 list below a-f where a representation is received within the notification period which is contrary to the officers recommendation from the Parish or Town Council within whose boundary the proposal lies wholly or in part.

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

Always make your referral request by email to MemberReferral@southglos.gov.uk (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:

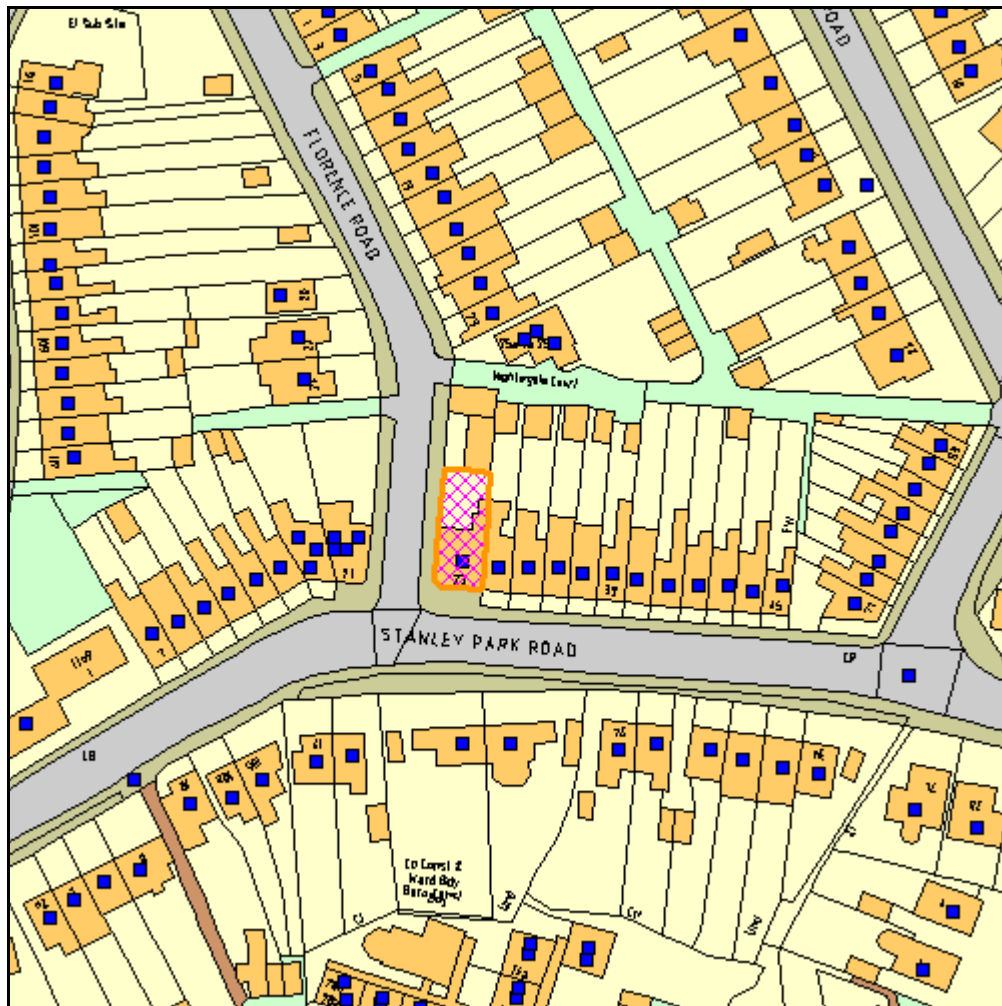
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 18 January 2019

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK18/4763/F	Approve with Conditions	23 Stanley Park Road Kingswood South Gloucestershire BS16 4SS	Staple Hill	None
2	PK18/4981/O	Approve with Conditions	Land To The Rear Of 25 And 27 Blackhorse Road Mangotsfield South Gloucestershire BS16 9BE	Rodway	Emersons Green Town Council
3	PK18/5362/O	Approve with Conditions	87 Hill House Road Mangotsfield South Gloucestershire BS16 5QW	Rodway	None
4	PT18/4155/O	Refusal	4 Harris Barton Frampton Cotterell South Gloucestershire BS36 2ET	Frampton Cotterell	Frampton Cotterell Parish Council
5	PT18/4874/F	Approve with Conditions	Woodside House Stowell Hill Road Tytherington Wotton Under Edge South Gloucestershire GL12 8UH	Ladden Brook	Tytherington Parish Council

CIRCULATED SCHEDULE NO. 03/19 – 18 JANUARY 2019

App No.:	PK18/4763/F	Applicant:	Mr Matt Eastburn
Site:	23 Stanley Park Road Kingswood Bristol South Gloucestershire BS16 4SS	Date Reg:	23rd October 2018
Proposal:	Change of use from Residential (Class C3) to 8 bedroom HMO (sui generis) as defined in Town and Country (Use Classes) Order 1987 (as amended). Installation of rear dormers to form loft conversion.	Parish:	None
Map Ref:	365277 175328	Ward:	Staple Hill
Application Category:	Minor	Target Date:	13th December 2018



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 100023410, 2008. **N.T.S.** **PK18/4763/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

This application appears on the Circulated Schedule following objections from local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the change of use from residential (Class C3) to an 8 bed HMO (sui generis) as defined in the Town and Country (Use Classes) Order 1987 (as amended) plus the installation of a rear dormer.
- 1.2 During the course of the application the number of bedrooms in the proposed HMO was reduced from 9 to 8 and a proposed side dormer window was removed from the plans.
- 1.3 Following transport officer initial comments the applicant provided a transport survey to record parking in the nearby streets.

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
CS10	Minerals
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
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivision, and HMOs

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – (Adopted) March 2015
South Gloucestershire Council Waste Collection: guidance for new
developments SPD (Adopted) Jan 2015

3. RELEVANT PLANNING HISTORY

- 3.1 K280/1 Change of use of shop premises to residential
Approved 3.10.79
- 3.2 K280 Conversion of existing domestic outbuildings to form a four
bed dwelling
Refused 16.10.74

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
The area is unparished

Internal Consultees

- 4.2 Highway Structures
No objection

Statutory / External Consultees

- 4.3 Transport
Holding objection: the applicant is neither providing any off-street parking on site nor he provides appropriate /verifiable evidence on available on-street parking. I also note from the submitted plans that cycle parking shown on site are too small for the number of cycle storage and some of these are not undercover spaces.

Highway objection may be overcome if the applicant provides week's long verifiable evidence in form of 'parking beat survey' including during evenings and at least one weekend

Updated comments:

Parking survey undertaken, revised cycle storage and waste storage provision
Having taken all the factors into account and on a balanced judgement decision; whilst the proposal would not meet the policy PSP16 minimum parking requirement, in the context of paragraph 109 of the revised National Planning Policy Framework, it is concluded that the impact of this development is not be considered 'severe' and would not justify the refusal of this application on highway safety grounds.

- 4.4 Drainage
No objection

Other Representations

4.5 Local Residents

Comments have been received from 8 local residents. The points raised are summarised as follows:

Parking

- Residents have problems finding parking
- Stanley Park Road is a fast road and is used as a cut through
- A number of residents bring home vans/small lorries which take up space
- Florence Road is narrow cars already park on the pavement
- Is on No. 7 bus route – caused damage to water pipe by going up on the pavement
- Concern emergency services will have trouble getting through
- Use of kerb ramps is not acceptable
- Police have moved cars that have blocked pedestrian access and Florence Road
- Person doing the parking survey does not know what they are talking about

Other matters

- Able to hear workers talking and their radio – will there be any sound proofing?
- The area is becoming saturated with this type of development
- Removal of chimney breasts
- Increase in waste and bins will be outside neighbour's house
- Overdevelopment
- Greedy developer
- Will be unsightly on this period property
- Will shadow properties to the rear in winter months
- General increase in noise
- Walls transmit sound – the toilet in No.23 is against the dividing wall; able to hear when flushed
- Work has already started

5. ANALYSIS OF PROPOSAL

- 5.1 The applicant seeks a change of use for this residential house to become an HMO and for the installation of a rear dormer.

5.2 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. It is noted that planning permission is not required for the conversion of a residential dwelling into a 6 bed HMO. This scheme would introduce an additional 2 bedrooms making this an 8 bed HMO property. It is therefore reasonable for the assessment to consider the impact of these additional 2 rooms.

