

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: 14/22

Date to Members: 07/04/2022

Member's Deadline: 13/04/2022 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

1) Any application submitted by, or jointly, or on behalf of the Council.

2) Any application submitted by or any matter directly affecting or involving any

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

3) Any application requiring a new planning agreement.

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

Dates and officer deadlines for Circulated Schedule Easter Bank Holidays 2022

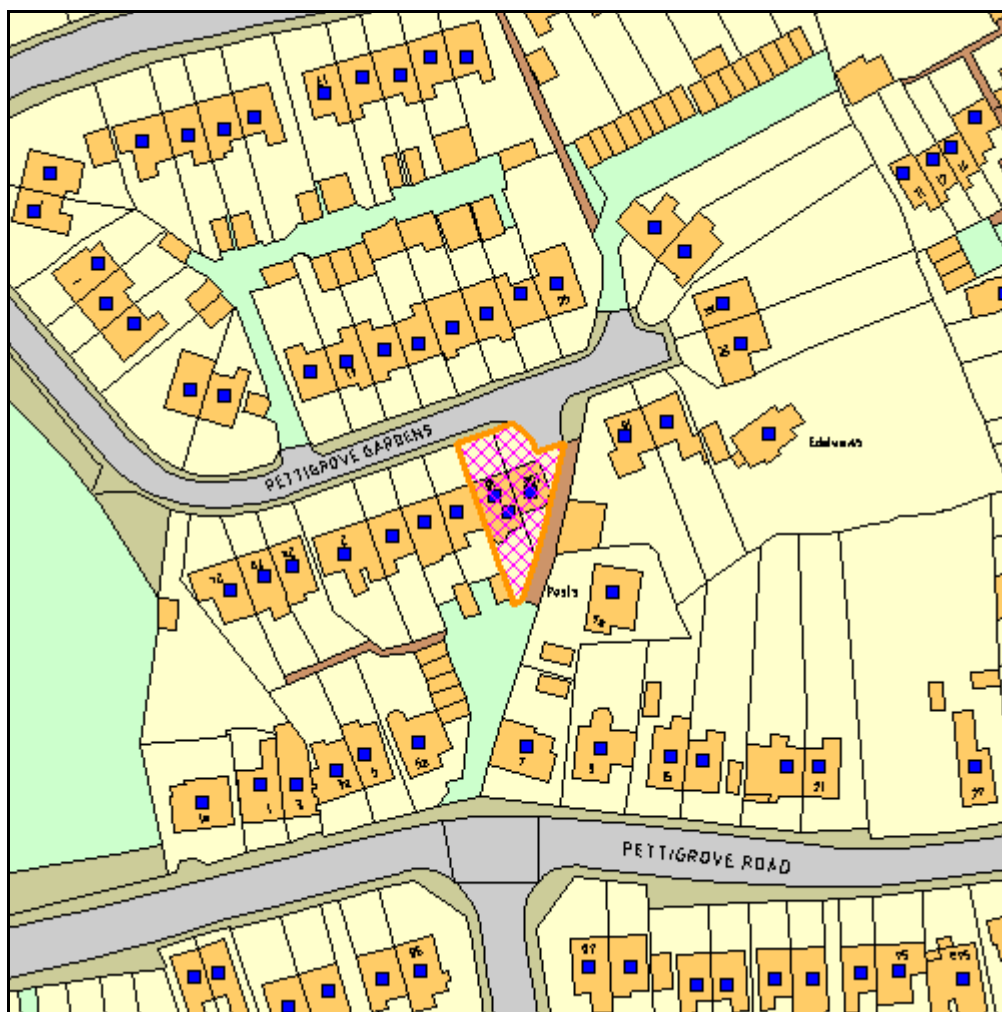
Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
13/22	5pm Wednesday 30 th March	9am Friday 1 st April	5pm Thursday 7 th April	Friday 8 th April
14/22	5pm Tuesday 5 th April	9am Thursday 7 th April	5pm Wednesday 13 th April	Thursday 14 th April
15/22	12noon Tuesday 12 th April	9am Wednesday 13 th April	5pm Thursday 21 st April	Friday 22 nd April

CIRCULATED SCHEDULE - 07 April 2022

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/06954/F	Approve with Conditions	10 Pettigrove Gardens Kingswood South Gloucestershire BS15 9QL	Kingswood	None
2	P22/00144/F	Approve with Conditions	Grooms House Stanshawes Court Drive Yate South Gloucestershire BS37 4DZ	Yate Central	Yate Town Council
3	P22/00266/RVC	Approve with Conditions	Land At 21 Sweets Road Kingswood South Gloucestershire BS15 1XJ	Kings Chase	None
4	P22/00938/HH	Approve with Conditions	Homestead 2 Homestead Gardens Frenchay South Gloucestershire BS16 1PH	Frenchay And Downend	Winterbourne Parish Council
5	P22/01085/F	Refusal	Land At School House The British Yate South Gloucestershire BS37 7LH	Ladden Brook	Iron Acton Parish Council

CIRCULATED SCHEDULE NO. 14/22 - 7th April 2022

App No.:	P21/06954/F	Applicant:	Mr Edmondson Built Square
Site:	10 Pettigrove Gardens Kingswood South Gloucestershire BS15 9QL	Date Reg:	16th November 2021
Proposal:	Conversion of 1no existing dwelling and annexe (Class C3) to form 3no. self contained flats (Class C3), with parking and associated works.	Parish:	None
Map Ref:	365109 173016	Ward:	Kingswood
Application Category:	Minor	Target Date:	7th January 2022



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

INTRODUCTION

This application appears on the Circulated Schedule, due to consultation responses received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the conversion of 1no existing dwelling and annexe (Class C3) to form 3no. self-contained flats (Class C3), with parking and associated works.
- 1.2 The application site is an existing dwelling and attached annex, associated with 10 Pettigrove Gardens and is located within the residential area of Kingswood.
- 1.3 The existing building has been subject to the permissions highlighted in the planning history section below, this includes an extension above what was an attached garage and the conversion of the garage to a separate flat. The applicants have stated that the ground floor flat itself, subject of previous, different consent for its conversion, does not form part of this application, whilst the extension above does form part of the application to convert to flats. The proposals would essentially, from a 4 bedroom house and 1 bedroom annex, create 3 individual, additional residential units comprising of one two bedroom flat and two one bedroom flats.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS8	Access/Transport

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

PSP1	Parking Standards
PSP8	Residential Amenity
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD

3. RELEVANT PLANNING HISTORY

K5546 – First floor extension above garage. Approved 28/8/87

PK04/0661/F - Installation of rear dormer to facilitate additional living accommodation. Approved 16/4/04

PK09/0865/F - Conversion of existing integral double garage to form 1no. self-contained flat with associated works. Approved 26/6/09

4. CONSULTATION RESPONSES

4.1 Parish Council No Parish

Sustainable Transportation

No in principal objection to this application, it is recommend that consideration of the parking spaces proposed on site are turned 90% to face the road and provide greater space

Lead Local Flood Authority

No objections in principle, recommended informative relating to proximity to public sewer

Other Representations

4.2 Local Residents

8 letters of objection have been received, these are summarised as follows:

- The street is already too congested and parking is already a problem
- Sometimes it is hard to get a car through
- The parking situation at the moment is hazardous and this will only make matters worse
- Problematic for emergency vehicles and if problems occur the Council will be responsible
- this would represent a health and safety issue
- The application could mean an addition 2-8 vehicles
- There are not enough spaces along the street
- The condition of the road is poor
- The surrounding roads are often used by commercial vehicles, parked sometimes overnight, and used for school drop offs making crossing the roads difficult

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Development and extensions to buildings and dwellings within residential curtilages, including new dwellings, are acceptable in principle subject to detailed development control considerations in respect of local amenity, design and transportation; as set out in policy PSP38. Existing permissions for the site are listed above. Each application should be addressed on its own merits. The

main issues for consideration in this respect are therefore considered to be whether the conversion of the dwelling and annex to 3 self-contained units would have an adverse impact on the amenities of nearby occupiers and whether the proposals provide for adequate private amenity space and parking for the proposed and existing dwellings and whether design and layout of the proposal is sufficiently in keeping and acceptable to the site and surroundings.

5.2 Design and Residential Amenity

The building would remain in residential use. No further external changes are proposed. The length, size, location and orientation of the proposals and the relationship with other properties in the area, therefore will remain the same and there are not considered to be any additional significant or material overbearing or overlooking impacts on adjacent properties in this instance, the subject of this application. The building itself provides sufficient room and living space in each unit.

5.3 Amenity space:

Flat no1, as referenced in the plans, would essentially benefit from the rear garden area currently associated with the current dwelling (No.10). This is of sufficient size, in accordance with the PSP43, to serve the proposed 1 bed flat. No. 10 a (- the separate flat approved under PK09/0865/F) is served by the allocated garden area behind it, and this would remain the case.