- 5.3 Both local and national planning policy are supportive of development within existing urban areas provided the resulting impact would not have a negative effect on residential amenity, transport or highway safety.
- 5.4 The proposal to intensify the use of this large residential dwelling is consistent with policy and the assessment goes on to indicate that the scheme is acceptable and can be supported.
- 5.5 Change of use from residential dwelling to HMO.
Policy PSP39 deals with residential conversions, sub-divisions and houses in multiple occupation. Such development is acceptable provided it would not have a negative impact on the character and amenities of the area; and not prejudice the amenity of neighbours; and provide adequate amenity space; and refuse storage and servicing; and provide parking in accordance with the Council's parking standards.
- 5.6 Working through the above list, the site is within a built up area where houses in multiple occupation are not unusual, the scheme would include the introduction of a dormer but given the orientation of the house to other properties there would be no unacceptable impact on their residential amenity, subject to a condition requiring the side rooflights to be obscure glazed and non-opening below a certain height.
- 5.7 Moving on to the amenity space for the converted house this would be around 53 square metres in the enclosed existing garden serving this property. Policy PSP39 does not dictate how much amenity space should be provided when an existing house changes to an HMO. Using Policy PSP43 as a reference and appropriate comparison, this adopted policy states that a 1 bed flat should have 5 square metres of residential amenity space. Using this calculation, 8 x 1 bed flats would require 40 square metres of amenity space and on this basis the 53 square metre garden would be sufficient. Furthermore, it is not unreasonable to assume that individuals who chose to live in an HMO would not be expecting to maintain a large garden.
- 5.8 The garden is therefore of an appropriate size to accommodate washing lines and a communal area in which to sit outside. It is also noted that as the originally proposed ninth room has been given over to the storage of cycles, this means that the garden would be unencumbered by a related secure storage area and a purpose built refuse store would be erected to the front of the property.
- 5.9 Moving on to the issue of parking. The site has one off-street parking space to the front of the dwelling while adopted standards require 4no. parking spaces for an HMO of this size. Given that there is no opportunity to provide more parking on-site and recognising the question of insufficient parking, the transport officer requested that a parking survey of the nearby streets be undertaken.

- 5.10 Policy PSP16 – Parking Standards, states that for House in Multiple Occupation (HMOs) a minimum of 0.5 spaces per bedroom should be provided within the curtilage or alternatively through submission of appropriate evidence on the availability of on street parking during evening and weekends.
- 5.11 The applicant has carried out parking survey on surrounding streets within approximately 100m radius of the application site. The result of this survey (including an evening and weekend survey) indicates that there are a number of free parking spaces in the surveyed area near the application site. The Transportation Officer has also visited the site on a number of occasion during the day and carried out an independent check on parking situation in the area. From the site observation, the Transportation Officer can confirm that Stanley Park Road and Florence Road are not busy and had a number of free parking spaces. However, it is acknowledged likely that traffic use and on-street parking would increase in the evenings, particularly as some of the surrounding properties have no off street parking.
- 5.12 Notwithstanding the above, some weight can be given to the non-vehicular accessibility future occupants would have to public transport and services, and the fact the site is considered to be in a sustainable location with bus stops being within a minute of the application site on Stanley Park Road.
- 5.13 Other factors that are considered appropriate and need to be taken into account in the overall assessment include the fact that this proposal involves conversion of an existing building into a smaller units, that there would be no increase to the 'footprint' of the existing building and the loft conversion is understood to fall within 'Permitted Development Rights' for dwellings and could therefore in other circumstances be carried out without permission.
- 5.14 In addition, consideration should be given to the extant use and the parking arrangement for the existing building. Including the basement space, this building is a five-bed house. The parking requirement for a 5-bed house is a minimum of 3no. parking spaces. With only one parking space being available on site this means that the existing house would also generate some additional parking demand on the highway.
- 5.15 In view of the above, it is considered that the impact of the proposed development would not be significantly greater than the existing impact from the extant house.
- 5.16 It is also confirmed that despite parking on both sides of Stanley Park Road and on Florence Road, vehicles are able to move safely along these roads and that pedestrians benefit from continuous pavements. In addition, road markings at the junction of Florence Road indicate 20mph speed limit on this road and this helps to ensure that on street parking does not lead to highway safety issues. It is furthermore, noted that the section of the roads outside the property have relatively straight alignments offering adequate visibility for the highway users.

- 5.17 Submitted plans show secure cycle storage for up to 8no. cycle parking stands and this meets the appropriate adopted policy with regards to minimum cycle parking standards.
- 5.18 Having taken all the factors into account a balanced judgement is required. Whilst the proposal would not meet Policy PSP16 minimum parking requirement, in the context of paragraph 109 of the revised National Planning policy Framework, it is concluded that the impact of this development would not be considered 'severe' and in those terms would not justify the refusal of this application on highway safety reasons.
- 5.19 There are no objections in highway terms subject to a condition to provide off street parking and cycle parking.
- 5.20 Design and Visual Amenity
Other than the introduction of a rear dormer and small roof lights to the side and front elevation, there would be no external changes to this large end of terrace property. The house occupies a corner position on Stanley Park Road and Florence Road. It is likely that it was once a former shop and it is noted that the end of terrace on the opposite side of Stanley Park Road is similar in style and size.
- 5.21 Internal alterations to the existing ground and first floors would achieve 6 bedrooms. These changes do not need planning permission and the creation of a 6 bed house in multiple occupation does not need planning permission either. The two additional bedrooms would be created on the second floor by the conversion of the loft/roof space. A dormer window would help facilitate the conversion.
- 5.22 The proposed rear dormer would achieve a volume of around 16 cubic metres. It is noted that this could be done, in other circumstances, under permitted development rights.
- 5.23 Therefore in design terms there can be no objection to the change of use of the dwelling into an HMO.
- 5.24 Other matters.
A number of points have been raised by local residents. Regarding general nuisance or inconsiderate parking these are not planning matters and need to be referred to the correct authority which would be the Environmental Protection Team, the Police Authority or the Council's Streetcare Team. Noise transference or the removal of chimney breasts is a matter for Building Control as would be the requirement of additional sound insulation. It has been commented that work has already started. Internal alterations do not require planning permission. Any resulting waste will be stored in the purpose built storage unit to the front of the property awaiting collection. It is noted this is close to the next door neighbour and similar situations are not uncommon in residential areas. Bin collections are regular and there should be no resulting adverse impact on the neighbour, but again any issues should be reported to the appropriate Council department.

5.25 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.

5.26 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.

5.27 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.

5.28 Planning conclusion

The scheme is for the change of use of a 5 bed house into an 8 bed HMO. A 6 bed HMO does not require planning permission. The impact the additional 2 beds would have has been assessed above. These two rooms would be in the loft space and the accompanying dormer and rooflights have been found acceptable to facilitate the conversion. Adequate amenity space will be retained in the garden for future occupants and there would be no adverse impact on the amenity of existing neighbours. The main issue for consideration has been the amount of parking available. One parking space can be achieved to the front of the property. A parking survey and Officer observations have concluded that there would be no 'severe' adverse impact resulting from the development and on this basis the scheme is recommended for approval.

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 is **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. Development shall proceed in accordance with the following plans:

As received by the Council on 18.10.18:

The location plan - 01

Existing plans - 02

As received by the Council on 14.11.18:

Proposed ground floor and first floor plans - 03A

Proposed second floor and site plan - 04

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.

3. Prior to the use or occupation of the House in Multiple Occupation (sui generis) hereby permitted, and at all times thereafter, the proposed rooflights in the side elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) January 2013; and the provisions of the National Planning Policy Framework.

4. Prior to first occupation of the House in Multiple Occupation (sui generis), off street car parking and cycle parking shall be provided in accordance with the submitted and approved plan Proposed site plan - 04 received on 14.11.18 and these shall be maintained for the use of occupiers thereafter.

Reason

To ensure the satisfactory provision of parking and cycling 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; Policy PSP16 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

5. 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

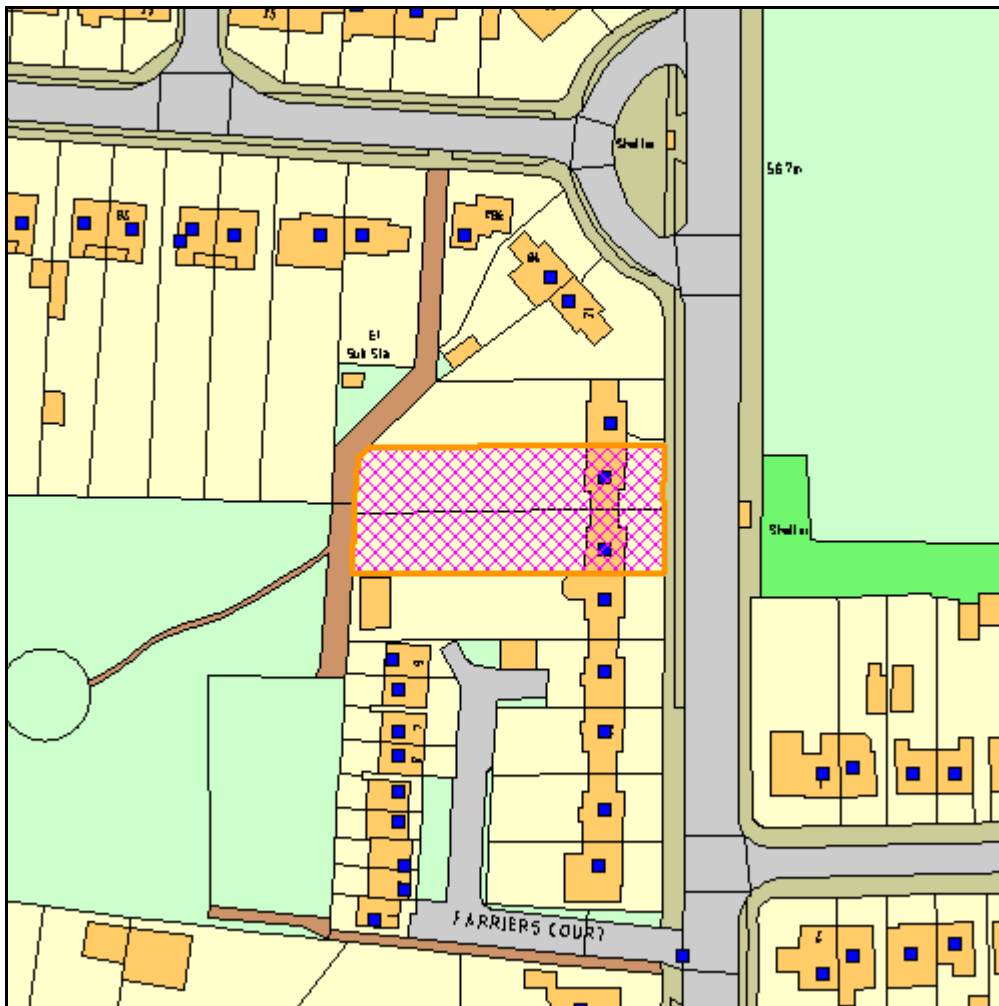
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS8 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 03/19 – 18 JANUARY 2019

App No.:	PK18/4981/O	Applicant:	Mr And Mr Micciche And Brown
Site:	Land To The Rear Of 25 And 27 Blackhorse Road Mangotsfield Bristol South Gloucestershire BS16 9BE	Date Reg:	5th November 2018
Proposal:	Erection of 4 no. semi-detached dwellings (Outline) with access, appearance and layout to be determined, all other matters reserved.	Parish:	Emersons Green Town Council
Map Ref:	366358 177125	Ward:	Rodway
Application Category:	Minor	Target Date:	28th 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 REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from 3no local residents which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks outline permission for the erection of 4.no semi-detached dwellings with access, appearance and layout to be determined and all other matters (scale and landscape) reserved.
- 1.2 The application site relates to land to the rear of 25 and 27 Blackhorse Road. The site is located within the settlement boundary in the defined East Fringe of the Bristol Urban Area. The host dwellings (25 and 27 Blackhorse Road) are semi-detached properties, although do not form a semi-detached pair.
- 1.3 During the course of the application amendments have been made to the proposed site access to ensure some separation from the existing dwellings.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of the Bristol Urban Area

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

Waste Collection: Guidance for New Development SPD (Adopted) 2015

Technical Advice Note: Assessing Residential Amenity (June 2016)

3. **RELEVANT PLANNING HISTORY**

3.1 No relevant planning history.

4. **CONSULTATION RESPONSES**

4.1 Emersons Green Town Council

No objection

4.2 Sustainable Transport

06/11/2018:

The access is safe and suitable and the car parking accords with the Council's standards. Can a replacement shed or storage for two cycles be provided for the existing house no.27.

No transport objections subject to condition

06/12/2018:

Buses stopped at the bus stop are only a temporary obstruction. Drivers can either wait for the bus to move off or drive into the hatched area and turn into the development from there. The location of the bus stop does keep the area free of parked cars, which helps movement at the proposed access.

An accident occurred further north at the junction with Springfield Road but this would not have any impact on the new access.

The revised drawing with the additional shed/cycle store is agreed.

4.3 Lead Local Flood Authority

No objection in principle subject to condition

4.4 Tree Officer

No comments received

Other Representations

4.5 Local Residents

Objection comments received from 3no local residents, summarised as follows:

- Loss of privacy due to distance between existing and proposed properties
- Loss of light

- We do not give permission for the original boundary fence to be removed.
- Concerns of highway safety regarding the proximity of the bus stop to the proposed access
- Proposed parking is inadequate
- Multiple road accidents have occurred at the junction of Blackhorse Road and Springfield Road.
- Concerns property would be damaged during construction
- There is wildlife in the area including bats

Support comment received from 1no local resident:

- No problem with access, all houses on Blackhorse Road have off-street parking. An additional 8 cars would not make a difference.
- Environmentally harmful noise from Springfield Park will be eradicated.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Outline planning permission is sought for the erection of 4no semi-detached dwellings. The site is located within the settlement boundary of Mangotsfield in the East Fringe of the Bristol Urban Area.

Policy CS5 of the Core Strategy outlines the locations at which development is considered to be appropriate. CS5 dictates that most new development in South Gloucestershire will take place within communities of the north and east fringes of the Bristol urban area. The application site is located in the area defined as the East Fringe of the Bristol Urban Area. As such, based solely on location of the site, the principle of development is acceptable.

For the reasons outlined above, there is no objection in principle to the residential development of the site, subject to the considerations below.

5.2 Design and Visual Amenity

The appearance and layout of the development is to be determined at this stage. However, the scale of development is not being determined as part of this application and will be assessed as part of a subsequent reserved matters application. That said, to ensure that the proposed dwellings reflect the scale of the existing backland development, a condition will be included on the decision to restrict the height of the development to a maximum of 8 metres.

5.3 The proposed dwellings would be sited on land to the rear of no.25 and no.27 Blackhorse Road, at the far end of the existing large rear gardens. A similar row of backland properties can be found to the south of the site behind no.31 to no.37 Blackhorse Road, of which the first five were allowed on appeal and a further four properties approved by the local planning authority. The proposed dwellings would consist of two pairs of semi-detached dwellings which would echo the adjacent backland properties. The proposed dwellings would consist of a dual pitched roof with two modestly sized front dormers on each semi-detached pair. The materials to be used in the external appearance would include render and brick elevations with yellow brick detail, Redland Breckland black Stonewald roof tiles and white UPVC windows/doors. The design of the

proposals are relatively modern and whilst they would not match the predominant house type in the area, they have been designed to somewhat match the appearance of the adjacent backland development. Furthermore, the inspector stated in the original permission for the five dwellings that the replication of the existing house design is neither practicable nor desirable. Therefore, it is considered that the proposed development would not be detrimental to the character of the surrounding area. That said, as the proposed dwellings would be visible from the footpath and recreation ground to the rear of the site, it is recommended that a condition is included to ensure that external materials are agreed in writing.

- 5.4 In terms of layout, the proposed dwellings would have private amenity space to the rear and parking for eight vehicles to the front. The existing single storey link extension between no.25 and no.27 Blackhorse Road would be demolished to facilitate an access road with planting along the side of the existing properties to soften the appearance. The proposed layout is not considered to have a significantly detrimental impact to the character of the area. Landscaping is not being determined as part of this application, however within any subsequent reserved matters application details of planting along the access road and parking area would be required.
- 5.5 Having regard to the assessment above, and on balance, it is considered that the appearance and layout of the development sufficiently respects the character of the surrounding area and therefore no objections are raised in terms of design and visual amenity.
- 5.6 Residential Amenity
Policy PSP8 of the PSP Plan (November 2017) sets out that development proposals will be acceptable provided 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; loss of privacy, and overlooking; overbearing and dominant impact; or loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.7 Concerns have been raised by surrounding occupiers of loss of privacy and loss of light from the proposed dwellings. The distance between the front windows of the proposed new dwellings and the rear windows of the existing dwellings would be marginally over 19 metres and as such it is considered that sufficient levels of privacy would remain for the occupiers of no.25 and no.27 Blackhorse Road; the neighbouring properties to the north and west of the proposal would be over 20 metres in distance and already have a degree of overlooking from surrounding properties. It is acknowledged there will be some additional overlooking onto the rear of no.29 Blackhorse Road, however the separation distance between the proposal and existing house is such that the impact is not considered to be unacceptable. To ensure existing levels of privacy are maintained, a condition will be included to ensure all side elevation windows are to be obscure glazed and no further windows are inserted to any side elevation. It is acknowledged that the existing levels of light afforded to the neighbouring occupiers may be affected, however considering the siting and separation distances, it is not considered to detrimentally impact existing levels

of light to such a degree as to warrant refusal, nor is it considered to result in a materially overbearing impact.

- 5.8 The Council has an adopted minimum residential amenity space standard policy (PSP43) which is based on the number of bedrooms at a property. The submitted plans indicate that the proposed dwellings would each have 2no bedrooms and the existing dwellings each have 3no bedrooms. Policy PSP43 sets out that a 2no bedroom property must provide a minimum of 50m² amenity space and a 3no bedroom property must provide 60m² amenity space. The amenity space proposed for all the properties in question would be in accordance with policy PSP43.