5.4 In terms of the two upper level flats, private amenity space opportunities associated and accessed directly to the properties are more limited. Opportunities to utilise the rear garden as more of a shared or subdivided space were investigated, however it is not possible in its current form to access the garden directly from either flat and any access therefore would have been down the side lane and through the back. This situation and layout was not considered suitable or accessible. Therefore like many flat conversions the garden has been allocated to the ground floor properties, the alternatives being small poorly accessed fence enclosures with little amenity value. The rear garden as proposed therefore serves Flat no.1. The two upper flats would not have direct access to the garden space attached to the property. Notwithstanding this it is noted that there is a balcony attached to the rear of the property which would be accessed directly from the rear of Flat 2. There appears to be no direct planning history for the balcony, however it is illustrated on the plans associated with PK09/0865/F. PSP43 states that the form of private amenity space will be dependent upon the type of accommodation and could include a number of types of provision, including a balcony. PSP43 also suggests as a guide that a 1 bed flat should where possible seek to provide a minimum of 5m² space. The balcony represent approximately 6m², so would be policy compliant in this respect. The relationship between the upper floor and the existing flat below is as existing, and whilst there would be overlooking over the rear amenity space associated with the ground floor flat this situation between two separate units already exists is not further materially impacted by these proposals.

5.5 Further to this and in consideration of flat No.3, in reviewing the amenity space situation, the supporting text to PSP43 states that in certain locations and circumstances, the space standards may need to be relaxed. Higher density

developments, including flats in more urban areas may be appropriate in certain locations and circumstances and may therefore lead to a relaxation of the specific standards. In this instance, the development does demonstrate acceptable design standards in terms of living space, access to fresh air and daylight through provision of sufficient windows and openings for light and helps provide for a diversity of housing availability in an urbanised and sustainable area, with transport links, in the vicinity. The site is in a sustainable location and in close proximity to a number of publically accessible open space areas that provide alternative amenity options, including Court Road Park and Play Area immediately to the west and Woodstock Park to the east. In assessing private amenity space considerations the proposals are acceptable in this instance.

5.6 Transportation

The comments above are noted. Concerns were raised as to the level of off-street parking provision to serve the properties created. This has subsequently been reviewed and the applicants have provided revised parking plans. The proposals retain one off-street parking space for the existing ground floor flat, not subject to this application. Three spaces are proposed for the three new units proposed new unit and two for the existing dwelling. This is in accordance with the Council's adopted parking standards for the number of bedrooms for each dwelling. The proposals would require additional dropped kerb which would need to be implemented in accordance with Street Care consent requirements. An electricity pole is currently located on the pavement outside of the property which is likely to hinder access to the proposed parking spaces and on this basis would, be required to be removed/relocated to allow access to the spaces. The applicants are in the process of discussing its relocation with Western Power. Over and above this, planning permission does not permit unauthorised or unlawful parking or blocking of the highway, which would be dealt with as a legal civil issue. A condition is recommended to ensure the parking is provided and retained, and cycle stores and charging point provided.

5.7 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 as it would not positively or negatively impact upon protected characteristics.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is granted, subject to the conditions recommended below:

CONDITIONS

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

Reason

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

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

Location Plan, Existing and Proposed Block Plans and Existing and Proposed Floor Plans (Refs 002A and 004B), received by the Council on the 29th October 2021 and Existing and Proposed Elevations (Ref 005), received by the Council on the 15th November 2021 and Parking Plan (Ref 004 D), received by the Council on the 25th March 2022.

Reason

To define the terms and extent of the permission.

3. The off-street parking and access shown on the plan hereby approved shall be provided before the flats are first occupied, and thereafter retained for that purpose.

Reason

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

4. Prior to the occupation of the flats hereby approved one 7Kw 32 Amp electric vehicle charging point per dwelling, and cycle stores shall be provided and thereafter retained.

Reason

In the interests of sustainable travel options and in accordance with CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

Case Officer: Simon Ford

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO.14/22 - 7th April 2022

App No.:	P22/00144/F	Applicant:	Tily Carpentry & Property Maintenance Ltd
Site:	Grooms House Stanshawes Court Drive Yate South Gloucestershire BS37 4DZ	Date Reg:	13th January 2022
Proposal:	Erection of 1 no. building to form dog grooming parlour (Sui Generis).	Parish:	Yate Town Council
Map Ref:	371488 181880	Ward:	Yate Central
Application Category:	Minor	Target Date:	9th March 2022



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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.

In accordance with the Council's Scheme of Delegation (Constitution) this application is referred to the Circulated Schedule as comments from a Parish or Town Council have been received which could be construed as contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for construction of a single storey commercial building for use as a dog grooming parlour. The length would be 8.5m, width 4.5m, height 2.45m to eaves and 4.245m to ridge, and total internal floor area 32.3 sq. m GIA. 1no. door and 2no. windows are proposed to the front (north) elevation, and 2no. windows to the eastern side elevation. External materials proposed are timber cladding for walls, double roman roof tiles, white uPVC doors and windows and black uPVC rainwater goods.
- 1.2 The application site is sited between an L-shaped part of the existing Grooms House with gravel surface, currently used for parking.
- 1.3 The site lies in a central location within Yate within the settlement boundary of Yate and Chipping Sodbury as defined on the Policies Map., Residential properties back on to this from the north beyond a distinctive serpentine wall called The Crinkle-Crankle Wall. Kingsgate Park public open space lies further to the south and east and Stanshawes Court Hotel to the west. The site is accessed via a single track road (Stanshawes Court Drive) leading from Sundridge Park to the west. The Stanshawes Court Hotel and Crinkle-Crankle Wall are both locally listed.
- 1.4 The application is supported by existing and proposed plans and elevations, Design and Access Statement, flood and drainage supporting information. Updated drawings, a method statement for construction, cycle shelter details, supporting photographs and specifications were submitted during consideration of the application.
- 1.5 The red line for the application site originally included a separate area covering three car parking spaces, which was removed following changes to the parking arrangements for the wider site but remaining within the blue line boundary of land within the applicant's control. This has not affected the scope of assessment and as such, no further public consultation has been conducted. The case officer is satisfied this does not disadvantage the public interest.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2021
Planning Practice Guidance
- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4a Presumption in favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS10 Minerals
- CS30 Yate and Chipping Sodbury

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

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP3 Trees and Woodland
- PSP5 Undesignated Open Spaces within Urban Areas and Settlements
- PSP6 Onsite Renewable and Low Carbon Energy
- PSP8 Residential Amenity
- PSP11 Transport Impact Management
- PSP16 Parking Standards
- PSP17 Heritage Assets and the Historic Environment
- PSP19 Wider Biodiversity
- PSP20 Flood Risk, Surface Water and Watercourse Management
- PSP21 Environmental Pollution and Impacts
- PSP24 Mineral Safeguarding Areas

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Trees and Development Sites SPD (Adopted) 2021

3. RELEVANT PLANNING HISTORY

- 3.1 PK12/3533/F - Ground and first floor extension to an existing office/workshop building (Use Class B1) with replacement 2.5 metre high courtyard wall and doors, general refurbishment and associated works.
Approved 04.01.13 subject to conditions
- 3.2 PK13/0753/RVC - Removal of condition 6 attached to planning permission PK12/3533/F stating all service/delivery/HGV vehicles are directed to the vehicle car park on the south side of the application site
Approved 21.06.13 subject to conditions
- 3.3 PK14/0916/PNC - Prior notification of a change of use from Offices (Class B1a) to dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)
12.04.14 Prior Approval Not Required
- 3.4 P19/18611/F - Installation of first floor fire escape and metal external staircase with associated fencing.
Approved 10.08.20 subject to conditions

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Do not object to this application in principle, but comment that considerations must be given to the type of materials proposed, as suggestions are not currently in keeping with the surrounding buildings.

4.2 Lead Local Flood Authority

No objection

4.3 Sustainable Transport

The site is accessed via Stanshawes Court Drive which is private. The road has an adopted footpath towards the west end with the eastern section being a shared surface. The width of the road reduces to a single lane width for a short distance before opening up into the Stanshawes Court Hotel area. The site can also be accessed on foot from Kingsgate Park. Although the access road is constrained in width and lacks a footway for much of its length, given the existing use, the minimal amount of traffic associated with the proposal would not have any significant impact on highway safety and as such no Transport objection is raised.

4.4 Highway Structures

No response received

4.5 Environmental Protection - Noise

No sustainable objection, the standard Informative applies for the construction phase.

4.6 Environmental Protection - Contaminated Land

No comments due to scale and use of the development.

4.7 Listed Building and Conservation Officer

The adjacent building of Stanshawes Court is locally listed, as is the "crinkle-crankle" boundary wall immediately to the north of the site for the new structure. The development proposals, by reason of scale, design and site context, would not impact on the heritage significance of either non-designated asset and so there are no heritage objections.