5.9 Highway Safety and Access

Concerns have been raised regarding parking provision. The Council's residential parking standards are set out in policy PSP16 of the PSP Plan; a two bedroom property must provide 1.5 off-street spaces and a three bedroom property must provide two off-street spaces. The proposal includes eight off-street parking spaces to be shared between the occupiers of the proposed 4no, two bedroom dwellings and a driveway to the front of each of the existing three bedroom dwellings which is able to accommodate two vehicles. Given the above, the development would be in accordance with this policy. To further comply with policy PSP16, the proposed dwellings and existing dwellings will each include a shed in the rear garden which can accommodate two spaces for cycle parking. It is recommended that a condition is included on the decision to ensure the proposed parking and cycle facilities are implemented prior to occupation of the proposed dwellings.

- 5.10 Concerns have been raised regarding highway safety due to the proximity of the proposed access to the bus stop, it has also been expressed that a number of road accidents have occurred at the junction of Blackhorse Road and Springfield Road. The sustainable transport officer has stated that buses are only a temporary obstruction and the location of the bus stop allows the area opposite the proposed access to be free of cars, in turn aiding movement of vehicles entering and exiting the site. The officer has also acknowledged that an accident has been recorded further north at the junction with Springfield Road, however this would have little impact on the proposed new access. It is therefore considered that the proposed access would not be detrimental to highway safety and therefore no objections are raised in terms of transport.

5.11 Ecology

Concern was raised by a neighbouring occupier of nesting bats in the area. The ecology officer has stated that there are no ecological features within the site that would require the need for a wildlife survey. The single storey link extension which is to be demolished is unsuitable for roosting bats. As such, no objections are raised in terms of ecology.

5.12 Drainage

It is recommended by the Lead Local Flood Authority that percolation/infiltration tests be carried out prior to reserved matters application to aid detailed drainage design. Evidence that the ground is suitable for soakaways will be expected at reserved matters stage. Soakaways must be located 5 metres from

any structure including the public highway. This is not the case in the submitted plans. A condition will be included on the decision for drainage details to be approved by the local planning authority.

5.13 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.

5.14 Other Matters

It was stated by a neighbour that permission to remove an original boundary fence would not be given. This is considered to be a civil matter and the applicant will be informed of best practices on the decision notice.

5.15 Concerns of damage to neighbouring property during construction is not assessed as part of a planning decision. That said, it is expected that the builders are considerate to neighbouring occupiers during the construction period.

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: James Reynolds
Tel. No. 01454 864712

CONDITIONS

1. Reserved Matters

Approval of the details relating to the scale of development 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.

Plans and particulars of the reserved matters relating to scale and landscaping, 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.

2. Submit within 3 years

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.

3. Time Limit for Outline

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.

4. Scale

As part of the reserved matters application, details of the scale of development shall be submitted. For clarity, the scale of development shall not exceed a height of 8 metres. Works are to be carried out in accordance with the approved details.

Reason

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

5. Landscape

As part of the reserved matters application, details of all hard and soft landscape works shall be submitted. For the avoidance of doubt these should include details of planting to the side of the access road and parking area. Works are to be carried out in accordance with the approved details.

Reason

To protect the character and appearance of the area, and 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. Materials

Prior to the relevant stage of the development details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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.

7. Windows

Prior to the use or occupation of the dwellings hereby permitted, and at all times thereafter, the proposed side elevation windows shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed. No windows other than those shown on the plans hereby approved shall be inserted at any time in any side elevation of the property.

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 National Planning Policy Framework.

8. Off-Street Parking

The off-street parking facilities (for all vehicles, including cycles) shown on the proposed site plan hereby approved (Drawing no. 3084/2) shall be provided before the first dwelling is 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.

9. Drainage

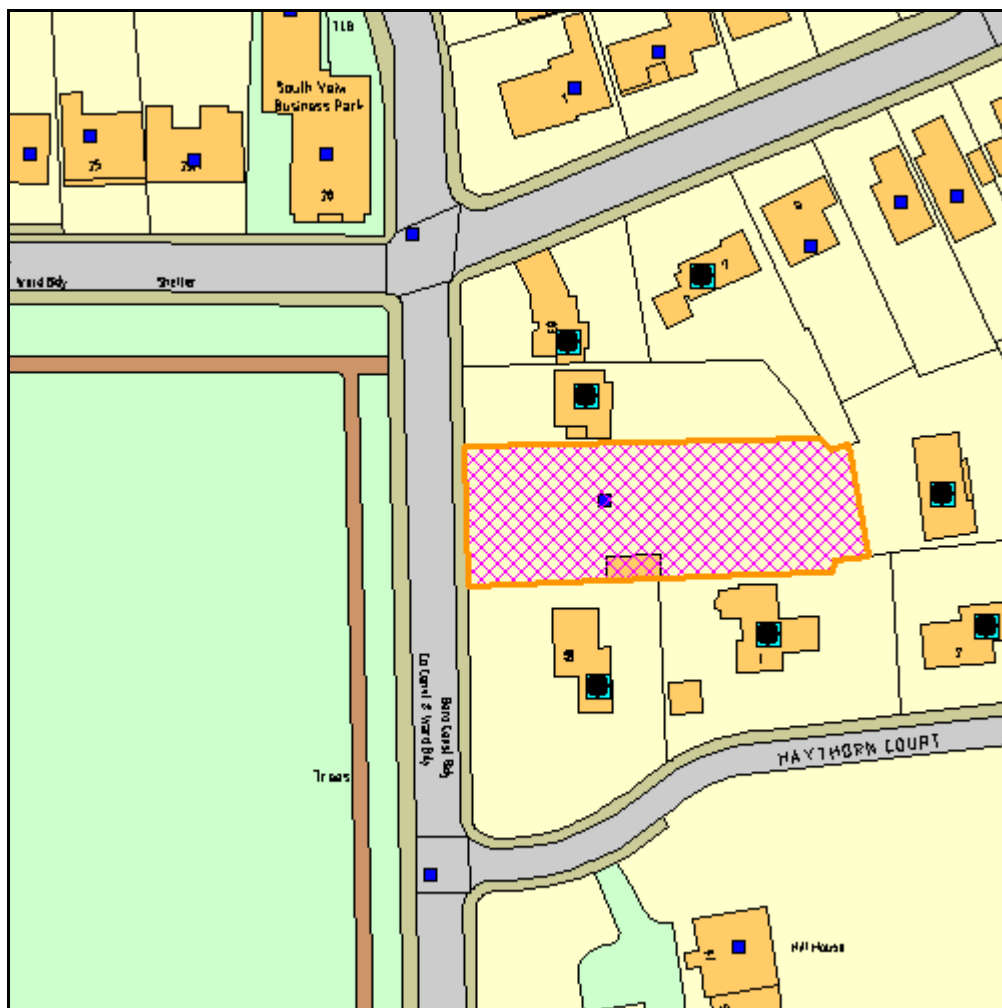
Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To comply with South Gloucestershire Local plan: Policies, Sites and Places Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and CS9; and National Planning Policy Framework 2018.

CIRCULATED SCHEDULE NO. 03/19 – 18 JANUARY 2019

App No.:	PK18/5362/O	Applicant:	Mr Mark Andrews
Site:	87 Hill House Road Mangotsfield Bristol South Gloucestershire BS16 5QW	Date Reg:	3rd December 2018
Proposal:	Erection of 4no. dwellings (Outline) with access, scale and layout to be determined, all other matters reserved.	Parish:	None
Map Ref:	365683 176124	Ward:	Rodway
Application Category:	Minor	Target Date:	24th January 2019



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 100023410, 2008. **N.T.S.** **PK18/5362/O**

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 report appears on the Circulated Schedule due to the receipt of objection comments from 3 local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks outline planning permission for the erection of 4no. dwellings with access, scale and layout to be determined and landscape and design to form part of a subsequent reserved matters application.
- 1.2 The application site is no. 87 Hill House Road, within Mangotsfield. The site is opposite the eastern side of Page Park, a large public park. Prior to 2006 there was a large dwelling at the site, it is understood that the dwelling had a similar appearance to no. 85 Hill House Road, however, in 2006 the house was demolished. The demolition of the dwelling coincided with planning permissions: PK06/1927/F and PK05/0524/F, both of which were to demolish the dwelling and erect buildings at the site.
- 1.3 This outline application follows a successful application PK16/3268/O approved in December 2016 for the erection of 4no. houses on this site. That application remains extant. The difference is that this scheme is for a phased self-build development.

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
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
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
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages
PSP42	Custom Build Dwellings
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.

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

South Gloucestershire Council Waste Collection: guidance for new developments SPD (Adopted) Jan 2015

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK16/3268/O Approved with conditions 21.12.16
Erection of 4no. dwellings (outline) with access, layout, appearance and scale to be determined. All other matters reserved.
- 3.2 PK10/0743/EXT Approve with Conditions 20/05/2010
Erection of 2 no. self-contained flats with associated access, car parking, landscaping and works. (Consent to extend time limit implementation for PK05/0254/F).
- 3.3 PK06/1927/F Approve with Conditions 25/08/2006
Demolition of existing house and garages to facilitate the erection of 6 No. apartments (4No. two bedroom, and 2 No. one bedroom) with associated car parking and garages, landscaping, access and works.
A large 2.5 storey building with the appearance of a very large house, positioned between nos. 85 and 89.
- 3.4 PK05/0254/F Approve with Conditions 29/03/2005
Erection of 2 no. self-contained flats with associated access, car parking, landscaping and works.
A large 2.5 storey building, with a mansard roof, positioned between nos. 85 and 89, the depth of the unit was almost double the depth of no. 89.