Other Representations

4.8 Local Residents

1no. written comment received in objection, summarised as follows:

- Have grave concerns as existing service and parking areas inadequate to sustain another business however small
- Area has become very popular and busy since introduction of the café
- Limited turning space for large vehicles leaving 100 year old Crinkly Crankly boundary wall very vulnerable, is expensive to repair
- Despite customer only signage frequently see people parked and taking dogs or children through to adjoining park

- Can foresee customers parking anywhere to drop off their dogs if no space is available

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy CS4A of the Local Plan Core Strategy 2013 provides a presumption in favour of sustainable development and for this to be approved unless material considerations indicate otherwise. Policy CS30 seeks to deliver vision for Yate and Chipping Sodbury, including providing for employment, diversifying the range of jobs available, and making more efficient use of existing employment land.

- 5.2 The principle of the proposal to provide a new commercial building which diversifies the range of jobs available in this location is therefore considered acceptable, with the main further considerations being design, visual and neighbouring amenity, transport and parking, and impact upon non-designated heritage assets.

5.3 Design and Visual Amenity

Core Strategy Policy CS1 requires proposals to demonstrate appropriate siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Developments should also include sufficient space provision for sorting and storage of waste and recycling materials. Policies, Sites and Places Plan Policy PSP1 seeks proposals to respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area.

- 5.4 With close proximity to Grooms House the proposed new building would visually read as an extension. Having a distinctly modern style is an approach to extending historic buildings as opposed to trying to copy its historic characteristics. However the extension, or in this case new building, should still take cues from the historic building in terms of proportions, materials, details and colours.

- 5.5 The proposed building would be simple in design with a single storey, partially enclosed to the eastern and southern sides by the existing building. Views from the north would be largely obscured by the Crinkle-Crankle Wall. The eaves line would be level with directly adjoining parts of Grooms House, thereby maintaining its proportions.

- 5.6 In views to the west the building would provide a third west facing gable front, albeit at single storey, thereby providing consistency to that elevation in its overall form to the existing building whilst also being subservient. It would be prominent to the west in entrance views from Stanshawes Court, and to address comments raised by the case officer additional slot windows were added to this gable front to provide visual interest.

- 5.7 Comments received from Yate Town Council confirm no objection in principle, however seek consideration to be given to the type of materials stating that these are not currently in keeping with the surrounding buildings.
- 5.8 Additional clarification was provided by the agent that a timber framed construction is proposed for energy efficiency reasons, with the proposed timber cladding to emulate timber clad infills on the main building, and provide visual interest through being a different material, colour and texture to walls of the main building where another masonry constructed building could appear contrived and arbitrary lacking creative thought. Whilst the type of material proposed for external walls (timber) has not changed, updated drawings confirm through annotations that it would be painted to match timber of the existing building, and would use reclaimed roof tiles to match the existing building. The architectural reasoning is therefore accepted as taking cues from the historic building and being sufficiently in keeping, providing a modern addition but without copying it.
- 5.9 The proposed building would be sited within the existing gravel surface. No external landscaped area is proposed nor would any existing trees be affected. A low timber fence would be removed as part of the proposals with the western gable front forming a suitable boundary in its place.
- 5.10 The proposal is therefore considered acceptable in terms of design and visual amenity. No external plant is proposed and as a sui generis use would not benefit from permitted development rights for this, therefore a condition restricting addition would be unnecessary.
- 5.11 During consideration of the application it is understood a change to parking arrangements at Grooms House has taken place, considered further below under assessment of transport. This has amended the application red line boundary to remove a separate area covering 3no. parking spaces. The staff and visitor parking areas it would be served by would still however lie within the blue line boundary of land under the applicant's control. Also within this area the proposal would utilise existing waste storage at the south west corner.
- 5.12 A timber cycle shelter of approximate width 2.65m, depth 2.35m and height 2.15m is also proposed within the staff parking area (and blue line boundary) to additionally support the transport considerations of the proposal. This would be appropriately sited for its intended use and be well screened from public view, however is considered would provide an acceptable appearance in any case.
- 5.13 Transport Matters
NPPF Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.14 Policies, Sites and Places Plan Policy PSP11 provides that development proposals which generate a demand for travel will be acceptable where appropriate, safe, accessible, convenient, and attractive access is provided. For commercial development this should be located with access by walking

routes and public transport, and provide appropriate on-site loading, unloading and waiting facilities. Core Strategy Policy CS8 requires car parking and vehicular access to be well integrated and provide safe and secure cycle parking facilities. Policies, Sites and Places Plan Policy PSP16 does not set vehicle parking requirements for commercial premises.

- 5.15 The application site is situated within a highly sustainable location close to residential areas and public transport links, which would be likely to reduce vehicle movements. The submitted D&A Statement advises only 2 dogs would be catered for at any one time via pre-booked visits with 1no. employee. Given this and the small floor area proposed, the proposed additional building and business is considered unlikely to result in a severe transport impact nor significant increase in parking demand, a view supported by comments received from sustainable transport.
- 5.16 As advised by the agent the car parking area at Grooms House is now segregated between staff and visitor parking to avoid visitors parking in spaces designated for individual businesses, and so the application no longer identifies 3 designated spaces for the proposed new building. This does not alter the overall parking spaces available at Grooms House, and would in all likelihood provide greater efficiency of the parking area. The proposals include provision of a 6 space secure cycle parking shelter which would accommodate demand arising from the proposal as well as other businesses at Grooms House. The proposal is therefore still considered acceptable in terms of parking provision and a planning condition is recommended to ensure provision of the cycle shelter.
- 5.17 Neighbour comments received in objection refer to insufficient car parking as well as manoeuvring areas for service vehicles at Grooms House. Severe highway safety or parking impacts are not considered to occur as result of the proposal as assessed above, and since the building would be sited within an already enclosed area it is also not considered to impact on space available for manoeuvring. For the same reason the proposal would not have a greater impact of traffic passing the Crinkle-Crankle wall, with safeguarding of impacts upon this from construction considered further below under heritage.
- 5.18 Residential Amenity
Policies, Sites and Places Plan Policy PSP8 provides that development proposals will be acceptable provided they do not have an unacceptable impact upon amenity of nearby residential properties including on privacy, being overbearing, loss of light, noise/ disturbance, odours, fumes or vibration.
- 5.19 The proposed new building, as a single storey would be screened from existing residents to the north by the Crinkle Crankle Wall, providing both visual and noise attenuation together with separation by distance therefore unlikely to prejudice the amenity of neighbouring residents. As the use would take place during the daytime there would not be barking at unsocial hours, however to safeguard residential amenity a planning condition is recommended to restrict the hours of operation to those stated in the application form and for no dogs to be kept at the premises outside of those. Similarly to safeguard residential

amenity a planning condition is also recommended to restrict provision of external lighting without prior consent.

5.20 Flood Risk and Drainage

NPPF paragraph 167 requires developments to not increase flood risk elsewhere and incorporate sustainable drainage systems except where inappropriate. The site is located within Flood Zone 1 and below 1ha in area therefore does not require a Flood Risk Assessment, with submitted drawings confirming connections to existing drainage. The proposal is therefore acceptable in respect of flood risk and drainage, with comments received from the Lead Local Flood Authority confirming no objection.

5.21 Ground Conditions

NPPF paragraph 183 states that planning decisions should ensure that the proposed site is suitable for its new use taking account of ground conditions and any risks arising from land instability and contamination.

5.22 No information has been submitted in respect of contamination and given the scale of development proposed is not considered necessary, confirmed by comments received from Environmental Protection.

5.23 The application site lies within a Mineral Safeguarding area for which Policy PSP24 provides that non-mineral development proposals will be acceptable provided they do not sterilise or prevent extraction of mineral resources. Given its small scale and location within an already developed commercial estate the proposal would therefore be unlikely to impact upon mineral resources, confirmed through informal discussion with the Minerals and Waste Planning Officer.

5.24 Nature Conservation

Policies, Sites and Places Plan Policy PSP19 and NPPF paragraph 180 of require development proposals to safeguard against loss of irreplaceable habitats and sites of value to local biodiversity. The application site comprises hardstanding with no vegetation providing no habitat for biodiversity, therefore no ecological information is considered necessary.

5.25 Heritage

Both Stanshaws Court to the west, and the Crinkle-Crankle boundary wall immediately to the north of the site, are locally listed and therefore non-designated heritage assets for which Policies, Sites and Places Plan Policy PSP17 requires to be preserved or enhanced. Given small scale of the proposed building and proposed design maintaining coherence with Grooms House, it is not considered to impact on their heritage significance, as confirmed in comments received from the Conservation Officer.

5.26 The proposal is located in close proximity to the Crinkle Crankle wall, for which neighbour comments received state is vulnerable to damage. Due to the separation distance the proposal would be unlikely to impact upon the wall during its operation. For construction, additional information has been submitted comprising a Method Statement, specification of the excavator, position and form of protective fencing and following informal discussion with

the Conservation Officer is considered acceptable provided construction does not include use of pneumatic tools nor other high vibration activities. A planning condition is therefore recommended to ensure these safeguards are in place during construction.