- | | | | |
|-----|--|-------------------------|------------|
| 3.5 | PK04/2435/F | Approve with Conditions | 04/10/2004 |
| | Conversion of existing dwelling to form 3no. self contained units with associated works. Erection of two storey front and rear extension and use of loft space as accommodation (Resubmission) | | |
| 3.6 | PK02/1216/F | Approve with Conditions | 27/05/2002 |
| | Change of use from dwelling (C3) to childrens' day nursery (D1). | | |
| 3.7 | K6733 | Approval Full Planning | 08/10/1990 |
| | Erection of detached snooker room and workshop (previous id: K6733) | | |

4. **CONSULTATION RESPONSES**

- 4.1 Parish/Town Council
The area is unparished

Internal Consultees

- 4.2 Conservation officer
This application has been referred for comment due to the considered impact of the proposed development on the setting of the listed Hill House or number 91 Hill House Road which is located to the south of the application site.
It is considered that due to the separation distances involved and the intervening structures and mature planting, it is difficult to consider that the proposed development would result in the existing setting of the listed building changing sufficiently as to cause harm to its setting and in turn special significance.
Issues raised of how the proposals relate to the prevailing street pattern and plot layout and would defer to the Council's Urban Design Officer.

Statutory / External Consultees

- 4.3 Transport
No objection subject to conditions re access, parking, cycle parking and plug-in facilities
- 4.4 Drainage
No objection subject to condition

Other Representations

- 4.5 Local Residents
Comments have been received from 3 local residents and the points raised are summarised as follows:
- Insufficient information – no dimensions, elevations, distance between plots and neighbours
 - Plot 2 differs from the others
 - Should be limited to two storey including any rooms proposed in the loft/roof
 - No materials shown or number of bedrooms
 - Will the timber boarded fence be within the site or on my land?

- Request assurance that any building work will not weaken the existing brick boundary wall
- Four houses on this site is not in-keeping with the surroundings
- A phased development is unacceptable

5. **ANALYSIS OF PROPOSAL**

5.1 This application is for the erection of 4no. dwellings in outline format only where access, scale and layout are to be determined. Appearance and landscape would form part of the individual reserved matters application which would be submitted by each of the self-builders.

5.2 **Principle of Development**

The application stands to be assessed under the above listed policies and all material considerations. The extant outline planning permission for 4no. dwellings on the site is a material consideration. Both local and national planning policy is supportive of development in urban areas. This is however, dependent on the scheme being of high quality design, not having an adverse impact on the residential amenity of existing neighbours or future occupants, providing sufficient amenity space and on-site parking and not having a negative effect on highway safety. In addition and specific to this scheme, the proximity of a nearby listed building is noted and the presence of trees within the application site.

5.3 The scheme is considered to accord with the principle of development and this is discussed in more detail below.

5.4 **Self-build/Custom build**

When considering self and custom-build proposals the Council will take a positive approach. The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals. In considering whether a home is a self-build / custom build, the Council must be satisfied that the initial owner of the home will have primary input into its final design and layout.

5.5 Serviced plots for self and custom housebuilding must provide connections for electricity, water and waste water to the boundary of the plot so that connections can be made as appropriate during construction or that adequate alternative arrangements must be possible such as the use of a cesspit rather than mains drainage. There is no expectation that services must be physically connected to the plot at the time of granting planning permission.

5.6 This is an application for 4 serviced plots for self-build. If the self-builders are to benefit from the Community Infrastructure Levy (CIL) exemption, phasing must be a condition of the planning permission. This is because CIL regulations require this to allow self-builders to take advantage of the phasing provisions in the regulations, where each self-build plot will need to be

- identified as an individual phase. If the planning permission is not phased then the commencement of the development will trigger CIL attributable to the whole development precluding any subsequent housebuilders from applying for CIL relief.
- 5.7 Phasing Plan (Dwg.no. 003 revision A), sets out the phases where the access and servicing are the first phase, followed by four future phases for individual plots which will allow each reserved matters to be submitted by the self-builder and can be in any order.
- 5.8 The proposal is considered to accord with adopted policy for self-build units.
- 5.9 **This outline application will assess the access into the site, the scale and layout of the development only**
- 5.10 **Access and parking:**
The proposed access for the 4 dwellings will be off Hill House Road. Submitted plans indicate that the access road would utilise the existing two access points and continue centrally within the site. Two parking spaces are proposed for each of the 4 houses.
- 5.11 No transport objections are raised subject to a condition being attached to the decision notice specifying that no dwellings shall be occupied until the access and parking arrangements have been provided in accordance with the submitted details. Plug in or other ultra-low emission facilities for vehicles are also required for each dwelling.
- 5.12 **Layout**
The Design and Access Statement confirms that the proposed development will be for 4no. detached 4 bed dwellings with associated parking, bin and cycle storage. The document states that the layout provides frontages to Hill House Road and follows the layout of the approved and extant planning application PK16/3268/O. On this basis there can be no objection to the proposed layout of the 4 dwellings on the site.
- 5.13 **Scale**
Submitted details indicate the proposed dwellings would be two storey, but also indicate roof voids which would allow further development in the future. Comments from a local resident are noted but the overall height of the houses would be typical of the two storey houses in the area. Any potential development in the roof space is not being considered under this outline planning application.
- 5.14 Given the above there can be no objection to two-storey dwellings in this location and an appropriate condition will be attached to the decision notice.
- 5.15 **Other areas: Design and Landscape**
Local residents have commented that the application has no details of the design or appearance of the proposed new houses. The scheme has been accepted as a self-build development and as such the individual reserved matters applications will deal with materials, design and appearance.

These will be carefully considered at the relevant times to ensure the development sits harmoniously within the existing street scene.

5.16 Similarly landscape details will be submitted at a later stage and this will include boundary treatments within the site. In the previously approved planning application, the presence of trees on the site was noted and the necessity of an arboricultural report was discussed. None of the existing trees on the site are considered worthy of a Tree Protection Order, but if they are to be removed, replacement planting would be expected to be part of any landscape plan submitted under reserved matters.

5.17 Comments from a neighbour regarding the existing and future boundary treatments are noted. Development can only proceed on land within the ownership of the applicant. Development on any other land must have the agreement of the relevant party and this would be a civil matter to be discussed between themselves.

5.18 **Residential Amenity**

Adopted planning policy indicates that as for a 4 bed dwelling a minimum of 70 square metres of private amenity space is required. To this end only the rear gardens can count towards this space standard. Plans indicate that Plots 1, 3 and 4 have sufficient rear garden space to accord with policy. However, the plans for Plot 2 are less clear and could imply that a single storey rear element would be included on this plot. If that is the case then it would fail to comply with policy. Any reserved matter application would need to clearly show that each of the 4 dwellings could provide residential amenity space of at least 70 square metres to the rear. Front gardens and paths around the properties would not count.

5.19 **Other matter**
Archaeology

Under planning application PK16/3268/O, the Officer's report stated: *It is clear from the planning history at the application site, and from the comments of the archaeological officer, that the site lies within the grounds of the Hill House Estate. Within this estate there may be structures remaining, for example an old ice house was found in Gerrish Avenue. Accordingly, a condition is recommended to secure an archaeological watching brief.*

5.20 It is therefore considered acceptable that a similar condition be attached to this decision notice.

5.21 **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.

5.22 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.

5.23 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.

5.24 **Planning conclusion**

The site benefits from extant planning permission for the erection of 4 self-build dwellings. This application is again for 4 self-build dwellings with the difference being access is to be Phase 1 and the dwellings themselves would be Future Phasing. This means that the order in which the houses are built can be according to when each individual is ready to proceed with the build. This is part and parcel of the self-build process which is encouraged by the government.

5.25 The scheme is therefore recommended for approval.

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. Approval of the details of the design/appearance of the building(s), 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 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

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

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

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

5. Development shall proceed in accordance with the approved Phasing Plan (drawing number 1803-0L-006 rev A as received on 2nd January 2019), with Phase One to be completed prior to the commencement of any other phase. In the interests of clarity, Phase One consists of the implementation of the access road and the provision of services for each plot. Each dwelling shall be implemented as an individual future phases on a plot by plot basis.

Reason 1

To ensure that the development is comprehensively planned, designed and phased and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Reason 2

To enable the viable delivery of this self-build scheme, in accordance with policy PSP42 of the Policies Sites and Places Plan (Adopted) November 2017.