5.27 Sustainability

Policies, Sites and Places Plan Policy PSP6 encourages all development to minimise end-user energy requirements over and above those required by the current building regulations. As a modern building energy efficiency could expect to be achieved through its building fabric, which is considered appropriate and reasonably related in scale to the proposed development.

5.28 Consideration of likely 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.

5.29 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.

5.30 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

6. CONCLUSION

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

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

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 the application be APPROVED subject to conditions written on the decision notice.

CONDITIONS

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

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

2. The development shall proceed in accordance with the following plans:

As received by the LPA 31.03.22:

Existing Combined (Plans and Elevations) - 71368-01-001 Rev. D
Proposed Combined (Parlour Plans and Elevations) - 71368-01-102 Rev. D

As received by the LPA 04.04.22:

Proposed Parking and Site Works - 71368-01-103 Rev. A
6 Space Trinity Timber Cycle Shelter as per data sheet by Secure Cycle Store
Email - DJ&P Newland Rennie dated 04.04.22 '71368-01 Stanshawes Court - P22/00144/F'

As received by the LPA 06.04.22:

Proposed Combined (Plans and Elevations) - 71368-01-101 Rev. D

Reason: For the avoidance of doubt and to define the terms and extent of the permission.

3. Construction of the development hereby permitted shall be carried out in full accordance with the Method Statement by DPS Construction Services dated 30/03/22 with erection of temporary protective fencing as shown in drawing no. 71368-01-103 Rev. A, and shall not include use of pneumatic tools nor other high-vibration activities.

Reason: To ensure construction works would not adversely affect a non-designated heritage asset in accordance with Policy PSP17 of the South Gloucestershire Policies Sites and Places Plan 2017.

4. Prior to first use of the development hereby approved the cycle shelter shall be installed in accordance with the approved plans (listed under condition 2) and thereafter retained.

Reason: To ensure sufficient cycle parking provision to serve the development and promote sustainable travel options in accordance with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy December 2013 and Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017.

5. The development shall only operate between the hours of 09:00-17:00 Monday to Friday (including Bank Holidays) and 09:00-12:00 on Saturdays, there shall be no operations on Sundays, and no dogs may be kept at the premises outside of these hours.

Reason: To safeguard amenity of nearby residential occupiers in accordance with Policy PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017.

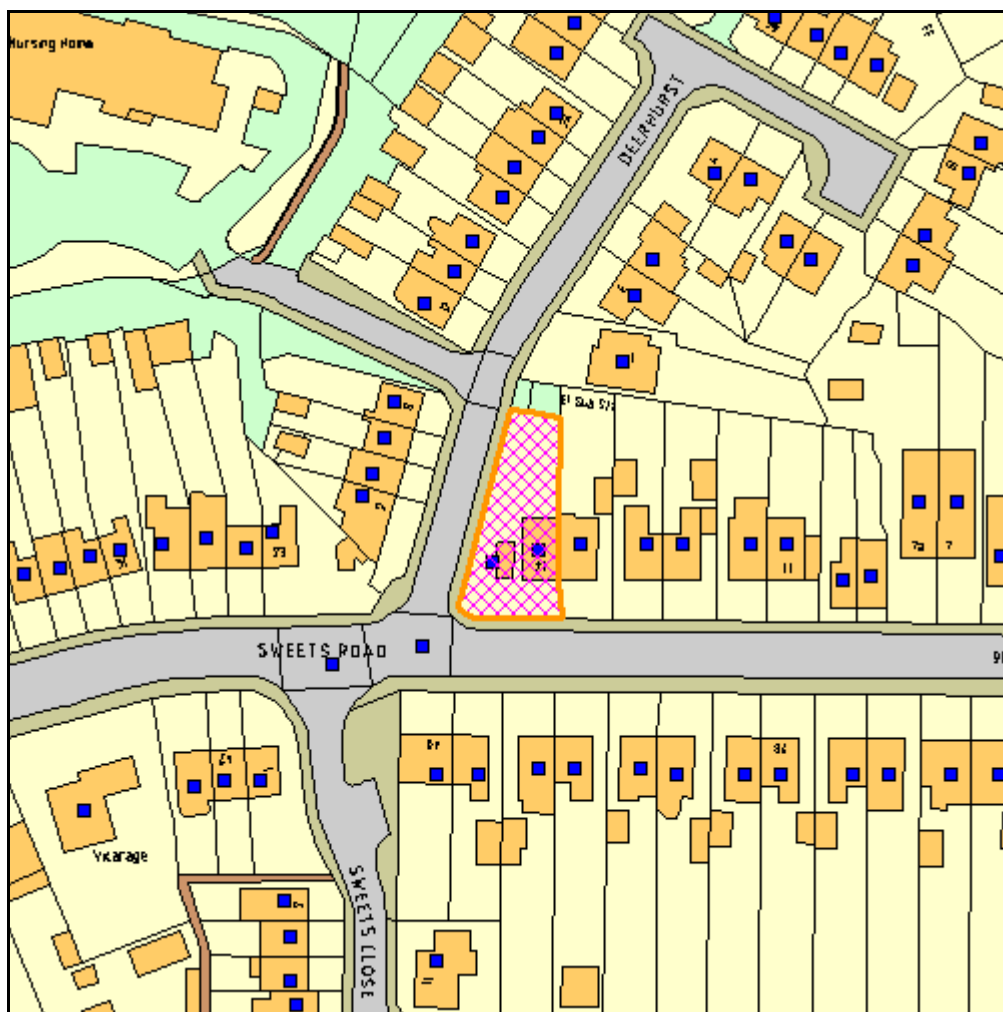
6. Prior to the installation of any external lighting, other than temporary construction lighting, details of its design, siting and operation shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard amenity of nearby residential occupiers in accordance with Policy PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017.

Case Officer: Michael Fishpool
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 14/22 - 7th April 2022

App No.:	P22/00266/RVC	Applicant:	Mr Christopher Read
Site:	Land At 21 Sweets Road Kingswood South Gloucestershire BS15 1XJ	Date Reg:	21st January 2022
Proposal:	Variation of condition 3 attached to PK18/4988/F to omit rear parking bay and provide 2no parking bays at front of property.	Parish:	None
Map Ref:	365299 174962	Ward:	Kings Chase
Application Category:	Minor	Target Date:	14th March 2022



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

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to the receipt of an objection from an elected member of South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 This application is made under Section 73 of the Town and Country Planning Act 1990 (as amended). Applications made under this section of the Act allow permission to develop without complying with a condition(s) previously imposed on a planning permission.
- 1.2 Here, it is noted the previously approved application (PK18/4988/F) was granted permission for the erection of 1no. detached dwelling with associated works located at the site known as 'Land At 21 Sweets Road' – which had formed a side garden to the host property of No.21 Sweets Rd, Kingswood.
- 1.3 In this instance, the applicant seeks to vary condition 3 attached to the planning approval of PK18/4988/F by means of substituting the following approved plan (received 15th December 2019): 'Existing and Proposed Site Plan' (NRD/2017/CPR 100 Rev B). This substitution, if approved, would amount to the reallocation of 1no. parking space and enlargement of outdoor rear amenity space. An assessment of these impacts is discussed in section 5 of the report.

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 Bristol Urban area

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
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP22	Unstable Land
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (*Adopted*) 2007
 Residential Parking Standards SPD (*Adopted*) 2013
 SGC Householder Design Guide (*Adopted*) 2021

3. **RELEVANT PLANNING HISTORY**

- 3.1 Ref: PK18/4988/F. Approve with Conditions, 13/02/2019.
 Proposal: Erection of 1no. detached dwelling and associated works.
- 3.2 Ref: DOC20/00104. Discharge of Conditions, 26/05/2022.
 Proposal: Discharge of condition 2 (Coal mining investigations) attached to planning permission PK18/4988/F. Erection of 1 No. detached dwelling and associated works.

4. **CONSULTATION RESPONSES**

- 4.1 Sustainable Transport
 No objection to the application, however it is recommended that conditions relating to electric charging points for vehicles are provided as well as highway works to be constructed in accordance with the Council's standards.
- 4.2 Planning Enforcement
 No comments received.
- 4.3 Highway Structures
 No comment received.
- 4.4 Councillor Kim Scudamore
 Objection is raised as this application seeks to alter a condition that was not originally accepted by the Council. No justification can be made to accept this amendment.
- 4.5 Local Residents
 Two letters have been received from local residents (1 support and 1 objection). Key points are summarised below:
- There is adequate parking in front of the house for 2-3 cars, therefore rear parking is unnecessary. Likewise, rear parking could cause disruption to a busy junction used by Deerhurst Nursing home (opposite rear space).
 - Relocation of parking space to front raises highway safety concerns with queries raised about rationale for relocation.

- 4.6 [*Officer comment to consultee responses*] In the first instance, it is noted that if an existing permission is currently in breach of a planning condition, it does not hold weight as to impact upon the decision of this RVC. Rather, the recommendation must be based on adopted policy and supporting guidance. There has been no change in policy position since the time of approval (2019), meaning it would be unjustifiable to request that electric vehicle charging facilities are provided, most especially as this application would not increase the number of spaces. In terms of the potential harm, an assessment against policy can be found below.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

As applications made under section 73 allow permissions to be made without compliance to conditions (attached to a previously approved planning application), it follows that the original permission continues to subsist regardless of the outcome made under section 73. Due to this, the principle of development is therefore accepted.

5.2 Design and Visual Amenity

The proposed amendment to relocate the rear parking space to the front of property (and therefore sit beyond the principal elevation) is not considered to be a significant change from what has been previously approved. Likewise, it is noted that properties along Sweets Rd and also in close proximity to the applicant site, feature 2no. parking spaces at the direct frontage of dwellinghouse. This therefore indicates the amendment would reflect the existing character and appearance of the surrounding context.

5.3 Residential Amenity

In terms of the impact on residential amenity, there could be some loss of outlook opportunity for both the host property and the 2019 approved dwellinghouse. However, the additional parking space would not exacerbate any existing outlook issues.

- 5.4 In addition to this, the relocation of parking space would enlarge both rear gardens from the previous scheme and is therefore considered to enhance outdoor amenity space.

5.5 Sustainable Transport and Parking

Concern has been raised by local residents (see section 4) that the introduction of 1no. parking space towards the front of the property could compromise highway safety. Whilst this is an understandable worry, reference is drawn to the previous report which stated that transport officers did not object to the widening of existing front access. Likewise, similar comments can again be found from transport officers, which suggests the provision of 2no. front parking spaces would not severely affect road conditions as to represent a refusal. Furthermore, the surrounding location is made up of predominantly residential properties with the associated road network benefiting from a 30MPH speed limit, again indicating the development would not result in a material highway safety issue. However, as there has been a modest increment of road usage and subsequent demand for parking opportunity, as well as policy requiring the

creation of accessible on-site parking arrangements, it would not be undue to set a condition to ensure the parking spaces are retained as detailed in the amended plan.

5.6 Planning Balance

Given the assessments outlined above, there is no objection to this variation of condition application, subject to the re-imposition of appropriate conditions attached to PK18/4988/F.

5.7 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

1. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved (Existing and Proposed Site Plans: NRD/2017/CPR/100 - Rev C) shall be retained for that purpose thereafter this permission. (This includes the parking provision shown for the host dwelling).

Reason

To ensure the satisfactory provision of parking facilities and in the interest of sustainable transport 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.

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

Site Plan (NRD/2018/CPR/100/ADD - Rev A)

Proposed Plans, Elevations and Sections (NRD/2018/CPR/200)

Existing and Proposed Site Plans (NRD/2017/CPR/100 - Rev C)

Reason

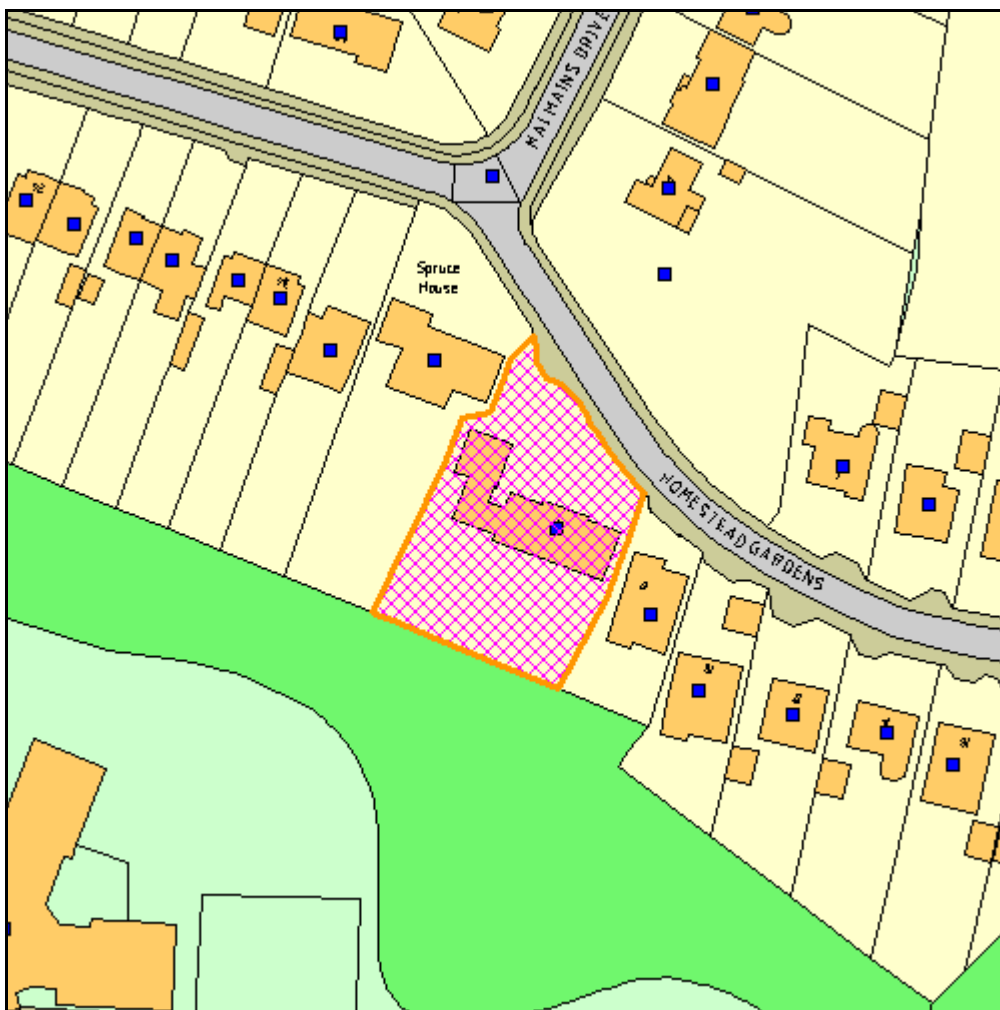
To define the extent and terms of the permission.

Case Officer: Ben France

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 14/22 - 7th April 2022

App No.:	P22/00938/HH	Applicant:	Mr Curtis Reid
Site:	Homestead 2 Homestead Gardens Frenchay South Gloucestershire BS16 1PH	Date Reg:	17th February 2022
Proposal:	Installation of first floor to existing attached garage to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	363938 177976	Ward:	Frenchay And Downend
Application Category:	Householder	Target Date:	14th April 2022



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

INTRODUCTION

This application appears on the Circulated Schedule due to comments and concerns received.

1. THE PROPOSAL

1.1 The application is for the installation of a first floor to the existing attached garage to form additional living accommodation. This would involve adding gable ends to the existing garage, increasing the ridge height slightly and the addition of a dormer into the roof slope, to facilitate the conversion of the garage.

1.2 The property is a detached dwelling within the residential area of Frenchay.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS8	Access/Transport

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

PSP1	Parking Standards
PSP8	Residential Amenity
PSP38	Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD
South Gloucestershire Householder Design Guidance SPD (Adopted 2021)

3. RELEVANT PLANNING HISTORY

3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council
The comments of the Parish Council are no objection. The Parish Council have concerns regarding potential noise issues arising from the cinema room.

Sustainable Transportation

No objections

Other Representations

4.2 Local Residents

4 Letters have been received:

Two letters from the same household stating that they are not objecting but have concerns:

- concerns that a cinema room on top of the building could cause noise pollution, should there be insufficient soundproofing
- we would object if there were windows in the other side of the roof as this would cause overlooking
- concern over building times which should be controlled

Another letter neither supporting or objecting was received raising the following points:

- The proposed new development will be very near to the boundary of our property and will therefore have some negative impact on it
- the overall height is not significantly higher but would lead to some loss of light
- The design has tried to be sympathetic and the impact may be limited as long as the design is retained

One further letter objecting to the proposals has been received as follows:

- The extension is unnecessary and will create excessive noise in a quiet street
- the house is already too large for the plot and the removal of garage space will increase car parking on the road

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Extensions to dwellings within residential curtilages are acceptable in principle subject to detailed development control considerations in respect of local amenity, design and transportation; as set out in policy PSP38. The issues for consideration in this respect therefore are whether the proposals have an adverse impact on the amenities of nearby occupiers and whether the design of the proposal is sufficiently in keeping with the site and surroundings.

5.2 Design

The proposals are essentially adding gable ends to the existing garage, increasing the ridge height slightly and the addition of a dormer into the roof slope, to facilitate the conversion of the garage. The dormer would be inwards facing within the plot, across the frontage of the property. The dormer would be relatively long, however it would be well below the ridge of the roof, and above the eaves, and would be set off the sides of the roof by a satisfactory margin. Taking this into account and the single storey nature of the building it is not considered that the dormer would become an over dominant feature and does integrate satisfactorily within the site and would be acceptable in context with advice contained in the Council's Householder Design Guidance in this instance. The proposals are considered to be of an acceptable standard in design and would be an acceptable addition, taking into account the main

dwelling house and surrounding area. Materials would be acceptable, matching the existing building.