6. The dwellings hereby approved shall not exceed 8.3 metres in height.

Reason

To ensure the height is in keeping with the existing street scheme and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

7. No dwelling shall be occupied until the access and parking arrangements for that phase has been provided in accordance with the submitted details and retained thereafter.

Reason

In the interest of highway safety and to accord with Policies PSP 11 and PSP16 of the Policies Sites and Places Plan (Adopted) 2017.

8. As part of the reserved matters required for each phase, a plan demonstrating two covered and secure cycle parking spaces shall be submitted to the Local Planning Authority.

Reason

To promote sustainable transport choices and to accord with Policy PSP 16 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017.

9. As part of the reserved matters required for each phase, a plan demonstrating facilities for refuse collection for each residential unit shall be submitted to the LPA. This facility shall be retained thereafter.

Reason

To ensure the satisfactory provision of refuse collection facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the SPD: Waste Collection (Adopted) 2015.

10. As part of the reserved matters required a plan demonstrating facilities for plug in or other ultra-low emission vehicles shall be submitted to the LPA. These facilities shall be retained thereafter.

Reason

To promote sustainable transport choices and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the South Gloucestershire Council SPD: Residential Car Parking Standards (Adopted) 2013.

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

Reason

This is a prior to commencement condition to avoid any unnecessary remedial action and in the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

12. The hours of working on site during the period of construction shall be restricted to Monday - Friday 7.30 - 18.00 and Saturday 8.00 - 13.00 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 ensure the protection of the amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

13. As part of the reserved matters required for each phase, evidence of the provision of 70 square meters of private, functional residential amenity space shall be submitted to the LPA. Space to the front and footpaths around a property cannot be included in the calculation.

Reason

To secure the amenity of future occupiers of the development and to accord with adopted Policy PSP43 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017; and the provisions of the National Planning Policy Framework.

14. Prior to the commencement of development, details of surface water drainage including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection, shall be submitted and approved by the Local Planning Authority in writing. The development shall then be carried out in strict accordance with the approved details.

This is a prior to commencement condition to avoid an unnecessary remedial action in future and:

Reason 1

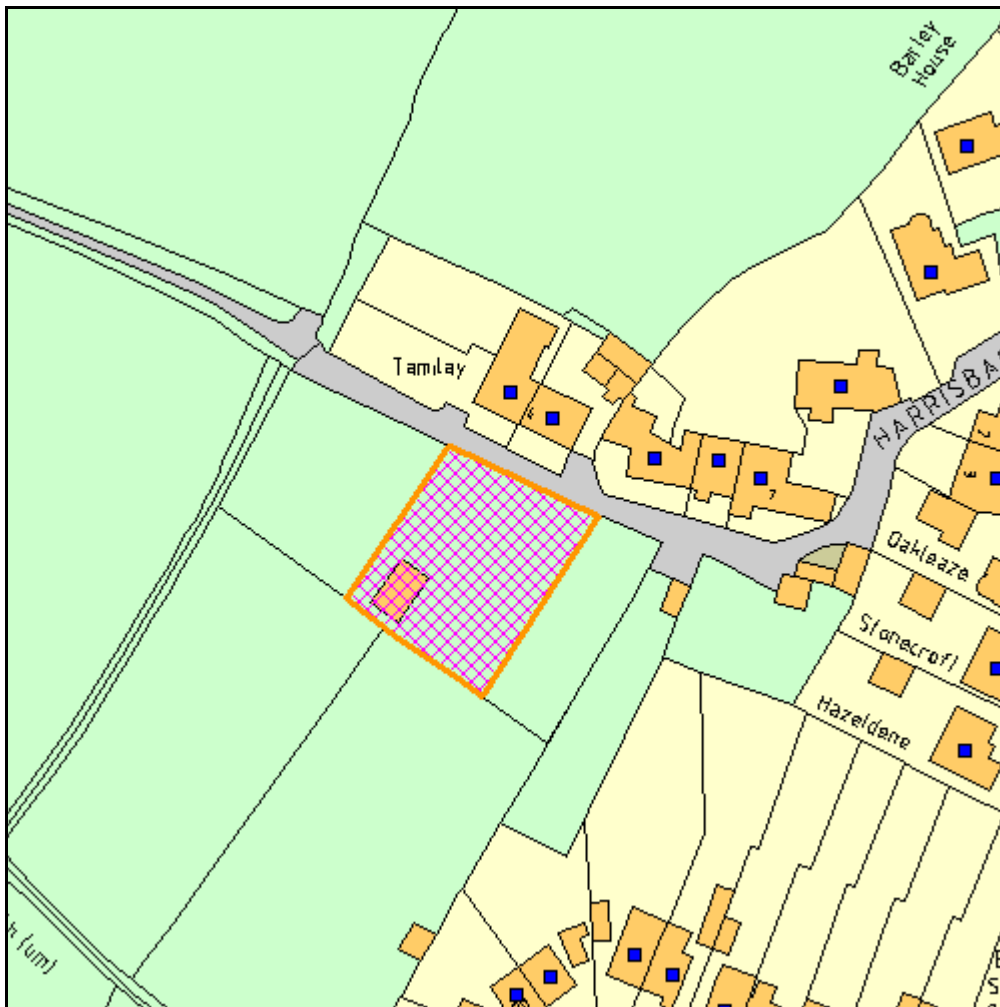
In the interest of onsite drainage, and to comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

Reason 2

Site drainage is integral to the layout of the site, with this in mind, it is necessary for the drainage at the site to be determined prior to the commencement of development in order to avoid future remedial works.

CIRCULATED SCHEDULE NO. 03/19 – 18 JANUARY 2019

App No.:	PT18/4155/O	Applicant:	Mr Adam Gould
Site:	4 Harris Barton Frampton Cotterell Bristol South Gloucestershire BS36 2ET	Date Reg:	14th September 2018
Proposal:	Erection of 1no detached dwelling (Outline) with access to be determined, all other matters reserved.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366530 181256	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	6th November 2018



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 100023410, 2008. **N.T.S.** **PT18/4155/O**

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 has been referred by the Case Officer to the Council's Circulated Schedule procedure, following the receipt of an appeal against non-determination by the applicant.

1. THE PROPOSAL

- 1.1 This application seeks outline planning permission for 1 no. detached dwelling with access to be determined, and all other matters reserved, at 4 Harris Barton, Frampton Cotterell.
- 1.2 The application site is within the open countryside and the Bristol/Bath Green Belt, and is outside the settlement boundary of Frampton Cotterell.
- 1.3 The host property, no 4 Harris Barton is a locally listed cottage. Also locally listed are the attached cottage known as Tamilay, no. 6 and no. 7 Harris Barton.

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
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP19 Wider Biodiversity

PSP38 Development within Residential Curtilages
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

South Gloucestershire Residential Parking Standard SPD (Adopted) 2013

Development in the Green Belt SPD (Adopted) January 2007

3. RELEVANT PLANNING HISTORY

3.1 There is no recent or relevant planning history at the site.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council
Objection.

The plans for this development are in the Green belt outside of the curtilage of the house on a narrow road with no footpath on a busy school route, which will cause a danger to pedestrians.

This development is not in keeping with the Village Design statement and will not retain the rural aspects.

4.2 Other Consultees

Sustainable Transport

Harris Barton is a narrow winding shared surface class 4 adopted road. There are 15 dwelling which are currently accessed from the road which leads into a bridleway. Limited turning facilities exist none of which are of a suitable size to enable a refuse vehicle to turn. There are some wider sections of the road where cars can pass one another.

The additional traffic and pedestrian movements generated by the proposal would not have a significant impact on safe use of the road. To assist with turning can you please ask the applicant to move the turning area so that it is opposite the turning area to the side of number 4 thus providing something more usable.

For a 3 bed dormer bungalow, 2 car parking spaces would be required. Please can it be indicated where these would be provided. I recommend suitable conditions to secure 2 covered and secure cycle parking spaces and an electric vehicle charging point.

Archaeology

No comment received.

Landscape

The site is a well-established and well maintained informal cottage garden, bounded by a pennant sandstone wall. The garden is extremely attractive with lovely low timber frame glass houses and beds of flowers for cutting. Old fashioned gardens such as these are becoming increasingly scarce and is a very significant landscape element, contributing hugely to the wonderful intimate hamlet character of Harris Barton.

The garden is integral to the setting of the adjacent locally listed building and its development would harm its setting. The need of such a large set back entrance is queried (labelled turning area on the drawing).

Beautiful carved stone gate post stand either side of the gated entrance to the garden that should be saved and incorporated if the development goes ahead.

It is hoped that development may be resisted. However, in the event of development being felt to be acceptable it is recommended that careful consideration be given to the architectural style of the house, which should be carefully integrated with the garden. Because of the importance of the garden it is advised that the landscape design should be agreed prior to determination and not conditioned.

Lead Local Flood Authority

No objection. Informative recommended.