5.3 Residential Amenity

The comments above are noted. The proposals would increase the scale of the single storey garage through creating gable ends and increasing the ridge height slightly. This would mainly be tangible from the property immediately to the west, however given the nature and scale of these alterations they would not have a materially overbearing impact in this instance. The proposed dormer would be on the inside facing slope of the garage with windows facing across the application property. No change of use is proposed and the garage would remain in residential use associated with the host dwelling, insulation and soundproofing would need to be to current building regulations standards, whilst standard building hours are generally 7.30 – 18.00 Mondays to Fridays, 08.00 – 13.00 Saturdays and no working on Sundays. Beyond this, excessive noise emanating from a property would be a civil nuisance issue.

5.4 On the basis of the above considerations, the length, size, location and orientation of the proposals and the relationship with other properties in the area, are not considered to give rise to any additional significant or material overbearing or overlooking impacts on adjacent properties such as to sustain an objection and warrant refusal on this basis, in this instance.

5.5 Transportation

The proposed development will remove two vehicular parking spaces from the existing garage. The plans submitted show that there is space available on the driveway to the frontage of the dwelling to provide parking which complies with South Gloucestershire Council's residential parking standards. On that basis, there is no transportation objection raised.

5.6 Equalities

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

With regards to the above this planning application is considered to have a neutral impact on equality, as it would not positively or negatively impact upon protected characteristics.

6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

- 7.1 That planning permission is granted.

CONDITIONS

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

Reason

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

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

Location Plan, Block Plan and Existing and Proposed Plans and Elevations (Refs RED4489 01, 02, 03A, 04A, 05 and 06) received by the Council on the 15th and 17th February 2022.

Reason

To define the terms and extent of the permission.

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

Reason

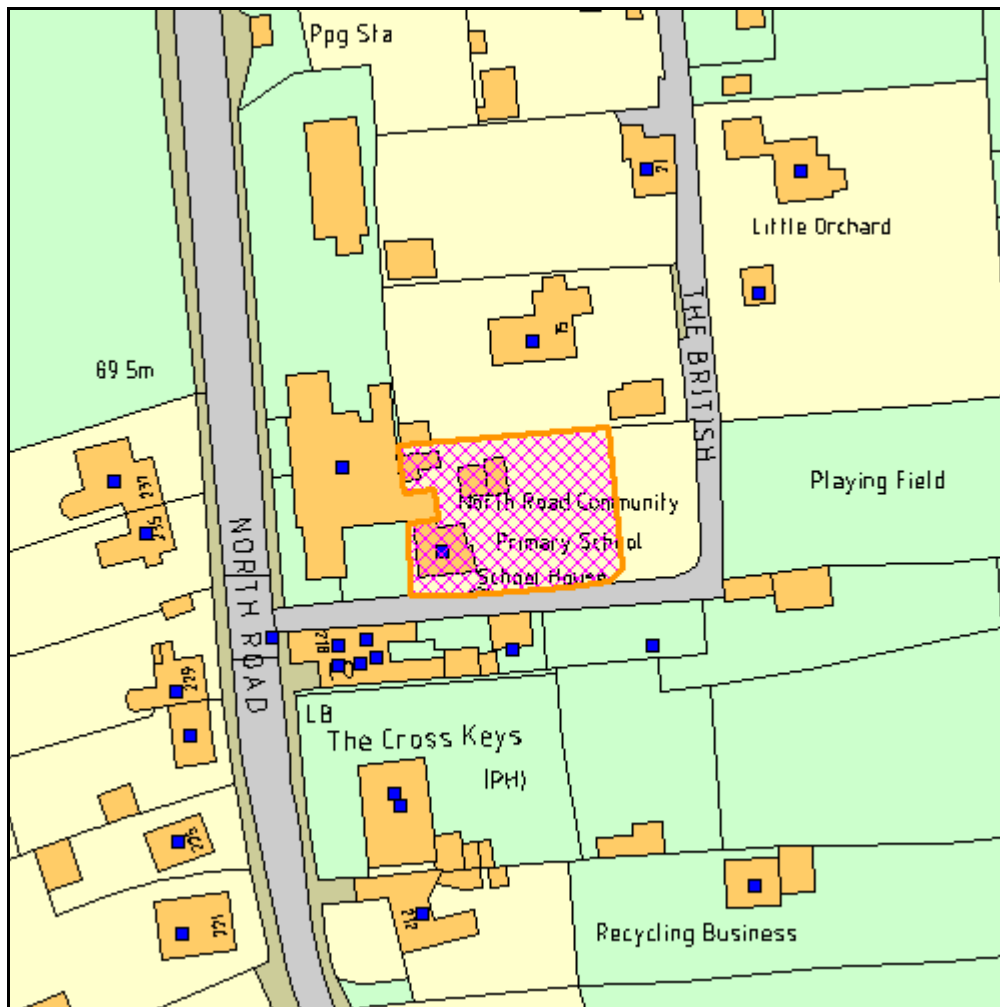
To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

Case Officer: Simon Ford

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 14/22 - 7th April 2022

App No.:	P22/01085/F	Applicant:	Mrs Louise Williams
Site:	Land At School House The British Yate South Gloucestershire BS37 7LH	Date Reg:	22nd February 2022
Proposal:	Erection of 1 no. detached dwelling with associated works.	Parish:	Iron Acton Parish Council
Map Ref:	369928 183756	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	14th April 2022



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule because the applicant is employed within the Department for Environment and Community Services and works within the planning service. The current scheme of delegation set out in the Council's constitution asserts that where the applicant is employed by the Council, the application must be placed on the Circulated Schedule prior to determination.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of 1no. detached dwelling, with associated works.
- 1.2 The application site falls within the existing residential curtilage of School House, a detached two storey dwelling. The site falls within the Engine Common settlement boundary, and is within an area subject to a blanket tree preservation order (TPO)
- 1.3 Two recent applications for residential development have been refused on this site. P20/23983/F for 2no. dwellings was refused in January 2021, and P21/00572/F for 1no. dwelling was refused in April 2021. Both refusals were subject to appeals to the Planning Inspectorate, and both appeals were dismissed. A central issue in both refusals (and dismissed appeals) was the access situation, which was found to be unacceptable. The earlier refusal for 2no. dwellings was also refused on design grounds. The later refused application for 1no. dwelling was found to be acceptable in design terms, but still presented a highways issue.
- 1.4 This application is different than the previously refused application for 1no. 3 bed dwelling, as the 1no. dwelling now proposed would only have 1 bedroom.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2021
National Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
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
PSP3	Trees and Woodland
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
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

CIL and S106 SPD (Adopted) March 2015

Waste Collection SPD (Adopted) January 2015 (updated March 2017)

Trees and Development Sites SPD (Adopted) April 2021

3. RELEVANT PLANNING HISTORY

School House

3.1 P22/00699/CLP (approved 01/04/2022):

Installation of hard standing, erection of 2-metre-high fencing and siting of a mobile home ancillary to the main dwellinghouse (School House, The British).

3.2 P21/00572/F (refused 01/04/2021 / appeal dismissed 31/12/2021):

Erection of 1no. dwelling with access, parking, and associated works.

Refusal reason:

The incremental increase of development and the resulting vehicular traffic using a substandard access road The British by reasons of restricted width for two-way vehicular traffic and lack of footway facility at its junction with North Road will result in additional conflict between vehicles and pedestrians to the detriment of road safety. The proposal will be contrary to Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

3.3 P20/23983/F (refused 29/01/2021 / appeal dismissed 31/12/2021):

Erection of 2no. dwelling with access, parking, new public footpath, and associated works.

Refusal reason 1

By virtue of the amount of development on the site, its scale and massing, the proposal is considered to represent a cramped form of development and one

that fails to respond to or respect the character of The British. The scheme also does not adequately reflect the existing street scene in terms of appearance and would be at odds with the current built form to the detriment of visual amenity. In addition, the vast expanse of hardstanding to the front has very limited opportunities for successful planting and again would dominate and be at odds with the character of the area. The type and amount of development proposed has knock-on adverse impacts for residential amenity, on-site parking and highway safety. As such the scheme fails to represent the highest standard of site planning and is thereby contrary to adopted planning policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and Policy PSP1, PSP8 and PSP43 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the NPPF in general.

Refusal reason 2

The incremental increase of development and the resulting vehicular traffic using a substandard access road The British by reasons of restricted width for two-way vehicular traffic and lack of footway facility at its junction with North Road will result in additional conflict between vehicles and pedestrians to the detriment of road safety. In addition, the scheme if implemented as proposed, would go against the previously approved scheme (application P20/10847/F) in relation to off the street parking and turning area in association with the School House. The proposal would be contrary to Policies PSP11 and PSP 16 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017.