Ecology

There are several ecological features that could potentially be adversely impacted by the proposed development. Therefore, ecological surveys are required. This outline application cannot be determined until a Preliminary Ecological Appraisal has been completed. This will identify if protected species are present within the site and provide recommendations on how to mitigate for them and ultimately enhance the site for biodiversity.

Other Representations

- 4.3 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated outside of any defined settlement, as identified on the proposals maps, and is therefore in the open countryside and rural area of the district. This part of the district also falls within the Green Belt. Policy CS5 directs new development to the existing urban areas and defined settlements unless it comes forward a neighbourhood plan. In relation to the green belt, policy CS5 requires development proposals to accord with the provisions of the NPPF. Policy CS34 considers development in the rural areas. This policy too seeks to direct development to the defined settlements whilst protecting the green belt from inappropriate development, and the impact on the Green Belt will be considered in greater detail below.

- 5.2 The location is not an appropriate place for development as it fails to accord with the locational strategy of the Development Plan set by policy CS5 and CS34. Policy PSP40 manages residential development in the countryside. This policy allows for certain forms of residential development, such as rural housing exception initiatives, rural workers dwellings, and the conversion of existing buildings for residential purposes, however the development does not fall under any of these categories.
- 5.3 *Five Year Housing Land Supply*
Paragraph 11 of the NPPF states that when an authority cannot demonstrate a 5-year supply of deliverable housing land, the policies in the Development Plan which act to restrict the supply of housing should be considered out of date and applications for residential development considered under the presumption in favour of sustainable development.
- 5.4 As of 14th December 2018, the Authority Monitoring Report 2018 states that South Gloucestershire does have over a 5 year housing land supply, and so the titled balance within paragraph 11 of the NPPF is not engaged. Therefore, the requirement of policy CS5 and CS34 to direct development to the existing urban areas and defined settlement boundaries must be considered in date and can be afforded weight. As the site is located outside of the settlement boundary of Frampton Cotterell, this development is unacceptable in principle.
- 5.5 *Green Belt*
The NPPF confirms that inappropriate development is by definition harmful to the Green Belt and should not be approved unless there are very special circumstances. Moreover, substantial weight should be given to any harm to the Green Belt. Paragraph 133 confirms that the essential characteristic of the Green Belt is that it is permanently open, and Paragraph 134 lists the five purposes including safeguarding the countryside from encroachment. Paragraphs 145 and 146 of the NPPF state that, other than the types of development listed as exceptions in that paragraph, the construction of new buildings in the Green Belt is inappropriate, subject to five exceptions, including *'limited infilling in villages'* and *'the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development.'*
- 5.6 Officers do not dispute that the proposal is limited, as it is for only one unit. The Core Strategy defines infilling as 'the development of a relatively small gap between existing buildings, normally within a built up area'. The proposed development would clearly extend the built form to the west and south, out into the open countryside, and cannot be described as infilling. Furthermore, the site is on the opposite side of Harris Barton and is not infilling between any of the existing properties, and would be isolated to the south-west of the highway. Officers therefore do not consider the property to represent limited infilling in a village. Furthermore, officers do not consider the site to form part of a village, as it is outside of the settlement boundary of Frampton Cotterell.

- 5.7 Officers have also considered whether the development proposes the redevelopment of previously developed land which does not have a greater impact on the openness of the Green Belt. The site is a residential garden in a rural area and does constitute previously developed land according to the NPPF definition, and site currently consists of a large greenhouse and some small garden sheds. Whilst this application is in outline with only access to be determined, the Design and Access Statement indicates a dormer bungalow is proposed, and this will have a greater impact on openness than the existing green houses on site. Officers therefore conclude that the development does not conform with any of the exceptions and therefore represents inappropriate development on Green Belt land.
- 5.8 Design and Heritage
The location of the plot is not considered to be in keeping with the surrounding built form, as it would involve the erection of a new dwelling to the south of Harris Barton when all of the built form is to the north. This would be out of keeping with the pattern of development on this stretch of Harris Barton and to the contrary of policy CS1 of the Core Strategy.
- 5.9 The design of the dwelling is a reserved matter but it is envisaged that it will be a dormer bungalow with a pitched tiled roof, with walls being of brickwork and rendering. Fenestration will be traditional timber or UPVC casement windows and doors. A dormer bungalow would not be in keeping with the surrounding properties which are two storey cottages finished in render and stone, rather than brick.
- 5.10 The development would also harm the character of no. 4, no. 6, no. 7 and Tamilay which are all locally listed buildings, due to the loss of the informal cottage gardens and the pennant sandstone wall which contribute to their setting. The development would therefore be contrary to policy PSP2, PSP17 and CS9.
- 5.11 Landscape
As mentioned above, the informal cottage gardens contribute hugely to the setting of the locally listed buildings and the rural hamlet character of Harris Barton. Gardens such as this with low timber framed glass houses and traditional beds of flowers are scarce and are considered to be a significant landscape element in this location. The loss of the gardens would be contrary to policy PSP2.
- 5.12 Ecology
No ecological information has been submitted to support the application. There are several buildings in the garden, some of which may be suitable for roosting bats. In addition, the hedgerow and garden may provide foraging and commuting opportunities for bats and nesting birds, particularly as there is good connectivity to the wider countryside. Hedgehogs and slowworms may also be present on site.

- 5.13 In the absence of a Preliminary Ecological Appraisal, the Local Planning Authority cannot ascertain whether protected species are present on site and whether mitigation is required. The development does not propose any elements which would enhance the site for biodiversity either, and so the development is contrary to policy PSP19.
- 5.14 Residential Amenity
Although the application is outline with access only to be determined, officers are satisfied that there is adequate space within the plot for 1 no. dwelling with parking and turning whilst retaining adequate private amenity space for future occupiers of the unit. The host property, 4 Harris Barton, also has access to amenity space to the north of the property which will not be affected, so the host properties amenities will not be harmed. The dwelling proposed can be positioned so that the window to window distance is approximately 20 metres and so inter-visibility will not be possible. The proposed dwelling would may cause some overshadowing to the other gardens on the south side of Harris Barton, but these gardens are large and limited overshadowing in some areas at different points of the day would not be detrimental to the residential amenities of the users of these gardens. The development is considered to accord with policy PSP8.
- 5.15 Vegetation
There are a number of trees within the site, and no arboricultural information has been submitted to demonstrate that the trees will be protected during the course of development. The loss of the trees without justification or unnecessary damage to the trees would be harmful to the visual amenity of the area and the wider landscape to the contrary to policies PSP2 and PSP3.
- 5.16 Transport
Harris Barton is a narrow winding road serving 15 dwellings which has a single track width at several points, and turning heads are few with none of them suitable for a refuse vehicle. Whilst the access is difficult, the additional traffic and pedestrian movements generated by the proposal would not have a severe impact on highway safety as the movements would be limited. Furthermore the development would have access to its own turning area, and would be able to access and egress the site in a forward gear. The Transport officer recommends that the turning head is relocated further to the east so that it is opposite the turning head for no. 4 Harris Barton, as this would create an additional opportunity for vehicles to pass, however the current location of the access is also policy compliant.
- 5.17 Two off-street parking spaces are required for the size of dwelling proposed, and the location will be agreed as part of the reserved matters application, along with cycle parking facilities. The development is considered to accord with policies PSP11 and PSP16.
- 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.

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 **refuse** 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 planning permission is **REFUSED** for the reasons on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 864735