- 3.4 P20/10847/F (approved 21/07/2020):
Demolition of existing conservatory, single storey side/front extension and rear lean-to extension. Erection of single storey side/front extension and two storey side and rear extension to provide additional living accommodation. Installation of first floor dormer window to front elevation, 4 no. solar roof panel blocks and 2 no. sections of 2-metre-high fencing.
- 3.5 P20/20651/F (approved 24/12/2020):
Demolition of existing outbuildings. Erection of 1 no. dwelling with access, parking and associated works (amendment to previously approved scheme PK16/1490/F).
- 3.6 P20/11417/CLP (approved 18/08/2020):
Erection of 2 no. polytunnels.
- 3.7 PK16/1490/F (approved 25/11/2016 [DMC overturn]):
Erection of 1no. detached dwelling with access and associated works.

Officer refusal reason recommendation:

The British is a narrow, single track, road mainly without passing places and is unsuitable for two-way traffic. The junction of The British and North Road is substandard as it lacks sufficient visibility; there is also insufficient visibility at the location of the proposed access to the development. The British is used as a route for school pupils between the main school building and the playing field; there is no dedicated pedestrian footway. The proposed development would

lead to the intensified use of The British and the road is not considered to be adequate to safely accommodate the additional traffic when considered cumulatively with the other uses of The British, particularly with regard to more vulnerable road users. The development would lead to the increased potential for conflict between road users and lead to undesirable vehicular movements along the stretch of The British between the blind bend and the junction with North Road. The development would lead to a harmful impact to highway safety and this harm has been identified as being severe. The proposed development is therefore contrary to the National Planning Policy Framework and policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

Reason for overturn given by Committee:

*The British is a small residential cul-de-sac and residents are accustomed to the highway issues on the road and at the junction with North Road
The development would enable the applicants, who require a bungalow for health reasons, to stay in the cul-de-sac. The visibility splay at the junction with North Road cannot be improved. No objection has been received from North Road Primary School Concerns over visibility can be overcome
Could provision be made for visitor parking within the site? The development will contribute to the Council's 5-year land supply*

Site to the South

- 3.8 PK17/2400 (approved 05/10/2017):
Partial demolition and alterations to existing shop to facilitate erection of 2no.dormer bungalows with access, parking and associated works.
- 3.9 PK16/6886/F (refused 28/04/2017):
Demolition of existing buildings and erection of 2no detached dwellings and associated works. (re-submission of PK16/2429/F).

Refused for 4 reasons: access, parking, amenity, design.

Elsewhere on The British

- 3.10 P21/01704/F (refused 21/01/2022):
Erection of 1 no. dwelling with associated works.

Refusal reason:

The incremental increase of development and the resulting vehicular traffic using a substandard access road The British by reasons of restricted width for two-way vehicular traffic and lack of footway facility at its junction with North Road will result in additional conflict between vehicles and pedestrians to the detriment of road safety. The proposal will be contrary to Policy PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

- 3.11 PK15/4184/F (approved 17/12/2015):
Erection of 1no. detached bungalow with associated works.

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council

Objection, summarised as follows:

- The Access is via a narrow no through lane
- No footway or pavement to protect pedestrians
- The British is used as the only route for children walking from the school to the playing field
- Proposal would be a danger to the school children and pedestrians
- Access from North Road has restricted visibility
- IAPC are concerned about the cumulative development leading to an increase in vehicle movements

4.2 Transport

Objection due to incremental increase of development and resultant vehicle movements using a substandard access.

The highways comments are substantive and detailed, and will be written into the highway section of this report. A full copy of the highway's comments are also available on the SGC planning website.

4.3 Highway Structures

No comment.

4.4 Drainage (LLFA)

No objection, informative recommended.

4.5 Tree Officer

No objection

4.6 Environmental Protection

No objection in principle, condition recommended.

4.7 Local Residents

No comments have been received.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal seeks to erect 1no. 1 bed detached dwelling, with associated works.

Principle of Development

- 5.2 Policy CS5 of the Core Strategy outlines the locations at which new development is appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries at smaller/appropriate scales. The application site is located within the area

defined as Engine Common, which is a designated settlement boundary. As such, based solely on the location of the site within the context of the Council's locational strategy for development, the proposed development is acceptable in principle.

- 5.3 It is acknowledged that the provision of a new dwelling towards housing supply would have a modest socio-economic benefit. However, the impacts of the development proposal must be further assessed against relevant policy to identify any potential harm and to reach a balanced decision. For this type of development at this location, the additional areas of assessment include impacts on visual amenity and the character of the area, impacts on residential amenity, and impacts on the surrounding transport network. Furthermore, the Council is able to demonstrate a five-year land supply of housing.
- 5.4 Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour, and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Policy CS1 is fully compliant with design guidance in the NPPF. Policy PSP1 of the Policies, Sites and Places Plan requires development proposals to demonstrate an understanding of the character of an area. Development proposals should make a positive contribution to the distinctiveness of a locality and innovative architectural responses to design issues are encouraged.
- 5.5 PSP38 is supportive of new residential dwellings within existing residential curtilages, but subject to an assessment of design, landscaping, amenity, highway safety and parking issues, as well as any other material planning considerations.
- 5.6 Further to the above and as found in previous applications on this site, the proposed residential development is acceptable in principle, subject to the following detailed consideration of the relevant planning issues.
- 5.7 Design and Visual Amenity
The previously refused application for 1no. dwelling on the site was found to be acceptable in terms of design, following a thorough and detailed assessment by the case officer at the time. There have been no substantial changes in adopted local plan policy since then, albeit the amendments to the NPPF in July 2021 are noted insofar as they place a greater emphasis on good design.
- 5.8 The proposed dwelling would be lower than the previously proposed dwelling which had accommodation in the roof, whereas the currently proposed dwelling would have ground floor accommodation only owing to the reduction in the number of bedrooms. The revised dwelling would have a similar footprint to the previously considered single dwelling, and the dwelling that has consent to the East (yet to be built out). Albeit the rear wing in this instance would be wider and on the opposite end of the dwelling, but this increase in width and change in position of the rear wing would seldom be unacceptable. It is noted that the plans suggest that render would be used as the facing material instead of

stone, however given that render is a very common material in on The British, this does not present any material design issues.

- 5.9 Overall, on the basis that the previous dwelling was found to be acceptable in design terms and owing to the fact what is proposed is materially similar (albeit smaller) in terms of design and overall layout, there are no design objections to the proposed dwelling in this instance.
- 5.10 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.11 The previously refused scheme was noted to be acceptable in terms of amenity, both for future occupiers and occupiers of neighbouring dwellings. The proposed dwelling whilst on the same footprint as the refused dwelling would be lower in terms of height and have no accommodation in the roof. It stands to reason therefore that the current proposal would have even less of an impact on neighbouring dwellings. There is noted to be an East facing living room window proposed, which would be directed towards the side elevation of the bungalow approved under P20/20651/F and the intervening boundary treatment. There appears to be no West facing side windows on the approved bungalow to the East, and so there would not be any intervisibility issues.
- 5.12 The proposed dwelling would have a level of private amenity space that exceeds the PSP43 standard for a 1 bed dwelling. The amenity space proposed for the new dwelling would be of sufficient quality and would be sufficiently useable. School House would also retain a satisfactory level of private amenity space that accords with PSP43.
- 5.13 Transport
The previously refused applications for residential development on this site, P21/00572/F and P20/23983/F for 1no. and 2no. dwellings respectively, were both refused on highways grounds, because of concerns relating to the intensification of the use of the substandard junction onto North Road. Both decisions proceeded to appeal, and both appeals were dismissed. A further application on an unrelated site further along The British, P21/01704/F for 1no. dwelling, was refused broadly for the same highways reason. This decision however was not contested at appeal.
- 5.14 As previously, it would be useful at this point to look at the history of planning decisions on The British. A detached single storey dwelling within the garden of School House was originally approved under PK16/1490/F, an overturn by Committee against the Officer's recommendation. Minutes of the meeting reveal that the Committee was swayed by the argument the house would be for a family member and on this basis over-ruled the recommendations made by the case officer and transport engineer at the time. Afterwards however, the main house was sold on the open market with planning permission for the new

dwelling in the garden. This consent was in effect renewed by P20/20651/F and remains extant on the site.