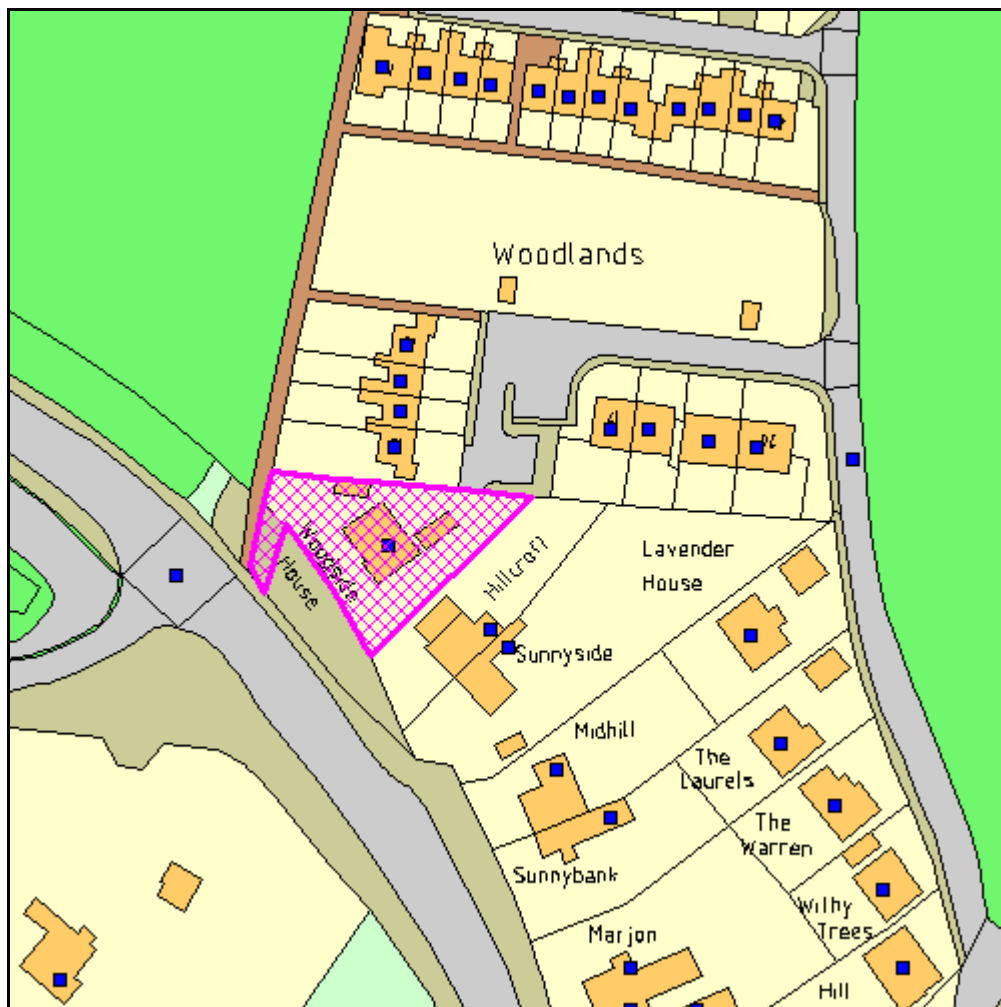
REFUSAL REASONS

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.
2. The site would be located outside an established settlement boundary and as such would be contrary to Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; Policy PSP40 of the Policies Sites and Places Plan (Adopted) 2017 and the NPPF in general.
3. The location of the development to the south of Harris Barton would, if approved, be out of keeping with the pattern of development on this stretch of Harris Barton and would be incongruous within the street scene. This would be to the contrary of policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. The garden is integral to the setting of the adjacent locally listed buildings to the north and is a significant landscape element which contributes to the rural character of Harris Barton. The development, if approved, would be harmful to the setting of the locally listed properties due to the loss of their associated landscaped gardens and would be to the contrary of policies CS9 and CS34 of the Core Strategy (Adopted) December 2013, policies PSP2 and PSP17 of the Policies Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.
5. The development has the potential to harm bats, nesting birds, hedgehogs and slowworms, which are protected under the European Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora ('The Habitats Directive 1992') implemented in Britain by the Habitat Regulations 2012 (as amended); and/or the Wildlife & Countryside Act 1981 (as amended). In the absence of a Preliminary Ecological Appraisal, the Local Planning Authority cannot be sure that these species will not be harmed, nor can biodiversity gain be sought from the development, which is contrary to policy PSP19 of the Policies Sites and Places Plan (Adopted) November 2017, policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework, and is also contrary to the Habitat Regulations 2012 (as amended).
6. There are a number of trees on site, however the application is not supported by an arboricultural report (including a tree constraints plan, tree protection plan and arboricultural statement). Therefore it is unclear whether the trees, which are considered to make a positive contribution to the street scene, are to be removed or harmed to facilitate the development, nor are any mitigating measures proposed. Their removal would be harmful to the visual amenity of the area and the rural character of Harris Barton, to the contrary of policies PSP2 and PSP3 of the Policies Sites and Places Plan (Adopted) November 2017, policies CS1 and CS9 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 03/19 – 18 JANUARY 2019

App No.:	PT18/4874/F	Applicant:	Mr Adrian Doling
Site:	Woodside House Stowell Hill Road Tytherington Wotton Under Edge South Gloucestershire GL12 8UH	Date Reg:	26th October 2018
Proposal:	Demolition of existing garage. Erection of a single storey side extension and a two storey side extension to form basement store and additional living accommodation. Construction of raised terrace to rear and installation of new 1.8 metre high boundary fence.	Parish:	Tytherington Parish Council
Map Ref:	366635 188705	Ward:	Ladden Brook
Application Category:	Householder	Target Date:	19th December 2018



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 100023410, 2008. **N.T.S.** **PT18/4874/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

This application has been referred to the circulated schedule for determination as objections from local residents have been received.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to demolish an existing garage, erect a single storey side extension and a two storey side extension, construct a raised terrace to the rear and install a new 1.8m high boundary fence at a detached property on Stowell Hill Road in Tytherington.
- 1.2 The site is sloped with the rear garden falling away from the property; the ground floor is therefore at a raised level at the rear of the building.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2018
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PRE18/0318

Single storey extension to left hand side of property. Full height extension to right hand side of property. Terrace walkway and steps to access rear garden.
14.06.2018

- 3.2 PT17/0404/F
Erection of single storey front and side extension and two storey side and rear extension to provide additional living accommodation. Erection of raised decking area and alterations to vehicular access area.
Withdrawn
13.07.2017

4. CONSULTATION RESPONSES

- 4.1 Tytherington Parish Council
No comment

4.2 Other Consultees

Sustainable Transport
No objection

Councillor
Support

- best design approach for site

Other Representations

- 4.3 Local Residents
27 local residents have objected to the scheme. Their comments are summarised below:
- harm to character and appearance of area due to design, height and massing
 - overlooking
 - overbearing
 - true topography of site not reflected in submitted drawings
 - no justification for scheme

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the demolition of an existing garage, erection of side extensions and a raised terrace, and the installation of a boundary fence at a detached dwelling in Tytherington.

- 5.2 Principle of Development
Extensions and alterations are permitted in principle by policy PS38 subject to an assessment of design, amenity and transport. However, an unfavourable pre-application for a similar scheme was submitted in March 2018. This is material in the consideration of this application and indicates that planning permission should not be granted unless the issues highlighted at the time have been overcome.

5.3 Design

Development should respect the character and appearance of the original property. The extensions are located to both sides, but it is considered that they are commensurate with the scale and character of the property. Furthermore, the materials proposed would match the existing. Whilst there are allegations that there would be harm to the character and appearance of the area, Officers do not think this would be the case given the overall standard of design is considered acceptable.

5.4 The layout of the proposed decking has been positioned to allow access to the garden and provide a small seating area. The appearance of the decking is considered acceptable.

5.5 Amenity

Development should not be permitted that has a prejudicial impact on residential amenity. The development would not lead to a significant loss of garden land from the planning unit and therefore would provide adequate living conditions for the occupiers.

5.6 In terms of amenity, the area of most concern would be the proposed decking. However, the existing ground floor windows already provide some visibility into adjacent gardens, the new terrace is only the width of a walkway and the proposed seating area is tucked away. It is therefore considered that the installation of the decking would not have a prejudicial impact on residential amenity.

5.7 A neighbouring occupier (Hillcroft) is concerned that the proposed two-storey side extension would be sited too close to their property, such that it would appear uncomfortably overbearing for them, and that there is the possibility that it would result in a loss of privacy as a result of overlooking from ground and first floor windows into their plot. Furthermore, it is alleged that the submitted drawings do not accurately depict the topography of the site and immediate surroundings.

5.8 Hillcroft is a two-storey semi-detached dwelling, set lower than the application site. In terms of layout, its carport is adjacent the mutual boundary. However, the degree of separation between the proposed extension and Hillcroft, and the careful design of the proposal in terms of elevation length and use of high-level/obscured windows, would ensure there is no unacceptable overlooking or overbearance for the occupants of Hillcroft. Officers also saw on site that the top of the carport was about the same height as the bottom of the existing side porch. The plans are therefore considered to be an accurate reflection of the ground levels.

5.9 Transport

The proposal will increase the number of bedrooms within the property from 4 to 5. The Council's minimum parking standards state that a 5-bed dwelling requires three off-street parking spaces. This requirement will be met by extending the existing driveway, thereby allowing room to manoeuvre and leave the site in forward gear. No change to the existing vehicular access is proposed. Therefore, there is no transportation objection.

5.10 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.

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

5.12 Other Matters

Lack of justification: the reason behind the submission of this application does not constitute a material planning consideration and has not been given weight in the determination of this application.

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 the conditions listed below:

Contact Officer: Helen Braine
Tel. No. 01454 863133

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 be implemented strictly in accordance with the following plans:

Received 24.10.2018:

The Layout Plan (1 of 12 (001))

Site Layout Details Plan (2 of 12 (001))

Site Layout Plan (3 of 12 (001))

Front and Side Elevations Plan (4 of 12 (001))

Side/Rear Elevations Plan (5 of 12 (001))

Proposed Side/Front Elevations Plan (6 of 12 (001))

Proposed Side/Rear Elevations Plan (7 of 12 (001))

Existing First/Ground/Basement Floor Plan (8 of 12 (001))

Proposed Ground/First/Basement Floor Plan (9 of 12 (001))

Existing/Proposed Sections Plan (10 of 12 (001))

Ground Floor and First Floor Plan (12 of 12 (001))

Reason

For the avoidance of doubt.