- 5.15 With regards to approved alterations to the main dwelling to increase it from a 2 bed to a 4-bed property (P20/10847/F), Transport Engineers expressed concerns regarding the originally proposed 3 tandem parking spaces. The overall scheme was only made acceptable by the introduction of a parking and turning area to serve the extended property thereby allowing vehicles to enter and leave in forward gear onto The British.
- 5.16 The site to the South of the application site where 2no. dwellings have been erected was initially faced with a refusal of planning permission under PK16/6886/F. One of the four reasons for this refusal was down to the proposal resulting in the intensification of the restricted access onto North Road from The British. PK17/2400/F on the same site for 2no. dwellings was later approved, on the basis that there were benefits arising from a footway build out on the junction with North Road, visibility improvement by removing part of the corner of the former Post Office and the creation of passing bays on The British which now form part of the adopted highway. Put another way, this scheme was approved in part because it would offset its own impact but would also improve the situation for other road users. It is pertinent however to note at this point that whilst this scheme improved the situation, the junction onto North Road is still sub-standard, as discussed in further detail below.
- 5.17 P21/01704/F further North along The British ('Land at The British') was refused in similar fashion to the two recent refusals at School House, due to the incremental increase of development and resulting vehicular traffic ultimately using a substandard junction. At this point, it is noted that there was a previous approval on this site for a new dwelling (PK15/4184/F), which was fully acknowledged in the officer report for P21/01740/F. This application is raised in this report as PK15/4184/F is referenced by the applicant in their supporting arguments. It is acknowledged that previously approved PK15/4184/F was for 1no. 1 bed dwelling, which is similar to this current application.
- 5.18 PK15/4184/F was approved previously, but it is worth noting that at the time the highways engineers still raised highway safety concerns with respect of the substandard nature of the access road (The British) due to its junction with North Road. The case officer at the time of PK15/4184/F took a balanced view and recommended approval contrary to the highway officer advice on the basis of the low amount of vehicle movements generated by 1no. 1 bed dwelling. The case officer is acutely aware that in this case, the proposal is also for 1no. 1 bed dwelling.
- 5.19 However, since PK15/4184/F (now lapsed) there have been further dwellings added to The British, including those opposite the application site, and the extant consent at School House for 1no. 3 bed dwelling. Moreover, there have been two recent appeal decisions relating to the issue of The British being a substandard access for new residential development due to the junction onto North Road. The issue raised in both previous appeals at School House, is the issue of *incremental increases in vehicle movements*.

Access

- 5.20 Turning to the present, the site is proposed to be accessed from The British, a narrow single lane serving the school playing field and some 11 other properties. The British measures approximately 3m at its junction with North Road. At 3m wide, this is enough only for one vehicle to use at a time with no separate footway available at this location. Some improvements including the provision of passing places along The British have been made under previous consents (e.g., PK17/2400/F). The passing places have been included as part of the adopted highway, however the road width at its junction remains restricted and with no footway. Construction, service, and large delivery vehicles would all have difficulty accessing The British using the current substandard junction. At this point, it is noted that The British is also used as the only available route for children walking from North Road Community Primary School to the School's playing field, to the East of the site.
- 5.21 The visibility at the junction of The British and North Road is 2.4m x over 60m for vehicle to vehicle. The visibility between vehicles and pedestrians has recently been improved slightly by widening the footway on North Road and cutting off the corner of the building on the south side (the former Post Office), however it is still restricted because of the school fence, telegraph pole and the corner of the building on the south side.
- 5.22 In terms of traffic, it is anticipated that proposal would generate approximately 3 to 4 movements per day. Whilst this would be numerically low, nonetheless against the low background traffic of the lane this level is not insignificant. The proposal would increase traffic using The British which is only accessible from the substandard junction with North Road. Incremental increases of development traffic through this existing substandard junction which has not been designed to current highway design standards is considered material and has the potential to increase the risk of conflict between road users, including vehicles and pedestrians. There is also the added safety concern of the use by children accessing the playing field from North Road Community Primary School. This is particularly important as the gate for the school enters The British where the road narrows and where the conflicts are likely to occur between vehicles entering The British and leaving The British onto North Road, causing reversing manoeuvres as vehicles reverse back past this gate into the passing bay.
- 5.23 Whilst it is accepted that the currently proposed 1no. 1 bed dwelling would have a lesser impact than the two previously refused dwellings, it would nonetheless present an incremental increase in movements. It is this incremental increase in movements that is the concern, which was cited by the inspector in the recent appeals relating to School House (e.g., APP/P0119/W/21/3272961):

"..the substandard access at the junction with North Road would remain, and the incremental increase of highway journeys would exacerbate the existing issues and increase the potential for conflict. For example, two cars entering or exiting the junction would not see each other until they were close, and one would have to reverse back along The British to a passing bay. This would

increase the possibility of driver error and would result in an increased delay for any waiting traffic.”

- 5.24 To permit a further dwelling on the basis that it is 1 bed only and only one additional dwelling would conflict with the now established issue of incremental increases in traffic movements. There are multiple locations along The British where development proposals could theoretically come forward for new dwellings, which would present the same issue, but if each were permitted on the basis of being just one additional 1 bed dwelling (for example), the resultant impact would cumulatively be far greater and would completely undermine the established concern relating to incremental increases posing a highway safety issue. Put another way, approval in this instance would also set an unwelcome precedent. However, for the avoidance of doubt, this application has been considered on its own merits and found to be unacceptable in its own right.
- 5.25 It is on the above basis that the current proposal would be considered to result in an unacceptable harm to highway safety, contrary to the requirements of PSP11, which requires appropriate and safe access to be provided for all mode trips and not generate traffic that would have an unacceptable effect on highway and road safety. This Policy is consistent with the highway safety policies of the Framework.

Parking

- 5.26 The proposed development would provide a level of parking that accords with PSP16, and there is no objection in that regard.

Other highways considerations

- 5.27 It is noted that the applicant has put forward a suggestion of revoking consent P20/10847/F, which remains extant for the extension of School House to provide additional bedrooms (2no. to 4no. bedrooms), to offset the increase in vehicle movements generated by this current proposal for 1no. dwelling. It is not possible for the LPA to easily revoke an existing planning permission. It would however be theoretically possible for the applicant to enter into a legal agreement with the LPA whereby they would agree to only implement one of the permissions (in the event this application was approved). There is however no proposed legal agreement (e.g., a unilateral undertaking (UU)) currently to facilitate this.
- 5.28 Whilst revoking the consent to extend School House would mean it remains a smaller dwelling, this fundamentally sidesteps the fact that there would still be two independent dwellings with their own independent sets of vehicle movements, as opposed to one dwelling. It is for this reason that the suggestion to revoke P20/10847/F would not be considered a satisfactory means to overcome the issues identified which relate to the incremental increase in traffic movements as a result of an incremental increase in development on The British.

- 5.29 It is acknowledged that a certificate of lawfulness has been granted for the stationing of 1no. mobile home within the curtilage of School House (P22/00699/CLP). The applicant states that by approving this application and removing permitted development rights, this would prevent the stationing of a two-bed mobile home as deemed lawful under P22/00699/CLP. This is questionable, as P22/00699/CLP was approved insofar as it relates to the mobile home, because it would not be development and would fall under the statutory definition of a caravan. PDR's therefore do not apply to the mobile home as such, and so it could be stationed irrespective of whether PDRs are removed. This issue is however to an extent academic, because in any event, the potential stationing of a mobile home on the site is not considered to be a sufficient fallback position.
- 5.30 This is because a mobile home ancillary to the main dwelling (per P22/00699/CLP) would not be an independent unit of accommodation and would only be ancillary to The School House, and thus not liable to create its own independent set of vehicle movements if it is used in a truly ancillary manner. Moreover, as this application is before the LPA, it is right and proper that the highways issues are properly considered and should not be disregarded simply because there is a means to do something entirely different with the land (such as site a mobile home, ancillary to the main dwelling).
- 5.31 Environmental Issues
The proposed development is within 250m of two sites that contain infilled land. If present, landfill, and ground gas can be a potential hazard to health. Had the development been found to be otherwise acceptable, a suitably worded condition would be required to secure an assessment of the risks posed by any potential landfill and ground gas, and appropriate remediation or mitigation measures should they be required.

Impact on Equalities

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

Planning Balance

- 5.34 The proposed development is acceptable in principle and would offer a minor socio-economic benefit of an additional dwelling to the district's housing supply,

and this dwelling whilst not strictly an affordable home, would be small and therefore potentially beneficial to those on a lower income, single occupant and/or those looking at purchase their first home. This weighs in favour of the proposal.

- 5.35 The proposed development would be acceptable in terms of design, would provide acceptable levels of amenity to neighbouring and future occupiers, and a satisfactory level of parking in accordance with PSP16. This is required of any development and so these matters attract a neutral weight only.
- 5.36 The proposed development has been found to present an unacceptable impact on highway safety by reason of the dwelling utilising a road (The British) that leads to a substandard junction onto North Road, leading to an incremental intensification of the use of this substandard junction. This weights heavily against the proposed development and outweighs the minor socio-economic benefit of 1no. additional dwelling. Accordingly, planning permission should be refused.

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 South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that permission is **REFUSED** for the following reason:

REFUSAL REASONS

1. The incremental increase of development and the resulting vehicular traffic using a substandard access road (The British) by reasons of restricted width for two-way vehicular traffic and lack of footway facility at its junction with North Road will result in additional conflict between vehicles and pedestrians to the detriment of road safety. The proposal will therefore be contrary to Policy PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

Case Officer: Alex Hemming
Authorising Officer: Suzanne D'Arcy